



31 May 2024

IRCC's Crisis Response Framework

CCR submission in response to IRCC questions

A. Introduction

The Canadian Council for Refugees (CCR) has been calling for many years on the government to develop an equitable emergency response framework.

In our 2022 [letter in response to Canada's immigration measures in light of the invasion of Ukraine](#), we called for a framework for responding to other similar crises based on objective criteria driven by the need for the protection of displaced peoples, rather than wide media coverage or organized political pressure.

In November 2023, the membership adopted a resolution on [Equitable responses to Humanitarian Crises](#) that urged IRCC to develop a rapid response framework to respond to humanitarian crises that is transparent and equitable regardless of race, nationality and ethnicity and that respects the principle of additionality, and to develop equal opportunities for nationals, refugees and others needing humanitarian protection to access temporary and permanent pathways to protection in Canada.

In 2024, the CCR commented further on the need for an equitable crisis response framework in letters to the Minister on [measures for Palestinians in Gaza](#) and on [measures in response to the crisis in Sudan](#).

In May 2024, IRCC invited stakeholders to give input through an online questionnaire to inform the development of their Crisis Response Framework.

The comments below reflect the CCR's responses to IRCC's questions.

B. Guiding principles

Principles proposed by IRCC

a. facilitative and responsive

This principle should guide IRCC to adopt measures, including application and processing mechanisms, that take into account the realities for affected populations and individuals. For

example, IRCC should not require people without internet access to complete online portals and should exempt people from doing biometrics before travelling to Canada when to do so would be onerous. See also below, section E. *Key systemic barriers and measures to reduce those barriers*

b. evidence-based

This principle should support the equity principle – responses should be based on objective factors, not levels of media coverage or political pressure.

c. fair and equitable

The principle of equity is key. The Framework needs to be designed to root out the systemic racism that has tarnished Canada's emergency responses to date. See below, section C. *Equity in responses*.

d. fiscally responsible

The principle of fiscal responsibility must be interpreted and applied in a manner that recognizes that the priority needs to be ensuring that the measures are effective, responsive, fair and equitable. Under-resourcing the measures to save money would be bad policy.

Effective implementation of a special measures program requires adequate staffing and adequate resources. We have seen in the past how special measures that are under-resourced work poorly and can have devastating negative impacts on people who are already traumatized by the crisis they are fleeing.

e. operationally feasible

f. minimizing downstream impacts

(Note – IRCC explained this as follows: “Proposed responses consider absorptive capacities and pressure on provincial/territorial governments and settlement service partners”.)

The interaction between this principle and the principle of fiscal responsibility needs to be considered. Short-term cost savings can have serious negative impacts over the longer term. For example, denying funds for start-up costs may compromise long-term settlement.

Downstream impacts can be effectively minimized by including provincial and territorial governments in consultations and communications on proposed measures, as well as contributing to the extra costs incurred. Similarly, sponsors and NGOs serving newcomers should be consulted and included in communications plans, and where appropriate receive funding.

Additional principles proposed by the CCR

g. Transparency

People, including potential and actual applicants, need to be able to understand the measures – who qualifies, who is prioritized, how processing will take place, whether an individual application is being considered, etc. After the program has been implemented, it is also important for Canadians and those affected by the crisis to be able to understand who ultimately qualified, how the cases were processed, who was counted towards the program targets etc. (For example, with respect to the Afghan measures, it remains unclear whether sponsorship cases that were already in progress prior to the Taliban's takeover were counted among the 40,000 brought to Canada.)

h. Accountability to people affected by measures

While Canada clearly cannot undertake to resettle everyone in need or accept all applicants, the government must be sensitive to the impacts on people in a situation of crisis if it fails to follow through on a real or perceived commitment. For example, where the government evacuates people to a third country with the expectation of resettlement in Canada, it is crucial to promptly process their cases and provide them with a clear resettlement pathway. Many Afghans were evacuated to third countries under the assumption of eventual resettlement in Canada. However, they have since remained stranded in these countries without a resolution to their situation and without the means of supporting themselves.

i. Planning for permanence

If temporary status is offered, it is important that there be a pathway – known from the outset – to permanent status, for those who will want to remain in Canada. Otherwise people live with high degrees of uncertainty, which adds to the trauma of the displacement in the context of crisis.

j. Additionality

– Emergency measures must avoid negative impacts on others, including other refugees. Additionality needs to be respected both in terms of numbers (levels numbers, SAH allocations, etc) and of resources. See below, section C. *Equity in responses*.

k. Lead contribution by government

Emergency resettlement measures should be primarily through the Government Assisted Refugee Program. It is unfair to ask private citizens, whether it be those who have family ties to the region or private sponsors, to take the lead in supporting Canada's response. The Canadian government needs to step up, in the name of all Canadians, in providing resources so that people affected by the crisis can start a new life in Canada.

