



Canadian Council for Refugees
Important changes in Canada's Private Sponsorship of Refugees Program
January 2013

Introduction

Since its beginnings in 1979, Canada's Private Sponsorship of Refugees Program has provided protection and a new home to more than 200,000 refugees. Countless Canadians have also benefitted from the program, through the opportunities it offers for personal relationships with people who have survived persecution in various corners of the globe.

Through the years, private sponsors have come to value certain principles that traditionally underlie the program:

- **Additionality** – private sponsorship is **additional to** government assisted refugees. Each year the government makes its commitment, on behalf of Canadians, to resettle a certain number of refugees. Anything that Canadians do through private sponsorship is on top of that commitment. This means that it allows Canadians to offer protection and a permanent home to extra refugees, who would not otherwise have the opportunity.
- **Naming** – private sponsors can identify the refugees that they wish to sponsor, assuming they meet all the criteria in Canadian law. This principle allows Canadians to respond to refugees of particular concern to them, whether individuals known to them, or from a specific region they are involved with or groups with whom they wish to be in solidarity. It also allows Canadians to respond to refugees they feel are being forgotten by others.

The private sponsorship program is undergoing significant changes, which may in the long term have profound impacts on its future shape. While the upcoming changes to the in-Canada refugee determination system are receiving considerable public attention, the changes on the resettlement side are far less well-known. Even those involved in private sponsorship have had little opportunity to weigh up their implications. Nevertheless, the combined effect of various developments seems to challenge the principles of additionality and naming, raising concerns for those who feel that these principles are valuable for refugees and for Canada.

Recent developments

➤ **Cap on private sponsorship applications at Nairobi mission in 2011**

Since 2011 there has been a cap on the number of applications Sponsorship Agreement Holders can submit on behalf of refugees processed at the Nairobi mission. The cap, introduced to address the backlog that had accumulated over many years at Nairobi, severely limits sponsors' ability to respond to refugees in that region of world (the Nairobi mission serves 19 countries in East and Central Africa).

➤ **Overall cap on private sponsorship applications starting in 2012, with specific caps on 4 missions**

Beginning in 2012, Sponsorship Agreement Holders have faced a global cap on the number of applications for named refugees they can submit. In addition, there are specific, very restrictive caps on Nairobi (reduced further since 2011), Pretoria, Islamabad and Cairo. This further limits the ability of sponsors to respond to refugees they believe are in need, particularly refugees in certain world regions.

➤ **Group of 5 limits imposed by regulation October 2012**

Changes to the regulations made in October 2012 prevent groups that are not Sponsorship Agreement Holders from sponsoring refugees who are not recognized as refugees by the UNHCR or a State.¹ Some of the most vulnerable and marginalized refugees don't have these papers.

➤ **Elimination of Source Country Class**

The Source Country Class was eliminated in October 2011, meaning that sponsors could no longer apply to resettle someone directly out of their country of origin.² The government commented that where appropriate discretionary provisions of the Act (humanitarian and compassionate considerations) could be used instead to resettle individuals.³ These were the provisions used to bring to Canada some Afghan interpreters whose lives were put at risk because of their support for the Canadian mission.⁴ For sponsors, however, discretionary measures are too unpredictable: unless the government has announced special measures, sponsors don't know what sort of case might be considered deserving.

➤ **Rise of Minister-led initiatives**

While sponsors face the above-mentioned restrictions in responding to refugees they consider priorities, the Minister of Citizenship and Immigration has recently started to identify particular refugee populations as priorities for resettlement. In some cases, the Minister has used the public policy provisions of the Act to identify groups. Refugees identified by the Minister are given priority in terms of the limited available numbers and processing times. Examples of ministerial priorities are the three groups given \$100,000 to do sponsorships in March 2011⁵ (at the same time that sponsors were required to reduce their applications to Nairobi), Tibetans in India,⁶ and

¹ <http://www.gazette.gc.ca/rp-pr/p2/2012/2012-11-07/html/sor-dors225-eng.html>. The CCR expressed concerns about the proposed changes: http://ccrweb.ca/files/g5_comments_jan2012.pdf

² <http://www.gazette.gc.ca/rp-pr/p2/2011/2011-10-26/html/sor-dors222-eng.html>. The Source Country Class only applied in countries specifically listed for this purpose by the government. The CCR expressed concerns about the proposed elimination of the Source Country Class: <http://ccrweb.ca/en/comments-proposed-elimination-source-country-class>

³ *Immigration and Refugee Protection Act*, s. 25, s. 25.1 and s. 25.2.

