

GOVERNMENT RESPONSE TO THE SIXTEENTH REPORT OF THE HOUSE OF COMMONS STANDING COMMITTEE ON CITIZENSHIP AND IMMIGRATION

INTRODUCTION

The Government of Canada thanks the Standing Committee on Citizenship and Immigration for its report, *Asylum-Seekers at Canada's Border* (the Report), which was tabled in the House of Commons on May 16, 2023. The Government of Canada also extends its appreciation to the witnesses who shared their time and insight on conditions facing asylum claimants along the Canada-U.S. Border in support of the Committee's study. Immigration, Refugees and Citizenship Canada (IRCC), Canada Border Services Agency (CBSA), the Royal Canadian Mounted Police (RCMP), Public Safety (PS), and Global Affairs Canada (GAC) benefitted from the opportunity to learn from the Committee's observations and views on efforts to welcome and process asylum claims made by persons who crossed into Canada between ports of entry, as well as by those who entered through other modes. In particular, the Report resulted from a summary of the Committee's examination of the conditions facing asylum claimants at Canada's border (between 15 November 2022 and 25 November 2022), and with a focus on individuals arriving at Roxham Road.

At the time of the study, a significant number of individuals were crossing irregularly from the U.S. into Canada via Roxham Road, in Lacolle, Quebec. The total number of RCMP interceptions (irregular arrivals who made asylum claims) for 2022 was 39,540 resulting in a daily average of 108 interceptions per day (for the year). These volumes were unprecedented and significantly higher than pre-COVID levels. While these volumes had a large impact on wait times and led to delays of processing files, the integrity and quality of work conducted within the IRB was never impacted by these volumes.

Roxham Road became an established irregular crossing location in 2017, and volumes remained high through 2018 and 2019 until March 2020, when pandemic-related border measures were introduced to temporarily restrict access to Canada to stem the spread of COVID-19.

However, with the lifting of COVID-19 border restrictions on asylum claimants in November 2021, Canada saw a significant increase in claims, including by persons entering regularly (i.e., at designated ports of entry) and those crossing irregularly. These high volumes have once again strained Canada's asylum system, added to backlogs, and led to significant delays in processing claims.

The Committee heard from 27 witnesses and received one written brief. In addition to the Minister of IRCC, and IRCC officials, witnesses included two representatives from the United Nations High Commissioner for Refugees, immigration and refugee lawyers, advocacy groups, and non-profit organizations.

The Government acknowledges that claimants face incredibly difficult circumstances leading to their making the decision to travel to Canada and cross the border irregularly to seek protection¹. Witnesses were concerned about arduous and confusing processes; lengthy wait times; and potentially dangerous circumstances facing asylum claimants at the Canadian border, when crossing between designated ports of entry, and before individuals embark on the perilous journey to Canada.

The Government welcomes the Committee's recommendations that aim to improve the conditions of asylum claimants at the Canada-U.S. border, is generally supportive of the Report's recommendations (fully, partially, in principle), and is already taking action in several areas, while disagreeing with two recommendations. The Committee's recommendations are addressed under the two themes below:

- **Managing irregular crossings and asylum claims** is a priority for the Government; and,

¹ The Report, page 18 (Marzieh Nezakat, Spokesperson, Refugee Settlement and Integration Program, Multilingual Orientation Service Association for Immigrant Communities).

- **Supports for claimants** to ensure Canada provides supports to claimants, and upholds its international obligations towards those who seek protection from persecution based on race, religion, nationality, political opinion, or membership in a particular social group.

1. Managing irregular crossings and asylum claims

Canada remains firmly committed to upholding a fair refugee protection system, while protecting the safety of Canadians and keeping our border secure. As such, managing irregular crossings at the Canada-U.S. land border has been a priority for the Government since 2017 when the number of claims increased significantly. There are a number of measures the Government has taken to respond to high volumes of asylum claims, including by increasing or shifting operational capacity at the border; introducing new processing innovations within the asylum system; investing in interim housing supports; and dedicating new funding to increase the capacity of the asylum system. For example, Budget 2022 earmarked \$1.3B over 5 years, starting in 2022-23, and \$331M ongoing for Canada's asylum system.