C. Equity in responses

The CCR urges that equity be considered in the following ways when responding to crises.

1. Equity in which crises receive a response

A fundamental principle of refugee protection is that it must be offered irrespective of race, religion, or ethnic background. Canadians want to know that their government is responding equitably to all emergencies. This is particularly true for Canadians with origins in parts of the world that too often seem to be neglected.

IRCC's Crisis Response Framework must be developed with a consciousness of the longstanding neglect of the African continent. Crises such as the one unfolding in recent years in Ethiopia's Tigray region, for example, have not been met with any special measures. Despite the scale of the crisis in Sudan, media and political attention has been limited.

IRCC must develop strategies to assess needs in a way that takes into account how systemic racism may affect perceptions. For example, who is qualified to decide the "different needs of different populations in the face of crises"? How does IRCC plan to guard against the risk that the evaluation of needs may be influenced by familiarity, or lack of familiarity with a population?

We recommend as one important strategy to develop and rely on clear indicators tied to reporting from credible agencies such as the UN and international human rights organizations. The UNHCR in particular should be looked to for guidance in identifying populations needing a crisis response, as well as individuals within those populations in particular need of evacuation or resettlement.

2. Equity in the measures offered

Equity must be considered not just in whether measures are offered but also the specific measures offered. Where there are differences, there must be a clear and transparent justification. For example, it is not equitable to have caps on numbers for some crises and not for others. And if numbers must be capped, there needs to be a rationale for why a specific cap is set, that is consistent and equitable between crises.

3. Equity in access

IRCC must consider how to ensure equitable access to special measures for affected populations, and which groups should be prioritized, taking into account in particular those who are vulnerable because of disability, age, sexual orientation or gender identity.

Equity in access needs to consider:

- people who do not have family links here or who have family in Canada who do not meet the criteria to serve as an anchor relative (this is one reason for requiring a GAR component)
- non-nationals in the country in crisis, including displaced people who had found temporary refuge, only to be forced to flee a second time
- people who have permanent residence applications in process, including as resettled refugees or as family members of refugees.

4. Equity in processing

IRCC must design processes that are equitable and accessible, taking into consideration the particular barriers (for example, doing biometrics may be relatively straightforward for some populations, but not at all for others who would need to travel to a different country). Equity also means providing adaptations for particular vulnerabilities, such as for people with disabilities, trans and gender diverse persons, women, applicants travelling with children, and elders.

5. Equity in support for settlement

There must also be equity in access to support on arrival, such as financial supports and eligibility for settlement services.

6. Equity in communication and community supports

IRCC must also consider how to ensure equity in communications to promote the measures and to encourage Canadians to offer the newcomers a warm welcome.

Similarly, there should be equity in the efforts given to mobilize community supports.

7. Equity towards other populations

Measures need to be designed and implemented in a way that avoids negative impacts on other populations, such as refugees in protracted situations who are waiting for resettlement to Canada, or family members of Protected Persons in Canada who are awaiting reunification. This includes ensuring that numerical limits intended for refugees generally (such as immigration levels targets and SAH caps) not be affected by the measures: privately sponsored or Government assisted refugees from other populations should not be forced to wait longer because of the introduction of the measures. Similarly resources, including at ROC-O and at visa offices, should not be diverted from processing other refugee populations in order to respond to the special measures.

D. Factors to consider before making a recommendation on special immigration measures

IRCC should take into account the level of the Canadian public's awareness of the crisis. This will affect the type of communications required and potentially the need for mobilization of support (but should not affect whether there is a crisis response).

Consultations should be undertaken, before finalizing the measures, with organizations (including of the diaspora communities) that are familiar with the needs and potential barriers, as well as with potential resources and supports in Canada. Consultations should also include groups with expertise in immigration programs and supporting newcomers (not limited to organizations funded by IRCC to deliver settlement services), and with private sponsors (including SAHs, Group of Five and community sponsors, and Quebec sponsors).

It would be useful to organize such consultations in a manner to allow all the organizations to hear the various perspectives and to get to know each other, if they are not already acquainted. Often those with expertise in the situation in the country of origin are not familiar with Canadian immigration programs, and vice versa – their input can be enhanced by hearing what others know, and all would benefit from strengthening these relationships.

E. Key systemic barriers and measures to reduce those barriers

Canada's immigration processes are extremely difficult to navigate, even for someone who is in a safe environment, can travel easily, speaks English or French, has access to internet and technology, and can afford all the many costs associated with immigration processing.

