



LE CENTRE DE RÉFUGIÉS
THE REFUGEE CENTRE

November 2022

Costly Delays: Additional bureaucratic hurdles causing devastatingly severe economic and social outcomes.

This brief is a submission to Standing Committee on Citizenship and Immigration

Introduction

The asylum-seeking journey in Canada is a heavily bureaucratic and stressful series of procedures. It requires asylees to submit a large amount of paperwork in a short period of time, occasionally without legal help. In return, they are promised a fair administrative and legal process. The first document an asylum seeker receives in their journey is the *Brown Paper*, in exchange for seizing all forms of identification from the asylee, they are given an official photo ID document, stating their status in Canada and their eligibility to the Interim Federal Health Plan among other rights. In the past several months The Refugee Centre has noticed a deterioration in the bureaucratic processes and promises made to asylum seekers by the Canadian government with the introduction of the *Acknowledgment of Claim* document in temporary lieu of the *Brown Paper*, creating additional hurdles and delays in the asylum process for those making an inland claim.

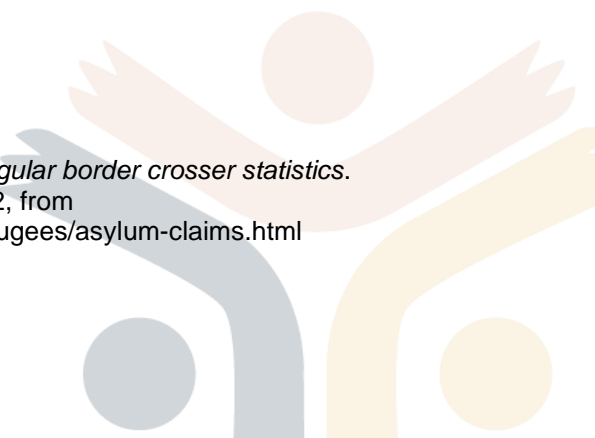
In tandem with the *Acknowledgment of Claim* document, asylum seekers making claims at the border and irregularly (as opposed to inside Canada) are issued an *Entry for Further Examination* document. This document signifies that the

CBSA agent responsible does not have the time or capacity to process the claim and is requesting the individual to delay their claim until an arbitrary date. When The Refugee Centre first encountered both of these documents, it provided an appointment dated 3 to 6 weeks from the time of entry of the asylum seeker for them to acquire their *Brown Paper* and then become eligible to apply for asylum and continue the legal process. However, as time progressed the appointment times for both documents lengthened to 12-24 months acting as an unofficial deterrent to asylees seeking safety in Canada.

This is particularly alarming as these documents do not afford these individuals any rights, essentially adding another delay to the asylum-seeking process, which sees an average wait time of 16-18 months at the Immigration Refugee Board of Canada, making the entire process to claim asylum in Canada on average 3 years, more than half of which is spent without any photo ID and ability to work.

The asylum seeker backlog is often brushed off as a side effect of the COVID-19 pandemic, however, prior to the pandemic the CBSA & IRCC was seeing and processing higher numbers of refugee claimants with less funding and employees than what is being experienced now. In the entire year of 2019, we saw more asylum seekers were processed by the CBSA & IRCC than in the year 2022¹, without the issuing of additional documents to delay the issuance of the Brown Paper. Despite common beliefs, Canada does have the means and capability to provide our future citizens with a better, more stable start to life in our country. The commendable Canadian response to the Ukraine crisis exemplifies how our nation can provide for vulnerable individuals, as we have witnessed work permits being issued at the point of arrival for Ukraine refugees. This level of effort and response should become the Canadian standard. The current backlogs are putting future citizens in potentially dangerous situations, as the following brief will highlight. The brief also highlights several policy recommendations that can be adopted and which coincide with the highlighted significant issues concerning asylum-seeking delays.

¹ Immigration and Refugee Board of Canada. (2022, September 1). *Irregular border crosser statistics*. Immigration and Refugee Board of Canada. Retrieved October 25, 2022, from <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/asylum-claims.html>



What is the Brown Paper:

Brown Papers, formally known as Refugee Protection Claimant Documents (RPCDs), are government-issued documents that act as identification documents for asylum seekers and refugee claimants. The *Brown Paper* allows individuals social and economic stability through:

- Work permit eligibility
- Study permit eligibility
- Welfare support
- Federal healthcare
- Subsidised daycare
- Refugee-oriented housing options

Not being able to access these opportunities further pushes a reliance on social assistance rather than giving asylum seekers the ability to work in a market that is facing extreme labour shortages.