In addition, on March 25, 2023, Canada and the U.S. expanded the application of the Safe Third Country Agreement (STCA) to the entire land border, including internal waterways. Now, claimants who cross into Canada at any point along the land border, and who make a claim within 14 days, will be returned to the U.S. (or vice versa) to pursue their asylum claim in that country, unless they meet an STCA exception or exemption.

The CIMM Report was tabled after Government announced the expansion of the application of the STCA; therefore, this Response reflects the post-Additional Protocol landscape. The expansion of the STCA's application is one of the most significant steps the Government has taken to manage irregular crossings along the Canada-U.S. border. Under the theme of ***Managing irregular crossings and asylum claims***, the Government will address the recommendations that relate to ensuring the border is managed effectively and in a way that preserves the integrity of the asylum system, in the following order:

- Recommendation #1: Discourage Irregular Border Crossing (*fully agree*);
- Recommendations #4, #5, #6, #7: Regarding the Government's main tool to manage the border, the STCA (*fully agree*) and its application (*disagree*);
- Recommendations #2, #11: Regarding adequate operational resources at the border (*agree, in principle*); and,
- Recommendation #3: Regarding continued security efforts at the border (*fully agree*).

In this respect, the Government agrees with the first **recommendation to discourage irregular border crossings (#1)**.

- Recommendation #1: Discourage Irregular Border Crossing

Asylum claim volumes are difficult to predict, and are affected by many push factors that inform individual decisions to migrate (e.g. global conflicts, political persecution, poverty). As well, there are a number of "pull factors" to Canada (i.e., elements that encourage asylum claimants to choose Canada as the country to come to for protection). Canada ranks among the highest in international measurements of government transparency, civil liberties, quality of life, economic freedom, education levels, gender equality, public services, public security, and environmental sustainability. However, given that the volume of arrivals is unpredictable, providing necessary support is difficult. This is especially the case when asylum claimants cross irregularly into Canada, which can be a dangerous and risky journey, and can undermine perceptions of border integrity.

Under the 2019 Border Enforcement Strategy, the Government introduced additional resources and capacity to manage irregular arrivals at the border, in order to ensure the safety of Canadians, while maintaining contingency plans in response to higher volumes. The Government also introduced efforts to detect and discourage migration flows, through intelligence gathering and trend analysis, and engaging recalcitrant countries in support of removal operations, by obtaining their cooperation on the issuance of travel documents to

facilitate the return of failed claimants. Improving the timely removal of inadmissible individuals supports deterring irregular migration. In parallel, the Government also bolstered its provision of migration and asylum-related capacity building assistance to increase cooperation on this issue with a view to promote well-managed migration systems and coordinated and aligned responses to support the protection needs of individuals that have been forcibly displaced in the Americas.

Canada continues to work with the U.S. and international partners to address the root causes and impacts of irregular migration and forced displacement in the Americas, and promote alternative pathways abroad. With that in mind, since March 2022, Canada has increased its funding to the Americas to enhance efforts to address irregular migration and forced displacement in the region, while contributing to irregular migration deterrence efforts in the North America perimeter. In particular, Canada invested over \$16M over four years in migration and protection related capacity building assistance in the Latin America and Caribbean region to strengthen host countries' ability to manage the increased mixed population flows and enhance its protection and migration systems, promote socio-economic integration and regularization of migrants and refugees in the host countries. Canada also continues to collaborate with regional partners through the Los Angeles Declaration on Migration and Protection to jointly address the shared challenge of irregular migration and forced displacement in the Western Hemisphere, and is playing a leading role in implementing the Declaration through Action Package Committees on "Investing in Asylum" and "Refugee Protection and Complementary Pathways."

IRCC is providing capacity building support and technical assistance to targeted transit and destination countries, through funding to eligible international and multilateral partners addressing irregular migration and forced displacement in the Americas. Additionally, through Budget 2022 IRCC received \$75M over 6 years and GAC received \$39M over 5 years to support this work. GAC programming is focused on the criminal elements of irregular migration, smuggling of migrants and trafficking in persons, and regional cooperation. IRCC and GAC have a coordination framework on the capacity-building program that will help avoid duplication. Since March 2022, IRCC has 16 ongoing migration and protection related capacity building projects in Latin America and the Caribbean region delivering assistance in the areas of asylum and migration management, promoting alternative pathways and labour mobility opportunities, and socioeconomic integration and regularization of migrants and asylum claimants. This includes efforts to respond to the Venezuelan refugee and migrant crisis.

