



## Year in Review: Changes in 2012 for refugees and other newcomers to Canada

*2012 brought many important and difficult changes for resettled refugees, refugee claimants and other newcomers to Canada. These changes mean that Canada is slipping in its respect for the basic rights of refugee and newcomer families. The mostly negative rhetoric accompanying the changes also makes Canada a less welcoming country.*

### Changes to refugee protection in Canada

Significant changes to Canada's refugee determination system were introduced on 15 December 2012. Under the new system:

- > Refugee claimants face very short timelines to present their claim.
- > Claimants from 27 'Designated Countries of Origin', so-called 'safe' countries, face even shorter timelines and have no right of appeal.
- > Refused refugee claimants cannot apply for pre-removal risk assessment (PRRA) or humanitarian and compassionate consideration for one year.



All refugee claims should be treated fairly and equally, based on merit and independent of political considerations.

In addition, the law now allows the Minister of Public Safety to designate groups of two or more people, based on mode of arrival. Individuals designated face mandatory detention and a 5 year bar on family reunification, among other rights restrictions. Five groups were designated on 4 December.

On the positive side, some refused refugee claimants finally have access to a full appeal on the merits (although many are denied this right) and accepted refugees no longer face a 180-day time limit to apply for permanent residence, which complicated procedures and delayed family reunification for some in the past.

---

### Refugee resettlement: transforming refugee sponsorship?

A series of changes combine to suggest that Canadians will have less say over which refugees are resettled to Canada, but will be asked to pay for more.

- > In 2012, Sponsorship Agreement Holders for the first time faced caps on the numbers of refugees they could sponsor. Applications to four visa offices (Nairobi, Cairo, Pretoria and Islamabad) were under especially severe limits.
- > Since October, Groups of Five can only sponsor refugees who have already been recognized as refugees by the UNHCR or a State. Some vulnerable or marginalized refugees will be excluded.
- > More resettlement spaces are being allocated to priorities decided by the Minister, without consultation.
- > Private sponsors are being asked to provide partial support for refugees selected by the government, and for whom the government had previously committed full support (blended sponsorships).



Private sponsorship of refugees in Canada must:

- > Be available to refugees everywhere in the world, without discrimination
- > Engage Canadians as true partners through private sponsorship
- > Have the government do its part to resettle refugees, based on need

## Changes to refugee healthcare

On June 30, 2012, the federal government implemented cuts to its Interim Federal Health Program, which covers basic health care for refugees, refugee claimants and certain other non-citizens.

The cuts have led to:

- > Confusion and anxiety for refugee claimants and others affected
- > Confusion for health care providers about patients' entitlements
- > Some people left without any health care coverage, including those waiting for an appointment in order to make a refugee claim
- > Some people left without any means of paying for necessary medications
- > The loss of psychological support services for refugees who are survivors of torture, rape or other organized violence
- > Groups sponsoring refugees now responsible for extra medical expenses, potentially deterring sponsors
- > Extreme rhetoric pitting Canadian citizens against refugees



Everyone who lives in Canada should be entitled to an acceptable level of healthcare. Canadians are at their best when they treat refugees fairly and with respect.

## Precarious status, vulnerability to violence

In 2012, the federal government implemented a period of "conditional permanent residence" for some sponsored spouses and partners. Under the new rules, if an affected spouse leaves his or her sponsor within two years of arrival in Canada, he or she could be stripped of permanent resident status and deported. This change increases the risk of conjugal violence.



Canada must return to a policy of permanent immigration. Special attention must be paid to cases of inequality between spouses and of potential violence and exploitation due to precarious status.

## Shifting from permanent to temporary labour

2012 has seen a series of changes, which reduce migrant workers' rights. Migrant workers:

- > Migrant workers can now legally be paid up to 15% less than their Canadian counterparts, for the same work.
- > Migrant workers applying for permanent residence through the Provincial Nominee Program must satisfy minimum language requirements, posing a significant barrier to many.
- > Migrant workers will be unable to access to Employment Insurance benefits, despite their contributions to the program.

There are increasing concerns that migrant workers are vulnerable to exploitation, abuse and even trafficking.



Canada must return to a permanent immigration policy for all migrant workers, regardless of skill category, to address long-term employment needs. External oversight of employers must be mandatory. All migrant workers must have access to settlement services.

## Changes to Canada's citizenship applications

Starting 1 November 2012, applicants for Canadian citizenship must provide proof of their English or French skills, at their own expense. Previously, the government assessed applicants' language competencies.

The CCR is concerned that these new citizenship language requirements will place additional burdens on refugees and other vulnerable newcomers.



Citizenship should be accessible to all permanent residents, including refugees and stateless persons who have no other State to protect them.



**CANADIAN COUNCIL FOR REFUGEES**  
6839A Drolet #302, Montréal QC, H2S 2T1  
tel. (514) 277-7223, fax (514) 277-1447  
email: info@ccrweb.ca website: ccrweb.ca



For more information see:  
[ccrweb.ca/en/2012\\_review](http://ccrweb.ca/en/2012_review)