The Problem:

There is an uncommunicated amount of time and seemingly indiscriminate method in which individuals are delayed up to 2 years in being issued their Refugee Protection Claimant Document and Work Permits after their arrival in Canada.

As a result, the *Acknowledgment of Claim document* - or *White Paper* - has become a temporary form of identity accepted by some service providers (see Figure 3). However, this solution has its limitations (for example: does not apply to those who

Canada
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D300001535

REFUGEE PROTECTION CLAIMANT DOCUMENT
THIS IS TO CERTIFY THAT THE PERSON HEREIN IS A REFUGEE PROTECTION CLAIMANT
WITHIN THE MEANING OF THE IMMIGRATION AND REFUGEE PROTECTION ACT

Application No: L010000935
UCI: 87552275

CLIENT INFORMATION

Family Name: DOCUMENTEXAMPLE
Given Name(s): SAMPLE
Date of Birth: 1961/01/01
Sex: FEMALE
Country of Birth: ALBANIA
Country of Citizenship: ANDORRA
Date Issued: 2013/11/07
Expiry Date: 2015/11/07

ADDITIONAL INFORMATION

Pursuant to subsection 100(8) of the Immigration and Refugee Protection Act, the claim for refugee protection has been deemed to be referred to the Refugee Protection Division of the Immigration and Refugee Board.

As of 2013/11/07, the above named individual is eligible for coverage of health care costs under the Interim Federal Health Program (IFHP). This coverage can cease or be modified without notice if the individual's immigration status changes. Therefore, health-care providers must verify the eligibility of the individual with the IFHP administrator before providing services.

I, the undersigned:

- declare that I require coverage under the IFHP. I will notify CIC immediately of any changes to my immigration status or if I become eligible for or receive other health insurance;
- understand that it is my responsibility to renew this coverage before 2013/03/30 and annually thereafter, as required;
- understand that my medical and personal information will be shared with CIC, IFHP claims administration and other appropriate third-parties for the administration of the IFHP and that personal information may be shared with other government institutions and other third-parties in accordance with the Privacy Act and the Department of Citizenship and Immigration Act.

School age children do not need student authorization to attend primary or secondary schools.

Name, relationship and signature of accompanying adult (if applicable)

Signature of person concerned Money in possession Minister

NOT VALID FOR TRAVEL

THIS FORM HAS BEEN ESTABLISHED BY THE MINISTER OF CITIZENSHIP AND IMMIGRATION - THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA
FORMULAIRE ÉTABLI PAR LE MINISTRE DE LA CITOYENNETÉ ET DE L'IMMIGRATION - LE PRÉSENT DOCUMENT EST LA PROPRIÉTÉ DU GOUVERNEMENT DU CANADA

OSM (M03-01-010) Canada

Figure 1

have applied at the border). Unfortunately, many professionals who work face-to-face with refugees are unaware of this adjustment or the significance of a *White Paper* and therefore cannot provide support for this demographic.

The Refugee Centre has a large portion of clients who have been affected by these delays. From January to August 31, 2022, over 70% of our Resettlement & Orientation clients have been experiencing delays in receiving necessary documentation (see Figure 2).² In parallel to the *Acknowledgement of Claim* individuals claiming asylum at the Canadian border may be asked to postpone their claim and are given an *Entry for Further Examination* document (see Figure 4). This can happen when a CBSA agent does not have enough time left in their shift or if the agent feels they do not have the capacity to look over the case. These arbitrary and broad sets of conditions allow CBSA agents to issue these documents at will. This is the extremely detrimental reality of the asylum-seeking process that creates additional lengthy wait times and further delays asylum seekers' ability to begin life in Canada.