The Government also actively discourages irregular border crossings through public statements and content posted on official social media accounts. For example, the public announcement of the expanded application of the STCA, as of March 25, 2023, has sent a strong public message that irregular migration is not encouraged. Then, on May 3, 2023, Canada, Spain, and the U.S. issued a trilateral statement expressing their intention to work together to promote safe, orderly and regular migration, and create economic and social opportunities and strengthen development options for the people of the region. Canada, Spain, and the U.S. will leverage their collective engagement in the region to continue to promote and expand regular labour migration opportunities, including through "circular" or temporary labour mobility.

In addition to these public announcements, Government officials regularly travel to regions with high volumes of migrants to encourage regular immigration through programs like the Economic Mobility Pathways Pilot whereby individuals may seek protection in Canada by applying to be matched with employers based on their job skills.

With respect to **recommendations related to the STCA** (#4, #5, #6, #7), the Government agrees fully with three and disagrees with one, as follows:

- Recommendation #4: Affirm that the U.S. is a Safe Third Country

The Government agrees with this recommendation. Canada has affirmed the U.S. as a safe third country through submissions made in litigation, including before the Supreme Court of Canada, public communications, as well as through the expanded application of the STCA through the

Additional Protocol that came into effect on March 25, 2023. Additionally, the *Immigration and Refugee Protection Act* (IRPA) requires the ongoing review of all countries designated as safe third countries. The purpose of the review process is to ensure that the conditions that led to this designation continue to be met. Under this process, only countries that respect human rights and offer a high degree of protection to asylum claimants under international refugee norms may be designated as safe third countries. The U.S. continues to meet IRPA requirements for designation as a safe third country.

- Recommendation #5: Assert that the U.S. is a Safe Third Country in Relevant Court Proceedings

The Government agrees to, and has asserted that the U.S. is a Safe Third Country in relevant court proceedings. As a result, in *Canadian Council for Refugees et al v. Canada (Citizenship and Immigration)*, on June 16, 2023, the Supreme Court of Canada found that section 159.3 of the *Immigration and Refugee Protection Regulations* (designating the U.S. as a safe third country) does not infringe section 7 of the *Canadian Charter of Rights and Freedoms*, and that the designation is not *ultra vires* (lacking in legal authority).

The STCA reflects the fact that both Canada and the U.S. maintain refugee protection systems that meet international standards, and that both countries have well established legal systems that offer procedural safeguards. The STCA builds on a strong history of Canada-U.S. cooperation on migration and refugee protection issues, and outlines both countries' shared responsibilities to protect human rights and meet international commitments, including the principle of non-refoulement. Indeed, the UNHCR recognizes that states are entitled to enter into agreements to share responsibility for determining asylum requests, provided it is explicit that return can be effected only when the claimant will be able to access fair asylum procedures in the receiving country.

- Recommendation #6: The Future of the STCA

By expanding the application of the STCA with the U.S., the Government agrees to, and has committed to, ensuring the future of the STCA. IRCC will continue to conduct an ongoing review of the U.S. designation and will consider policy responses if a concern is identified as part of that review. The Government also actively discourages irregular border crossings through public statements and content posted on official social media accounts, emphasizing that crossing between ports can be dangerous. The expanded application of the STCA on March 25, 2023 has sent a strong public message that irregular migration is not encouraged.

- Recommendation #7: Public Interest Exception to Gender-based Claims and re-instating an exception for foreign nationals from countries subject to moratoria on removals from Canada

The Government believes in a gender-responsive approach to migration management, which recognizes that women, girls, marginalized and vulnerable groups experience migration differently. IRCC is committed to assist those in need of protection and recognizes the right to seek asylum and the imperative to respect the human rights of all refugees and migrants. IRCC encourages individuals to seek entry into a country using designated ports of entry, while promoting gender-responsive migration.