In developing measures for crises, IRCC should consider the following:

- Will people be able to afford fees for visas and biometrics? Do they even have access to bank accounts or means of paying fees online?
- What access do people have to online portals? Do they understand English or French? Do they have access to someone who could fill in an online application for them?
- What documents do people have access to?
- How easily could people get to a panel physician for a medical or to a biometrics office?
- Have they crossed a border or would they need to cross a border? If so, what status if any, would they have in the third country?
- How long will IRCC processing take?
- What concerns may applicants have about their personal information being shared?

Some facilitative measures:

- Waiving of processing fees for visas and biometrics fees
- Exemptions from normal processing requirements that may create a barrier (for example, in some cases not requiring that Afghans be outside their country of origin)
- Allow biometrics to be deferred until after the person arrives in Canada
- Avoid excessive questions (such as in the Gaza applications) and requests for information that may not be available to a person in a situation of conflict and displacement
- Issue TRPs or TRVs to allow urgent travel if processing is going to take too long
- If people need to travel to a third country to finalize processing (for example, Afghans going to Pakistan), give people an indication of how long the final processing will take (so they can make plans) and expedite the processing as soon as they are in the third country
- Ensure that there is clear and consistent communication to applicants and their representatives. It is unacceptable that so many Afghans spent months or years unclear whether they even had an application in process with the Canadian government. (One aspect of the problem was the fact that the government's online platform crashed and as a result, many Afghans received automated emails that were ambiguous, leading some to believe their applications were being processed when, in reality, they had not even been reviewed). Given the vulnerability of the individuals involved, many of whom face imminent danger, it is crucial to avoid raising false hopes unnecessarily and to leave people in the dark about the status of their application. People affected by a crisis may have alternative options which they may not explore if they believe Canada is processing their application. It is essential to handle these cases with extra sensitivity and diligence.

Some supports:

- Collaborate with NGOs that can assist people with their applications (especially those with particular vulnerabilities)
- Provide accessible points of contact within IRCC for troubleshooting on individual applications, or on system issues
- Provide more information about the process, and what to do if there are barriers.
- Engage with relevant governments to advocate for exit permits

Other points to consider:

- Expedite processing and show flexibility for refugees already in the process of resettlement, as well as dependents of Protected Persons in Canada, who have been affected by the crisis.
- Expedite permanent residence for accepted refugees from the country in crisis (particularly where there are measures allowing people in Canada to serve as anchor relatives for their family, but only if they are citizens or permanent residents).
- Include family members of refugees in evacuation processes (for example OYW or DR2 applications in process)

F. Lessons from past responses

a. Use of temporary visas/permits

IRCC has tried using temporary status (both TRVs and TRPs), which can be effective for quick and flexible responses. However, the government's initial analysis that Ukrainians would likely be able to return home within a couple of years has proven to be overly optimistic.

It is important to avoid stress and feelings of insecurity. Where measure have people entering Canada with a temporary status, there must be a pathway – from the outset – to permanent status, for those who will want to – or need to – remain in Canada.

In the case of Afghans, IRCC was resourceful in organizing the swift issuance of permanent residence to some who were evacuated, as well as issuing TRPs to others.

However, there was a lot of confusion about what the TRPs entitled people to, and no easy way for people to tell if their TRP entitled them to access to permanent residence, or if they needed to find their own route to permanent residence. This caused a lot of stress.

Key questions IRCC could ask: how are we ensuring that those benefiting from measures will understand what they are entitled to and have a sense of security for the future? How are we ensuring that applicants can ask questions about their process and get an answer?

b. Impact on other populations

It is important to consider the impacts on other populations, both in Canada and overseas.

The Syrian response mobilized enormous resources but caused tensions when special benefits (sometimes from the government, sometimes private donations) were available to Syrians but not other refugees. Processing of other refugees being resettled was delayed because government resources were diverted to process Syrians – leaving other communities bitter, and Syrians feeling that they were being blamed for the delays experienced by others. These delays

occurred both at in-Canada offices (including the Resettlement Operations Centre in Ottawa – ROC-O) and at the visa offices overseas.

When access to settlement services was given to Ukrainians on temporary visas, it raised the question of why refugee claimants continue to be denied access (given that the government's traditional rationale for excluding refugee claimants was that we are not sure that they will stay here permanently).

Key questions IRCC could ask: if benefits are identified as necessary for this community, might they also be appropriately extended to other communities in crisis, or to refugees and refugee claimants generally? Are there opportunities to communicate about responses to populations in crisis in a way that also raises the visibility of other displaced populations, highlighting commonalities rather than reinforcing divisions.

c. Impact on diaspora communities

The family-linked humanitarian pathway offers a welcome avenue for Canadians seeking to assist family members affected by the conflict in Sudan. However, the financial demands placed on the anchor family members in Canada are heavy. Many Canadians of Sudanese origin have been supporting their families financially since the outbreak of the conflict. Diaspora communities are often experiencing severe trauma – crisis responses that lay the burden on family members in Canada add to the stresses, and can turn what should be an empowering measure into a source of guilt and desperation.