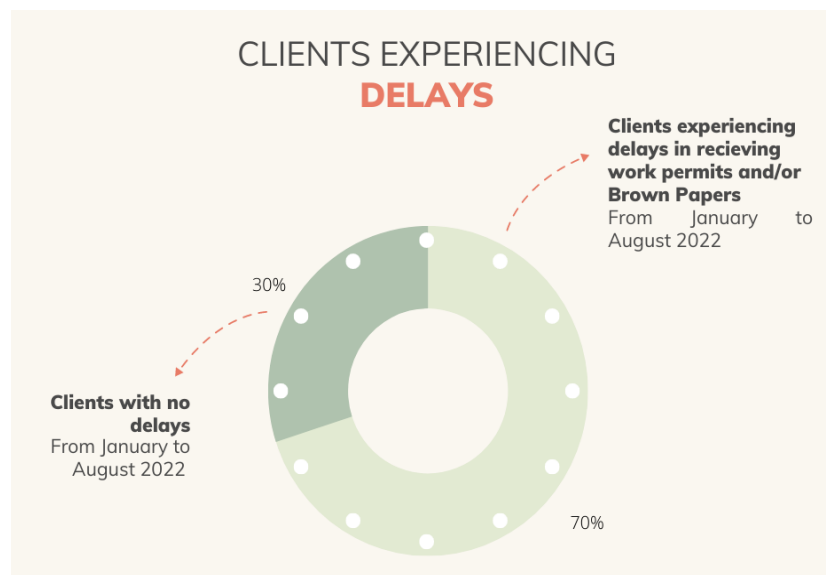


Figure 2

² Internal Refugee Centre Database



UCI
Application Number:

ACKNOWLEDGEMENT OF CLAIM AND NOTICE TO RETURN FOR INTERVIEW

Family Name:
Given Name:
Date of Birth:

This notice acknowledges that the Government of Canada received your **refugee claim** on
YYYY/MM/DD.

You are now eligible for health care coverage under the Interim Federal Health Program (IFHP). You are required to undergo an Immigration Medical Examination as part of your refugee claim. The IFHP will cover the cost of the examination. Please present this notice and your IMM 1017 form to the panel physician at your appointment.

You are required to return for an interview with respect to your refugee claim. The details are as follows:
Date:
Time:
Address: See form BSF-535 - Entry for Further Examination or Admissibility Hearing

You must bring the following with you:
• This original appointment letter

If you are under 18 years of age, you must be accompanied by a parent or legal guardian if he or she resides in Canada.


IMPORTANT:
If you do not appear for your interview, your IFHP coverage may be terminated. In addition, your refugee claim may subsequently be determined to have been abandoned in which case you will be subject to removal from Canada.

Note – If you pay for any medical services or products, you will not be reimbursed.

Health care providers in Canada **MUST** verify the eligibility of the individual with the IFHP claims administrator, Medavie Blue Cross, before providing services. Medavie Blue Cross may be contacted by telephone at 1-888-614-1880, by facsimile at 506-867-4651 or through their website at <https://www.medaviebc.ca/en/health-professionals>

Canada
IMM 5985 (10-2019) E GCMS

Figure 3

 Canada Border Services Agency / Agence des services frontaliers du Canada

ENTRY FOR FURTHER EXAMINATION OR ADMISSIBILITY HEARING
CONTRÔLE COMPLÉMENTAIRE OU ENQUÊTE

Surname - Nom de famille		Given name(s) - Prénoms(x)		File no. - N° de dossier	Client ID - ID du client
Date of birth - Date de naissance	D - J M Y - A	Country of birth - Pays de naissance		Country of citizenship - Pays de citoyenneté	
Address in Canada - Adresse au Canada					

In accordance with section 23 of the *Immigration and Refugee Protection Act* you are authorized to enter Canada for:

Further examination:
an admissibility hearing:

Conformément à la section 23 de la *Loi sur l'immigration et la protection des réfugiés* l'entrée au Canada peut être autorisée en vue :

d'un contrôle complémentaire.
d'une enquête.

The following conditions are imposed on your entry:

You are required to report for further examination or your admissibility hearing as specified below.

You may not engage in any work in Canada.

You may not attend any educational institution in Canada.

You must report in person to an officer at a port of entry if you withdraw your application to enter Canada.

Les conditions suivantes sont imposées à votre entrée :

L'obligation de se présenter en personne aux date, heure et lieu indiqués pour que soit effectué ou complété le contrôle ou l'enquête, le cas échéant.

L'interdiction d'occuper un emploi au Canada.