The Government, however, disagrees with the recommendation to create a public interest exception for Gender-Based (GB) claims. The STCA does not require Canada and the U.S. to have identical asylum systems – it requires that both signatories have robust and effective systems which provide people in need of protection with access to asylum. This was noted by the Supreme Court of Canada in its June 2023 decision. Canada is satisfied that the U.S. system offers protection for GB claims in line with international refugee law norms, and that it has appropriate guidance, jurisprudence and recourse mechanisms in place to consider GB claims fairly. This position was reflected in the arguments made in the context of recent STCA litigation before the courts, and is grounded on Canada's determination that the U.S. system respects international refugee law and the principles of non-refoulement. This includes considerations

for refugee protection being made on a case-by-case basis, and the existence of recourse mechanisms for appeal or protection from removals. Indeed, American law recognizes gender-related harms as a basis for asylum under the “particular social group” grounds of the Refugee Convention accepting gender as an immutable characteristic. Under U.S. law, asylum can be granted on the basis of membership in a particular social group on the grounds of gender, if it is among the central reasons for the persecution and the claimant cannot access effective protection against such risks in their home state. American law has recognized, for example, women facing domestic violence and unable to leave their spouses as a particular social group. Such consideration is similar to the IRB’s treatment of claims referred to it for decision inland or from ports of entry, where the Board takes into account whether an individual has a well-founded fear based on membership in a particular social group (e.g., gender or LGBTQI+).

Furthermore, under the IRPA, there are multiple mechanisms for Canadian officials to consider a claimant’s individual circumstances in exceptional cases, if required.

Canada will continue to monitor U.S. asylum policies as it relates to GB claims as part of its continuing review of the U.S. designation. In addition, Canada’s ongoing engagement with the U.S. on issues of asylum through various fora enable Canada to address issues as they arise and undertake any policy actions that may be needed.

Canada also disagrees with the part of the recommendation to reinstate an exception that was repealed in 2009 with respect to foreign nationals to which the Minister of IRCC has imposed a stay on removal orders (Temporary Suspension of Removal, or TSR). As outlined in the regulatory impact assessment published in August 2009, the exception had left Canada open to large influxes of refugee protection claimants from nationals of TSR countries who would have had access to the U.S. asylum system (including access to the recourses for appeal or suspension of removal from the U.S.); the exception, thereby, undermined the effectiveness of the STCA and the integrity of Canada’s refugee protection system.

With respect to **recommendations related to provision of additional funding to support operations at the border** (#2 and #11), the Government agrees in principle, as follows:

- Recommendation #2: Funding for the RCMP’s C Division

Following the expansion of the STCA’s application on March 25, 2023, only 195 claims were received between ports of entry (irregular entries) in April 2023, compared to 4,280 claims made by irregular entries in March 2023. As such, given the operational environment, and, barring any spike in irregular crossings due to unforeseen circumstances, the RCMP’s C Division is currently adequately funded to attend to its operational duties at Roxham Road. The Government will continue to monitor the longer-term impacts of the STCA and its Additional Protocol, including by monitoring volumes of asylum claims made at land ports of entry; inland claims by individuals suspected to have crossed irregularly without detection; as well as irregular crossings along the border more generally, in order to adjust the RCMP’s operational footprint, as needed.

- Recommendation #11: Additional Resources at the Border

In 2017, the Government ramped up its frontline RCMP and CBSA resources at Roxham Road, including by making infrastructure investments at St-Bernard-de-Lacolle to accommodate the significant increase in irregular crossings, and to ensure effective on-site assessments, screening, and processing of asylum claims. However, the reduction in the number of irregular crossings at these specific locations since March 2023 has enabled both agencies to reassess their operational needs at that location, and to adjust their regional presences accordingly. The permanent facility constructed for the CBSA to replace temporary facilities at the St-Bernard-de-Lacolle POE can now be used to conduct any secondary processes.

Although irregular crossings at Roxham Road have dropped significantly with the expansion of the STCA, other risks continue to exist.

To mitigate these risks as they evolve, operational departments are looking to assess the requirements for national and long-term technological enhancements and increased

enforcement and response capacity to monitor the border. In the interim, the RCMP will modernize aircraft surveillance equipment to better support border security operations.

RCMP will continue to monitor the border and work with CBSA and international partners to collect intelligence on changing migration and human smuggling patterns, to inform and adjust our responses going forward.

With respect to **the recommendation to investigating Human Trafficking at the Canada-U.S. Border (#3)**, the Government fully agrees with the recommendation.