⁴ <http://www.cic.gc.ca/english/department/media/releases/2009/2009-09-15.asp>

⁵ <http://www.cic.gc.ca/english/department/media/releases/2011/2011-03-24.asp> and <http://www.cic.gc.ca/english/department/media/releases/2011/2011-03-18b.asp>

⁶ <http://www.coastreporter.net/article/20121105/SECHELT0101/311059999/-1/sechelt/tibetans-need-sponsors-to-come-to-coast>

most recently persecuted Christians from Egypt. The 2013 target numbers for the first time reflect the public policy categories.⁷ No one has questioned the groups identified, who are all certainly deserving, but the identification of the groups is done without consultation, and raises concerns about the politicization of a humanitarian and human rights program.

➤ **Cuts to Interim Federal Health Program**

In June 2012, the government introduced drastic cuts to the Interim Federal Health (IFH) Program, affecting privately sponsored refugees.⁸ These changes made private sponsors liable for extra health costs, such as prosthetics, medications and dental care. Since private sponsors can't know in advance what health calamities might afflict the refugees they sponsor during the period for which they are responsible (usually the first year after arrival in Canada), sponsors worry that they might find themselves with bills of thousands of dollars. Some privately sponsored refugees – refugees identified by the government, rather than by sponsors – continue however to be eligible for full IFH coverage.

➤ **Future directions in Resettlement**

Citizenship and Immigration Canada (CIC) is exploring a reorientation of the resettlement program towards a concentration on a limited number of refugee populations around the world. CIC describes this as follows:

Increased population-specific efforts within the resettlement program, rather than the current global approach, will allow the Department and sponsors to better prepare population-specific approaches for settlement. It will also ensure that overseas processing resources can be allocated in the best manner to ensure fast processing times and reduction of application inventories.⁹

While these plans primarily relate to government-assisted refugees, there are concerns that privately sponsored refugees will also be affected. Government resources at visa offices are likely to be concentrated in areas identified as priority by the government, limiting sponsors' ability to respond to refugees in other regions.

➤ **Blended Visa-office-referred (VOR) program starting in 2013**

Starting in 2013, the government is inviting private sponsors to participate in a “blended” program, meaning that the government and private sponsors will each pay part of the support costs for the refugees resettled. The refugees will be selected by the government (which is why they are called “visa-office-referred”). Many sponsors are attracted to this opportunity because (a) there is fast processing for visa-office referred cases, unlike named cases which routinely take years to process, (b) they are looking for refugees to sponsor, since the overall and mission-specific caps on named sponsorships leave many groups with no other opportunity to sponsor,

⁷ <http://www.cic.gc.ca/english/department/media/notices/notice-levels2013.asp>

⁸ <http://www.gazette.gc.ca/rp-pr/p2/2012/2012-04-25/html/si-tr26-eng.html>

⁹ Citizenship and Immigration Canada, Departmental Performance Report, For the period ending March 31, 2012, <http://www.cic.gc.ca/english/resources/publications/dpr/2012/dpr.asp#strategic2-5>

(c) refugees resettled through this blended program are fully covered by IFH, so sponsors don't have to worry about unanticipated medical costs.

Nevertheless, some sponsors are hesitant because the program does not respect the principle of additionality. It is understood that part of the government's motivation for this program lies in its desire to save money, in the context of deficit-reduction, while meeting the government's commitment to increase the number of refugees resettled by 2,500.¹⁰ Originally, the Minister of Citizenship and Immigration had announced that this increase would be met by bringing in 500 more government-assisted refugees (at government expense) and 2,000 more privately sponsored refugees. Now, the government is instead asking the private sponsors to take on part or all of the expenses for the 500 government-assisted refugees, as well as increasing by 2,000 annually the refugees fully funded by private sponsors.