L'interdiction de fréquenter un établissement d'enseignement au Canada.

L'obligation de se présenter à un agent à un point d'entrée, si cette personne retire sa demande d'entrée au Canada.

Date	Time - Heure	Location - Endroit	<input type="checkbox"/> Report in person Vous présenter en personne	<input type="checkbox"/> Submit documents by mail Envoyer les documents par la poste
D - J M Y - A	Hours Heures			

NOTE: This authorization to enter Canada does not confer status. Failure to comply with the above conditions may lead to the issuance of a warrant for your arrest and the making of a removal order against you.

NOTA: L'autorisation à entrer au Canada ne confère aucun statut. En cas de non-respect des conditions imposées ci-dessous, vous pourriez faire l'objet d'un mandat d'arrestation et d'une mesure de renvoi.

Officer - Agent		Date
I have read and understand the contents of this form. I accept and will comply with the conditions imposed.		
Signed - Signé		

Figure 4



What are the Consequences:

1. Results in an increased amount of people in Canada without photo identification, leaving them in vulnerable situations when it comes to housing, employment, education, and healthcare.
2. Further enhances the economic vulnerability of asylum seekers.
 - a. Within the first 1-2 years in Canada, asylum seekers/refugees are required to be on welfare as no work permit has been granted.
 - b. One person without children or dependents is eligible for a maximum welfare amount of \$700 (see figure 5).³ This amount is essentially the cost of rent.⁴
 - i. Because of insufficient funds, asylum seekers/refugee claimants must rely on food banks, and government-assisted housing (YMCA and hotels).

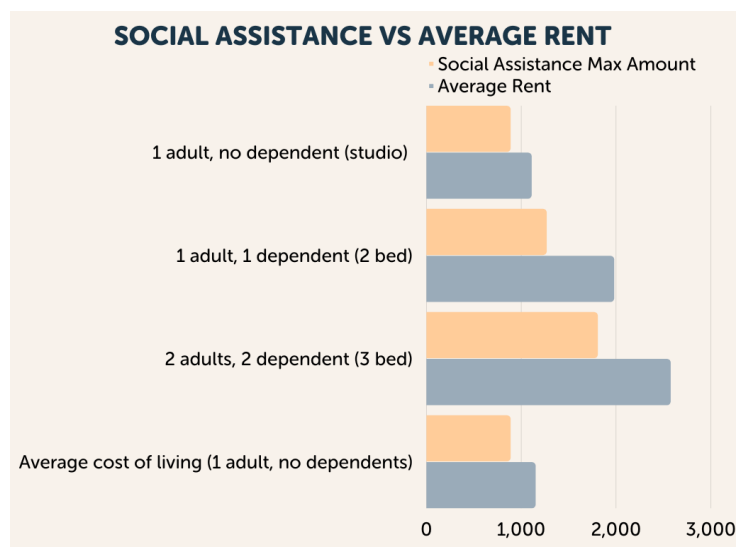


Figure 5

³ Government of Quebec. (2022, January 6). *How the benefit is calculated*. Gouvernement du Québec. Retrieved August 2022, from <https://www.quebec.ca/en/family-and-support-for-individuals/social-assistance-social-solidarity/calculating-basic-benefit/calculation-benefit>

⁴ Zumper. (2022). *Average rent in Montréal, QC and cost information*. Zumper. Retrieved August 2022, from <https://www.zumper.com/rent-research/montreal-qc>

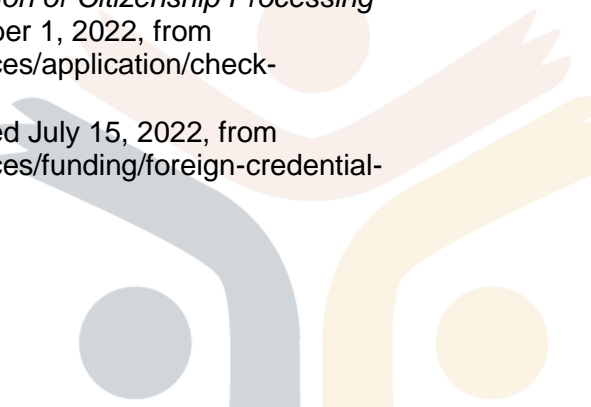
3. Prevents individuals who are able and willing to work from entering the labour force at a time when this is drastically in need across the country.^{5 6}
4. Creates a sensation of unwanted, and undesirability for asylum seekers entering Canada.
 - a. According to the Canadian government site which allows applicants to check the live updated wait times, the average wait time for refugees is up to 2 years.⁷ Living in a country for 2 years without proper documentation required for participation in society contributes to feelings of being unwanted.
5. Positively reinforces the stereotype that “refugees are only coming to take advantage of our social security system, and not needing protection.”
 - a. Over 90% of TRC’s clients do not have their professional work credentials recognized (see figure 6).⁸ This prevents them from being able to contribute to Quebec society and creates an environment in which relying on the Canadian social security system is a necessity.