- Recommendation #3: Investigate Human Trafficking at the Canada-U.S. Border

Human trafficking and human smuggling differ, but are similar in that both profit from vulnerable people. In the case of human trafficking, victims are often recruited involuntarily through deception, threats or force, for the purpose of exploitation. Trafficking can include sexual exploitation and forced labour, and is a heinous crime, with serious impacts on victims and survivors, their families, communities and society as a whole. In the case of human smuggling, individuals generally voluntarily pay another individual to facilitate the crossing of an international border in a manner that allows them to be undetected. The relationship between the human smuggler and the foreign national is a commercial transaction, usually ending once in Canada. However, in some cases, human smuggling can transform into human trafficking when the foreign national consents to being smuggled, but upon arrival, the individual is coerced into an exploitative situation.

Work is currently underway on to address human trafficking, as the RCMP engages on a regular basis with the U.S. Department of Homeland Security and domestic law enforcement agencies in Canada, INTERPOL and EUROPOL.

Since winding down operations in response to the drop in arrivals at Roxham Road, the RCMP has been able to redeploy its resources elsewhere in Canada to respond to its broader border security mandate (including countering the cross-border movement of illicit goods and disrupting criminal activities). For example, in June 2023, the RCMP and the CBSA assisted several policing partners and non-government agencies, dismantled a human trafficking ring, involving forced labour, that was operating across Southwestern Ontario, and resulted in the rescue of 31 victims who were being criminally exploited by the accused.

Additionally, the Government is aware that some individuals may continue to seek to cross the border clandestinely, including with the help of smugglers, for various reasons. Resource requirements for both the RCMP and the CBSA are regularly reviewed and considered, as operational pressures and requirements evolve. The RCMP will continue to investigate occurrences of human smuggling and work with domestic and international law enforcement partners to identify and disrupt human smugglers that target Canada.

2. Supports for Claimants

In addition to effectively managing the border, the Government is committed to continue improving the timeliness of our supports for claimants, including the issuance of work permits and Refugee Protection Claim Documents (RPCDs). In respect of IRCC involvement in hotel operations, participation was designed as temporary operations with the aim of providing immediate support to the provinces, alleviating urgent pressures when required and in certain specific circumstances (i.e., COVID-19-related quarantine requirements) and locations (e.g., in Montreal, to deal with the mass influx via Roxham Road). Over recent years, the Government has made great strides in processing more applications virtually, streamlining our processes and increasing flexibility to respond to the current circumstances; and we will continue to test further innovative approaches.

Generally, the Government acknowledges that large unpredictable increases in asylum volumes strain available services. Canada's asylum system was designed according to volumes from over six years ago. This theme responds to the recommendations that relate to increasing the timeliness of the services provided to claimants, in the following order:

- Recommendation #8: Cease Issuance of “Entry for Further Examination” Documents (*partially agree*);
- Recommendation #9: Issue Work Permit and Refugee Protection Claimant Document upon Arrival (*partially agree*);
- Recommendation #10: Automatically extend the Refugee Protection Claimant Document Period of Validity if the final IRB determination is not made before the document’s expiry (*disagree*);
- Recommendation #12: Provide additional resources to Settlement Organizations (*partially agree*); and, lastly,
- Recommendation #13: Increase awareness of Interim Federal Health Program (*fully agree*).

In this respect, the **Government partially agrees with the recommendation to cease issuing the “Entry for Further Examination”** because it increases the number of steps and time required for CBSA to process an asylum claimant.

- Recommendation #8: Cease Issuance of “Entry for Further Examination” Documents (*partially agree*);

Due to a significant increase in irregular arrivals since 2017, mainly in Quebec, CBSA leveraged the use of section 23 of IRPA to authorize many refugee claimants to enter Canada for the purposes of furthering the examination (i.e. Entry for Further Examination). When claimants are authorized to enter Canada under section 23 of the IRPA, they are subject to various conditions. Recognizing that the use of the section 23 provision created a backlog in eligibility determinations, the Government has started to implement measures to eliminate that backlog and allow faster eligibility determination.

For persons making a refugee claim at a regular POE, CBSA has introduced a new ‘One Touch’ processing model that is allowing eligibility determinations to be made promptly, without the need to defer the claim for further examination. As eligibility is determined at the POE, this will contribute to an environment where a backlog does not need to develop. As a result, Entry for Further Examination documents are no longer issued routinely to claimants as a national practice. However, should volumes of claims and other immigration activities at particular POEs exceed CBSA’s processing capacity, the Agency would need to resume issuing these documents to ensure effective operations, understanding there are notable drawbacks, for both the claimants and the asylum system.

