



Proposal: Special COVID-19 Refugee Claimant Measures

Background

- The Immigration and Refugee Board (IRB) has more than 90,000 refugee claims waiting to be determined, the largest backlog in its history.
- While the IRB has dramatically increased its productivity, in part thanks to increased funding from the government, the COVID-19 pandemic has put all refugee hearings on pause.
- Even after hearings are able to resume, it is likely that the pandemic will require adjustments that will affect the numbers of hearings that can be held and the pace at which they can be completed. Working through the backlog will take many years as well as significant additional financial resources – which the federal government can ill-afford in the current context of pandemic-related expenses.
- Regularizing a large proportion of the people in the backlog will not only save money on refugee processing: it will also maximize the economic advantages Canada can draw from these members of our society. Their ability to participate economically to their full potential is currently limited by their lack of permanent residence.
- As documented in media reports, many refugee claimants have been working in essential services during the pandemic, including in front-line health support roles, where they have risked their lives and made a crucial contribution. It is clear that Canada needs their services!
- Furthermore, many refugee claimants have already been in Canada for several years. They cannot and must not face many more years' wait before their status is determined. Based on past results, we know many of them will be accepted as refugees (approximately 60% in 2019), and others come from countries where there is such generalized insecurity that Canada will not deport people there, so they too will remain in our communities. Whatever the outcome of the refugee status determination, after several years of waiting in Canada, most people are well settled, their children are either Canadians by birth, or Canadians in their hearts. Forcing them to leave would run counter to basic humanitarian principles. Most importantly, however, is the fact that many will be seen to have earned their right to remain in Canada thanks to their contributions on the front-lines of the pandemic struggle. We believe Canadians would want them to remain and call Canada home after all that they have given to keep everyone healthy and safe.
- The 2020 immigration levels are unlikely to be met, given the impacts of the pandemic on immigration processing and international travel. Landing people who are already in Canada, including refugee claimants who have passed security screening, provides us with an opportunity to make up the shortfall in the planned levels for this year.
- People in the refugee backlog are living with more intense stress and anxiety, given the uncertainty about their own status in Canada. This is further aggravated by the increased delays in refugee hearing wait-times due to the pandemic. Many have family members from whom they are separated and with whom they cannot reunite until they achieve permanent residence.
- Providing an avenue to permanent residence for many in the refugee backlog, as a special pandemic response, will put Canada in a position to have a robust refugee determination system that can quickly and efficiently hear new claims once the borders reopen. This will make it possible to swiftly deal with claims from people who are not in need of refugee protection.

Recommendation: Special COVID-19 Refugee Claimant Measures

1. That special measures be introduced for refugee claimants, in light of the pandemic.
2. That refugee claimants be landed if they apply and meet minimum requirements.
3. That applicants for the special measures not be required to withdraw their refugee claims while their application is in process (and thus maintain basic rights such as health care and a work permit).