⁵ Miekus, A. (2022, January 11). *Quebec companies can now hire more temporary foreign workers*. CIC News. Retrieved September 2022, from <https://www.cicnews.com/2022/01/quebec-companies-can-now-hire-more-temporary-foreign-workers-0120925.html#gs.btqcgf>

⁶ McKenna, K. (2022, September 14). *As Quebec's worker shortage worsens, employers plead with leaders to welcome more immigrants*. CBCnews. Retrieved September 14, 2022, from <https://www.cbc.ca/news/canada/montreal/immigration-quebec-politics-labour-shortage-1.6577837>

⁷ Refugees and Citizenship Canada. (2022, August 17). *Immigration or Citizenship Processing Times*. Immigration or Citizenship Application. Retrieved September 1, 2022, from <https://www.canada.ca/en/immigration-refugees-citizenship/services/application/check-processing-times.html>

⁸ Canada, E. (2022, August 05). Government of Canada. Retrieved July 15, 2022, from <https://www.canada.ca/en/employment-social-development/services/funding/foreign-credential-recognition.html>



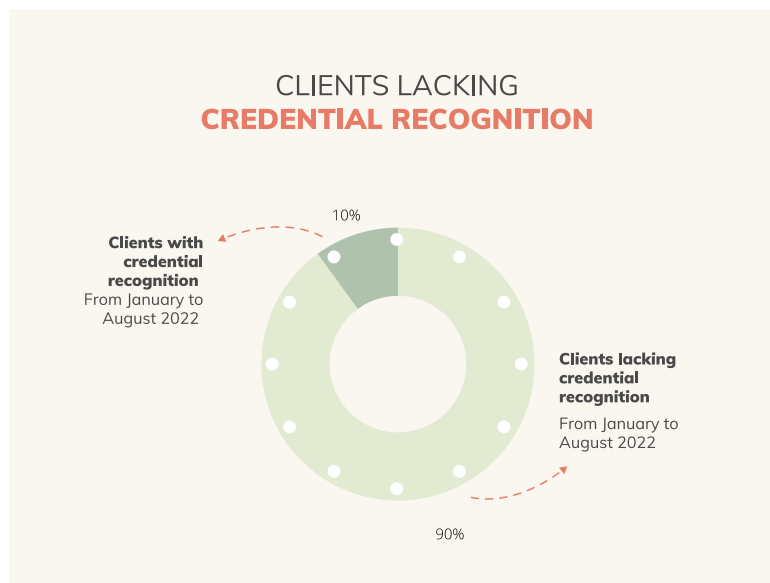


Figure 6

6. Prevents the resettlement and integration of newcomers to Quebec and Canadian society.
 - a. TRC's resettlement and Orientation sector has seen 612 clients from January to August who lack the proper documentation and the ability to attain them due to the *Acknowledgement of Claim* and *Entry for Further Examination* not being widely recognized by other government and social service outlets.⁹

7. Causes potential psychological harm to those unable to participate in Canadian society fully.
 - a. Access to social resources/services depends on status as an accepted refugee, or more recently, possession of a *Brown Paper*. This further prevents the resettlement and integration of newcomers into Canadian society.