With respect to the recommendation to issue work permits and **RPCD upon Arrival, the Government partially agrees**, but recognizes the value of issuing these documents as soon as possible after arrival, while ensuring sufficient requirements have been met to preserve the integrity of the asylum system.

- Recommendation #9: Issue Work Permit and Refugee Protection Claimant Document upon Arrival (*partially agrees*);

The Government is committed to ensuring asylum claimants have access to work permits as soon as possible, once requirements are met, so that they can support themselves and reduce reliance on provincial, territorial, and municipal service delivery partners.

For persons making a refugee claim at a regular POE, CBSA’s ‘One Touch’ processing model allows officers to determine eligibility and refer claimants to the IRB right away, which has resulted in work permits being issued earlier, within a matter of days of the medical examination being passed. The RPCD is also able to be issued earlier in the process, usually the same day.

In November 2022, IRCC introduced a Temporary Public Policy under which asylum claimants may receive a work permit as soon as they: submit their claim information, provide biometrics, undergo a medical exam, and are determined eligible. Per service standards, clients should be able to see a Panel Physician for an immigration medical exam (IME) within 10 days of requesting an appointment. In May and June of 2023, 75% of asylum claimant IMEs were

completed by panel physicians within 12 days of the appointment date. IRCC is able to complete assessments of IMEs quickly once submitted by the Panel Physician; 89% of IMEs were assessed within 4 days in the month of May 2023. Once these steps are completed, the work permit can be issued automatically and typically takes less than 7 days. As of May 31, 2023, there were a total of 857 work permits pending for asylum claimants. This inventory varies day-to-day as the automated process is triggered and is dependent on completion of medical and eligibility decisions. After claims are determined eligible and referred to the IRB, the RPCD is issued to claimants.

A temporary document called the Acknowledgement of Claim (AOC) is issued to inland claimants at the time their claim is made to ensure that they can immediately access key benefits, including the Interim Federal Health Program, and enables them to apply for social services. Service Canada accepts the AOC document as proof of identity when accompanied by a valid work permit, so that claimants may obtain their Social Insurance Number. The AOC is also accepted to register refugee claimants under the age of 18 for pre-school, primary or secondary school, and/or for all claimants to apply for a study permit should they wish to study at the post-secondary level.

Upon referral of the claim, the RPCD replaces the AOC as the primary identification document of a refugee claimant in Canada. For inland claims, IRCC is continuing to implement innovative measures to accelerate in-person appointments and process claims awaiting referral to the IRB as quickly as possible, which allows for faster issuance of the RPCD. The IRB remains committed to optimizing access to justice to all those appearing before the Board. In September 2022, the IRB began increasing access to in-person hearings, and further expanded this access in June 2023. In addition, the IRB has, since September 2022, provided claimants with the ability to use IRB equipment at IRB offices to participate in their virtual hearing on demand.

Regarding **the period of validity of the RPCD, the Government disagrees with the recommendation** because the validity period serves an operational purpose.

- Recommendation #10: Automatically Extend the Refugee Protection Claimant Document Period of Validity if the final IRB determination is not made before the document's expiry (*disagree*);

In 2019, the Government increased the validity period of the Refugee Protection Claimant Document from two years to four years to reduce the burden of re-applying every two years. The Government is committed to maintaining a period of validity in order to ensure clients who apply for renewals are still located in Canada, and also to avoid controlled documents being mailed to potentially outdated addresses. Moreover, in response to the pandemic, RPCDs are considered to be valid even if they are expired. As such, claimants have not been impacted by expired RPCDs since early 2020. In August 2022, IRCC began accepting RPCD renewal requests from persons whose RPCDs expired on or after January 1st, 2020. That population was chosen as they were most affected by the pandemic-related suspension in RPCD renewals. The renewal process will soon be expanded to any expired RPCD-holders, and we do not expect a large backlog of renewals as those who were most impacted by the pandemic have already been processed.

The process for RPCD renewal requests is simple and has no costs associated with it, but does require clients to be in Canada at the time of renewal. There are three steps to the renewal process. First, complete the RPCD request form, which is a 2 page fillable PDF form, requesting personal details (name, address, telephone and email), names of dependents, if they also need a new RPCD, a signature declaration confirming that the information provided is correct, and also a declaration if the card was lost, stolen or destroyed. Second, get 2 passport photos for each person, and mail the form and photos to the RPCD office in Winnipeg.