Starting at 200-300 refugees in 2013¹¹, the blended program is expected to increase in subsequent years. The CIC Departmental Performance Report says:

CIC plans increase the number of PSRs [Privately Sponsored Refugees] to be resettled in a year by 1,000, which will replace an equivalent number of government-assisted refugees. Over the coming year, the Department will work with sponsors to identify populations of interest that may be referred by the United Nations High Commissioner for Refugees as PSRs in 2013.¹²

Sponsors are thus concerned that their efforts through the blended program are subsidizing government contributions, rather than adding to the overall number of refugees that can find a home in Canada.

There are also concerns about the availability of sponsors to take on the blended sponsorships, particularly in subsequent years when the annual target is 1,000 refugees. Canadians have a range of reasons for getting involved in sponsorship, but often a sense of personal connection with a particular region or individual is key (which is why named sponsorships are so important). It is not so clear how broad the motivation is to resettle refugees based on government priorities, particularly if there is a perception that sponsors are being asked to fill in the gap created by government cutbacks.

¹⁰ "Over the next two years, the Government of Canada would be able to increase the number of refugees resettled from abroad by 2,500. The Government-Assisted Refugees Program, under which the UNHCR refers refugees to Canada for resettlement, would be expanded by 500 refugees. In addition, a further 2,000 resettlement places would be added to the Private Sponsorship of Refugees Program. These increases would bring the number of refugees resettled annually to as many as 14,500." <http://www.cic.gc.ca/english/department/media/backgrounders/2010/2010-03-29.asp>. This promise was restated in December 2011, at the celebration of the 60th anniversary of Refugee Convention in Geneva. <http://www.cic.gc.ca/english/department/media/speeches/2011/2011-12-07.asp>. There is no specific timeframe mentioned for achieving the 20% increase. Since the March 2010 promise was tied to Refugee Reform, the start date may have been pushed back because of government delays in implementing Refugee Reform.

¹¹ <http://www.cic.gc.ca/english/department/media/notices/notice-levels2013.asp>

¹² Citizenship and Immigration Canada, Departmental Performance Report, For the period ending March 31, 2012, <http://www.cic.gc.ca/english/resources/publications/dpr/2012/dpr.asp#strategic2-5>

However, if private sponsors are unable to meet the targets set by government for blended sponsorships, it has been suggested that the places will go unfilled. Private sponsors are thus put in the unenviable position of needing to work hard to ensure that refugees don't end up deprived of the opportunity for safety and a new life in Canada. Far from adding to the government's numbers of refugees resettled, private sponsors seem to be responsible for ensuring that the government's numbers are not reduced!

Overall concerns

- We are moving towards a more government-led resettlement program, with less opportunity for private sponsors, as representatives of civil society, to respond to refugees that they believe deserve attention.
- Canada's response to refugees is becoming less global and more targeted. There are certainly advantages to focussing on particular populations (such as efficiency of processing and advantages in settling groups). However, a loss in capacity to respond to refugees globally leaves some marginalized refugees without a solution. It also deters Canadians interested in particular groups from sponsoring, if they cannot resettle those groups. Canada's resettlement program is also more vulnerable to developments that hamper the resettlement of a targeted group – this has been the experience recently when civil conflict in Syria blocked processing of Iraqi refugees, one of Canada's major priorities.
- Canada's response risks becoming more politicized, with specific programs increasingly initiated by the Minister, without a transparent process of consultation. Politicization compromises the human rights and humanitarian basis of the program.
- The groups involved in private sponsorship are likely to change, without any guarantee that overall capacity will be maintained or increased. Groups whose motivation is tied to naming and additionality may withdraw from the program. Other groups are being engaged, including groups that are interested in the particular populations that are current government priorities. Questions are being asked, however, about the long-term capacity of a private sponsorship community to mobilize resources to respond to primarily government-identified priorities.
- The government's highly negative discourse about refugees is having a damaging effect on public support for refugees, making it more difficult to mobilize groups for sponsorship.