Key question IRCC could ask: How can measures be designed and supported so that diaspora communities feel that Canada is facilitating access to solutions for loved ones affected by the crisis?

d. Impacts on provincial services

The provincial governments provide many services to newcomers, such as schools, health and social services, financial support, classes in English or French, etc. Many of the NGOs that provide services to newly arrived residents are funded by the provincial governments. In Quebec, all government-funded integration services are funded by the government of Quebec. Consideration should be given to the possibility of governmental transfers in the case of an emergency response.

e. Dialogue with the government of Quebec

Given the distinct role played by the Quebec government, discussions about emergency responses should include dialogue with the government of Quebec, and wherever possible ensure that measures allow for people to be destined to Quebec. In recent years, several emergency responses have excluded anchor family members and private sponsors in Quebec. This creates tensions and leaves people in Quebec who wish to respond feeling disempowered.

G. Collaboration with partners and stakeholders

Canada's recent crisis responses have often suffered from a lack of consultation, communication and coordination, notably with NGOs involved in supporting newcomers and organizations such as the CCR that represent them.

Newcomer-serving organizations and sponsor groups should be consulted in the planning phase – they are well-placed to point out how proposed measures might or might not work, and what challenges can be expected. For example, the special humanitarian program for Afghans focused on five specific categories: women leaders, human rights defenders, persecuted religious or ethnic minorities, LGBTI individuals and journalists, as well as those who helped Canadian journalists. However, these criteria overlooked a significant number of women vulnerable to gender-based violence, particularly as the Taliban released prisoners who were targeting women, as well as women who served as police officers. Had newcomer organizations (particularly diaspora-led organizations) been consulted, they could have shed light on this oversight.

It is crucial for the Canadian government to ensure that the referral partners they select on the ground are adequately resourced and equipped to process cases expeditiously. During the humanitarian program for Afghans, the referral partners faced overwhelming demand, leading to challenges in managing applications and ambiguity in the selection process for referrals. Diaspora-led newcomer organizations, if equipped with the necessary capacity, could serve as valuable referral agencies. Given their close ties to communities and nuanced understanding of country conditions, they are well-positioned to identify individuals at risk and advocate for their resettlement.

Once measures are in place, IRCC should also collaborate with NGOs as part of the communications strategy. NGOs are constantly called on to explain government programs, but they struggle because of inadequate information and the difficulty with getting answers from IRCC. As part of the crisis response, IRCC should plan for one or more contact persons for NGOs who are available, in a timely way, to answer questions and to take back emerging issues. At a minimum, there should be access for some key organizations, such as umbrella groups that can triage questions and share information with other NGOs (which CCR attempts to do, but often we can't get answers to questions at all or only after long delays).

IRCC also needs to work closely with provincial and municipal counterparts to ensure continuity in access to critical services, including health care and social assistance.

H. Other comments

Communications (including to the Canadian public) are important. We have noted above several points related to various dimensions of communications. The fact that none of the questions

focus on communications (nor is transparency included as a guiding principle) may suggest that it is an area that deserves more attention than it has received so far.

As part of the communications planning, the government needs to consider how much promotion is required. Sponsors and newcomer-serving NGOs should be consulted in assessing the needs and in developing promotional campaigns. It is important for the government to recognize that sponsors and NGOs are inevitably impacted when there is a crisis response (as well as when there isn't a crisis response) as people come to them with questions about any measures (or why there are no measures) and wanting to sponsor, volunteer and donate. Sponsors and NGOs are thus well-placed to give important input into how much and what type of promotion may be needed. Whether the challenge is going to be about mobilizing the public or about managing the desire to contribute, sponsors and NGOs have relevant perspectives to give on identifying communication needs and how communication can be most effective. (We underline the need to consider all categories of sponsors – not only SAHs, but also G5s and community sponsors, as well as Quebec sponsors. NGOs should not be limited to those who are funded by IRCC to provide settlement services, but include other NGOs who offer critical services to newcomers and support diaspora communities, as well as umbrellas such as the CCR.)

In addition to the points above about communications, we take this opportunity to emphasize the importance of the government working to promote a warm welcome for those displaced by a crisis. In the case of the Gaza response, much of the government's messaging portrayed Palestinians as potential security risks and even terrorist threats to Canada. The government needs to guard against communication that plays into stereotypes, reinforces racism, and undermines public confidence in Canada's immigration system.