Recently, IRCC has also launched functionality to simplify the process for clients by utilizing system-generated biometric photos from the claimant, thereby eliminating the need for passport photos to be provided.

Once the RPCD office receives the request, new RPCDs are mailed to the client or held at an

office nearby to the client for pick up.

With respect to Settlement Organizations, **the Government partially agrees with the recommendation to provide them with additional resources.**

- Recommendation #12: Provide additional resources to Settlement Organizations (partially *agrees*)

After claiming asylum in Canada and awaiting an IRB hearing, asylum claimants have access to certain provincial and territorial interim services to support them during this waiting period. These interim services have the objective of meeting immediate needs and enabling claimants to support themselves. In this respect, all asylum claimants, regardless of how they entered Canada, have access to services delivered by provinces and territories and partially funded by the federal government. This funding is provided every year through the Canada Social Transfer (CST). The CST is a federal block transfer to provinces and territories in support of post-secondary education, programs for children, social assistance and other social programs on which there is no requirement to report to the federal government. The CST, provided on an equal per capita basis to the provinces in accordance with Statistics Canada's Annual population estimates, includes persons who are claiming refugee status and the family members living with them. In addition, the Government also provides direct support to claimants through the Interim Federal Health Program and access to legal aid to support their claims process.

The Government recognizes that with the unpredictable and high asylum claim volumes, provinces and municipalities note an increasing strain on their social service system as well as an imbalance in where claimants choose to relocate. Provincial and municipal partners have expressed concern with their ability to continue providing these services, and have called upon the Government of Canada to provide additional support in this sector. In early 2019, the Government of Canada established the Interim Housing Assistance Program (IHAP) as a temporary cost-sharing program for extraordinary costs for interim housing for asylum claimants. Between 2017 and 2022, the IHAP disbursed almost \$700M overall to support these costs. In recognition of the pressures placed on provincial and municipal interim housing services, the Government has renewed IHAP through to the end March 2024 to allow for a contribution to the costs incurred by those jurisdictions who have provided interim housing for asylum seekers.

The Government is committed to working collaboratively with its provincial, territorial, and municipal partners to help alleviate the pressures they are facing in providing supports to asylum claimants and continues to explore options for support going forward. The Government recognizes that co-operation between all levels of government is fundamental to ensuring asylum claimants are supported and can begin to work, study or lead independent daily lives as quickly as possible, while awaiting a decision from the IRB on their claim. To that end, the Government expedited the issuance of work permits in 2022, and continues to provide access to study permits. Provinces and territories fund a variety of services such as language support, orientation, legal aid, interim housing and social assistance. Claimants can also access services such as interim housing, job search and settlement support proactively provided by a number of third party service providers across Canada.

Services provided by settlement organizations funded by the federal government are focused on enabling protected persons and permanent residents to settle and integrate permanently to Canada, and not on an interim basis. Claimants who receive a positive determination on their asylum claim or Pre-Removal Risk Assessment and become protected persons become eligible for these services.

One of the most important services asylum claimants have access to is the Interim Federal Health Program (IFHP). With respect to this Program, **the Government fully agrees with the recommendation to increase awareness of the Program.**

- Recommendation #13: Increase awareness of Interim Federal Health Program (*fully agree*).

The Government regularly works with the IFHP's third party claims administrator to raise awareness among new and existing healthcare providers, address common questions, notify providers of Program enhancements, and recruit new service providers in areas where IFHP beneficiaries reside. Through routine and ad hoc outreach activities, the Government shares information through website and bulletin updates, as well as emails to providers and health regulatory bodies.

Additionally, the Government engages with health sector and community partners, including a network of refugee-serving clinics and settlement organizations; refugee stakeholder groups; and provincial/territorial (PT) insurance programs under Ministries of Health to identify coverage gaps and ensure that the IFHP is responsive to refugee and asylum claimant health needs. Where there are identified gaps in service providers in areas with high newcomer volumes, the Government, with the IFHP's third party claims administrator, conducts targeted recruitment to register healthcare providers with the Program and ensure adequate representation across all locations where refugees and asylum claimants reside.

