



11 September 2026

The Honourable Lena Metlege Diab, P.C., M.P.
Minister of Immigration, Refugees and Citizenship

Re: Cancellation of Public Policy for Excluded Family Members

Dear Minister,

We are writing to express our shock and deep dismay at your decision to terminate, without warning or consultation, the important **public policy** that allows family reunification for family members of refugees who would otherwise be excluded under the extremely harsh regulatory provision, paragraph 117(9)(d), which creates a lifetime ban for sponsoring previously undeclared family members. This is a provision that the federal government recognized in 2019 was far too punitive in effect on vulnerable refugee families

Terminating this policy will have devastating consequences for these populations. Children separated from one or both parents will suffer the most. We know this, because the evidence is clear that this is what happened before the policy came into effect.

Refugees who are resettled to Canada may arrive without having declared family members for various compelling reasons. Babies are born during the long years of processing and not declared because of fears of delaying yet further the family's departure (and often refugees don't even have a clear way to communicate with the Canadian government). LGBTQIA+ refugees may be in a situation where they need to hide their sexual orientation and therefore feel they cannot safely disclose their partner.

The 2023 memo to your predecessor recommending the renewal of the public policy noted about the policy's track record that "the majority of cases of non-disclosure and/or non-examination was through no fault of the clients (i.e., not being aware of the existence of a child or custody-related issues) or concern of what declaring would do to their personal relationships or the timeline of their application."

Without the policy in place, separated families will be left only with the option to request humanitarian and compassionate (H&C) consideration for reunification with their family members. H&C applications are complex, uncertain, expensive, and slow, almost by design needing a lawyer's support, putting them effectively out of reach for most refugees. Commenting on the problem of the excluded family rule before the adoption of the public policy, the House of Commons Standing Committee on Citizenship and Immigration observed that "making an application for permanent residence on humanitarian and compassionate grounds is not an effective remedy for dealing with these cases, in light of the costs involved and low approval rate". (March 2017 report on "**Family Reunification**")

Among the people that will be most impacted will be Government Assisted Refugees (GARs), who for the most part don't have access to the kind of support needed to submit a request for humanitarian and compassionate consideration.

It is particularly shocking to us that the policy is being terminated without any consultation or even explanation. CCR [advocated on this issue](#) for over a decade, demonstrating on numerous occasions the impacts of the policy on separated families. In 2019, the government recognized the perverse outcomes of the regulatory provision and implemented the public policy, which for seven years now has provided invaluable relief for numerous families in the years since, with no evidence of any major concerns. It is inexplicable to us that you would choose to return Canada to the cruelty of the previous situation, where small children were left to languish in precarious situations abroad and refugees seeking to make a home in our country fell into despair because they were told that the government excluded their family members from reunification.

The decision also runs counter to assurances we have recently received, both from the Minister of Public Safety and IRCC senior officials, that family unity and reunification are important principles and priorities of this government.

The 2019 'pilot' policy was a welcomed and effective, if only partial response to a regulatory regime that was driving known bad outcomes. If there is a need to resolve issues arising from the policy, CCR stands ready to discuss options for improved and permanent solutions with your officials. Consultation with stakeholders and affected populations is an essential and welcome component of public policy making.

While you are seeking these solutions, however, it is vital that the current public policy remain in place. Far greater harm comes from rescinding it than continuing it while working on a longer-term solution. It is unconscionable to keep babies separated from their parents and partners apart from each other, while deliberations take place. Our core Canadian values, the objectives of our immigration legislation, Canada's international human rights obligations towards family unity and long-standing commitment to uphold the best interests of the child and equity for gender diverse populations all demand that we not put family reunification on hold. At this time of global tumult, with threats leveled against our country and everything we stand for, we expect our leaders to continue to model a Canadian approach to immigration and refugee policy.

We therefore urge you to renew the public policy for a limited term in keeping with recent precedent, and engage in consultation during this period to move towards implementation of long-term policies to address the issues raised by the excluded family member rule that are consistent with the goals of our refugee and immigration system.

We are asking for a meeting to discuss this at your soonest convenience.

Sincerely,



Asma Faizi
President