In addition, the Government monitors the secondary migration of asylum claimants (i.e. moving between regions or provinces/territories) to ensure that the IFHP is targeting destinations when soliciting participation by healthcare providers in the Program.

The Government acknowledges that more can be done to improve awareness about the IFHP with healthcare workers beyond the current communication approaches. The Government will pursue more proactive outreach and engagement with service providers through broader recruitment campaigns, including with medical associations, colleges and licensing bodies, with the intent of reaching a wider network of health professionals.

In addition, the Government has frequent bilateral and trilateral communications with PTs, where questions related to the asylum system are addressed. In future engagements, the Government can provide more information on how to improve access to and generate greater awareness around federal supports such as the IFHP, within PT health sectors.

APPENDIX I

Asylum-Seekers at Canada's Border		
#	Recommendations	Proposed Response
1	<p>Discourage Irregular Border Crossing The GoC should actively work to discourage irregular border crossings at Roxham Road and other irregular border crossings with:</p> <ul style="list-style-type: none"> • Online public statements • Social media • Travelling to major source countries to speak in their media to discourage such irregular border crossing while encouraging regular immigration through the many channels available to would-be newcomers 	Fully agree, work underway
2	<p>Funding for the Royal Canadian Mounted Police The GoC should adequately fund the C Division of the RCMP to attend to its duties in the province of Quebec as well as its ongoing operational duties at Roxham Road until the Government can reduce the rapidly increasing irregular crossings of people at that location.</p>	Agree, in principle
3	<p>Investigate Human Trafficking at the Canada-U.S. Border The RCMP should leverage its long-term relationship with Interpol, the FBI and various state and local law enforcement agencies in the U.S. to investigate and, if appropriate, to bring charges against human trafficking criminal organizations that operate across the Canada-U.S. border</p>	Fully agree, work underway
4	<p>Affirm that the U.S. is a Safe Third Country The GoC should publicly affirm that the U.S. is a safe third country, that is, refugee claimants who have arrived in the U.S. should be required to request refugee protection in the U.S. as opposed to Canada</p>	Fully agree, work underway
5	<p>Assertion that the U.S. is a Safe Third Country in Relevant Court Proceedings The GoC shall continue to take a posture which asserts that the U.S. is a safe third country in any relevant court proceedings.</p>	Fully agree
6	<p>The Future of the STCA The GoC work with the U.S. to modernize the STCA</p>	Fully agree, work underway
7	<p>Public Interest Exception to Gender-based Claims and reinstatement of the exemption for claimants from moratorium countries The GoC expand exceptions provided in the STCA to include gender-based claims as a public interest exception, and restore the exemption for claimants from countries subject to orders of Temporary Suspension of Removals</p>	Disagree
8	<p>Cease Issuance of "Entry for Further Examination" Documents The CBSA should cease issuance of the Entry for Further Examination document to irregular asylum-seekers.</p>	Partially agree
9	<p>Issuance of Work Permit and Refugee Protection Claimant Document upon Arrival The IRCC and CBSA should work in tandem to issue Work Permits and Refugee Protection Claimant Documents to all eligible asylum-seekers as soon as possible after arrival at the Canadian border, whether regular or irregular, provided key claimant requirements have been met.</p>	Partially agree
10	<p>Extend the Refugee Protection Claimant Document Period of Validity The IRCC should extend automatically the validity period of the Refugee Protection Claimant Document if the final IRB determination is not made before the document's expiry.</p>	Disagree
11	<p>Additional Resources at the Border The GoC should ensure that additional resources be allocated to the RCMP, the CBSA and all relevant agencies at the border to continue to adequately</p>	Agree, in principle

Asylum-Seekers at Canada's Border		
#	Recommendations	Proposed Response
	and humanely manage the number of asylum-seekers at Roxham Road and other irregular points of entry, to support faster processes for asylum-seekers and to ensure safer working conditions for government officials.	
12	Additional Resources to Settlement Organizations The GoC should provide resources to settlement organizations that assist asylum-seekers who pass through Roxham Road and other irregular points of entry to facilitate their integration in Quebec and Canada.	Partially agree
13	Awareness of the Interim Federal Health Program (IFHP) The GoC should work with provinces and territories to raise awareness of the IFHP with health care workers while respecting the jurisdiction of Quebec and the provinces	Fully agree, work underway