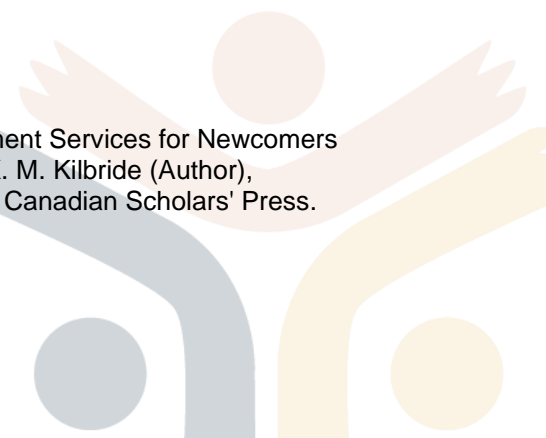
⁹ Internal Refugee Centre Database



- b. Feelings of uncertainty and powerlessness arise as a result of social exclusion.
 - i. TRC's Wellness sector has seen a large increase in wellness appointments since January 2022.¹⁰ The goal of these appointments is to provide clients with the necessary support in navigating these feelings.
- 8. Asylum seekers/refugee claimants are unable to apply for independent housing as leases require forms of identification that this demographic does not have access to.¹¹
 - a. Those who are able to find independent housing that is willing to rent without identification are often in potentially dangerous living situations at exorbitant prices, thus contributing to tax avoidance from landlords.
- 9. Increases the likelihood that healthcare providers may not recognize the status of asylum seekers, thus preventing their ability to receive necessary treatment.
 - a. In the case of healthcare, the system is incredibly difficult to navigate and benefit from as an asylum seeker/refugee. This demographic is covered by the International Federal Healthcare Program (IFHP), however, due to the lack of consultation from public groups, many healthcare professionals are unaware of what the IFHP is due to the fact that the *Brown Paper* is more widely

¹⁰ Internal Refugee Centre Database

¹¹ Rose, D., & Charette, A. (2014). Housing Experiences of Users of Settlement Services for Newcomers in Montreal: Does Immigration Status Matter? In 20082417401395492559 K. M. Kilbride (Author), Immigrant integration: Research implications for future policy (pp. 151-167). Canadian Scholars' Press.



known. This results in many clients being turned away without medical attention.

- i. 428 clients have booked healthcare appointments with The Refugee Centre 80% of our healthcare clients (from January 2022 to date) have expressed dissatisfaction with the healthcare system (see figure 7).¹²

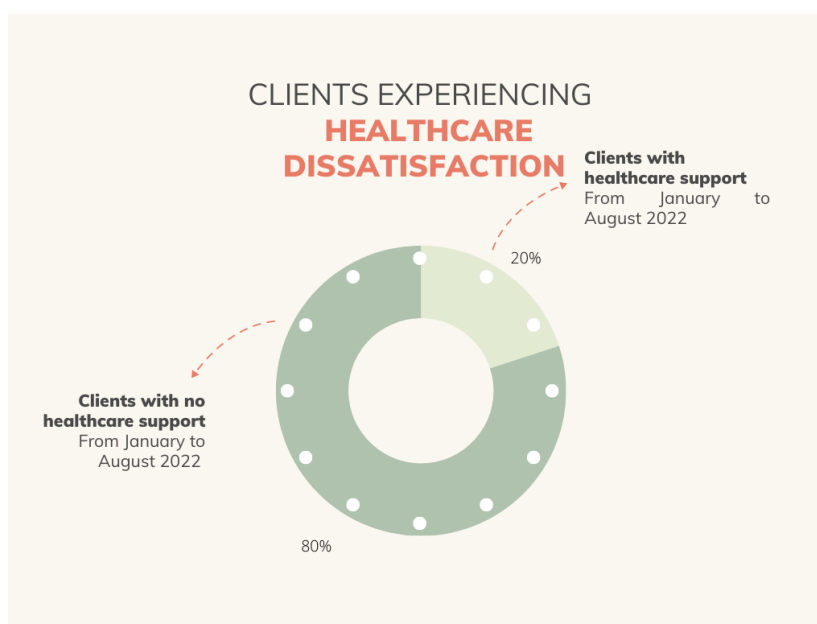


Figure 7

¹² Internal Refugee Centre Database

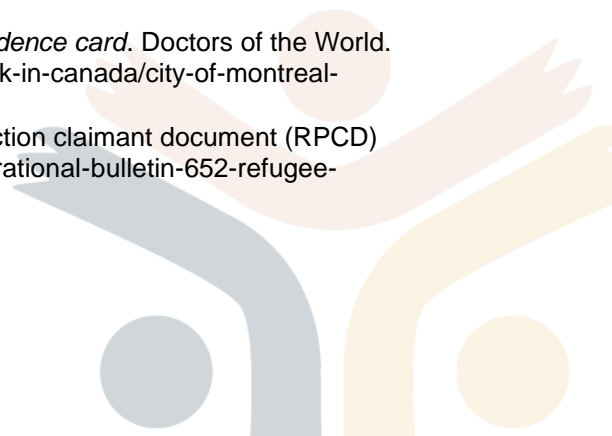


Our Direct Policy Recommendations:

1. Creating a temporary federal photo ID for asylum seekers and refugee claimants who have not received their *Brown Papers*.
 - a. This solution aims to act as a temporary bandage to ensure that those without *Brown Papers* would have access to crucial social services mentioned throughout this brief.
 - b. This may be modelled off of Doctors of the World/Médecins du Monde's provincial ID card which aims to connect refugee claimants and asylum seekers with services in all areas of concern (employment, housing, education, and food).¹³
2. Standardizing the extension of the *Brown Paper* validity period from 2 years to 4 years to decrease the number of renewals and remove pressure from the system.¹⁴
 - a. This solution tackles consequence 2 by, taking pressure off the immigration backlog and reducing the number of individuals needing to rely on government assistance.
3. Increasing the backlog processing times/speeds to issue *Brown Papers* in a timely manner by designating more provincial actors to work to process and issue *Brown Papers* in a way that does not hinder an individual's ability to enjoy support and services.

¹³ Doctors of the World. (2021). *City of Montreal identification and residence card*. Doctors of the World. Retrieved October 24, 2022, from <https://doctorsoftheworld.ca/our-work-in-canada/city-of-montreal-identification-and-residence-card>

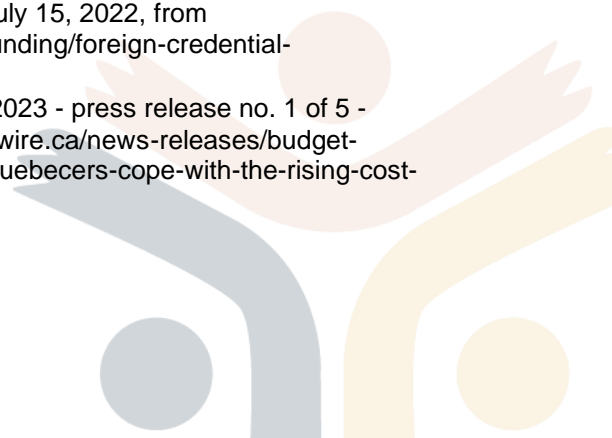
¹⁴ Singer, C. (2018, May 18). Operational bulletin 652 – refugee protection claimant document (RPCD) validity. Retrieved July 15, 2022, from <https://www.immigration.ca/operational-bulletin-652-refugee-protection-claimant-document-rpcd-validity>



- a. This solution aims to tackle consequences 1-10 by expediting the *Brown Paper* issuing process and equipping the system with the support necessary to provide stable lives to applicants in a timely manner.
4. Have NGOs or lawyers who are handling the individual's case write a letter of attestation that can be attached to the White Paper to better inform service providers.
 5. Push for policy change that would ensure asylum seekers have their work permits issued or started by the time they leave the border.¹⁵
 - a. This will tackle consequences 1 - 9 by allowing asylum seekers to find safe and legal work. The ability to work will allow newcomers to participate in society, allow for economic security, and promote feelings of belonging.
 6. Actively seeking to fund education programs that promote cultural sensitivity/understanding and prioritizing education programs that seek to promote cultural sensitivity and understanding.¹⁶
 - a. This solution tackles consequences 5, 7 & 8 by addressing reports of newcomers - specifically newcomer youth - feeling targeted and ostracised, thus promoting feelings of belonging and investing in the promotion of cultural exchange and understanding will create a social environment that promotes and values cultural exchange.
 7. Creating an updated training program for healthcare workers which covers racial and cultural sensitivity when working with patients.

¹⁵ Canada, E. (2022, August 05). Government of Canada. Retrieved July 15, 2022, from <https://www.canada.ca/en/employment-social-development/services/funding/foreign-credential-recognition.html>

¹⁶ Cabinet du ministre des Finances. (2022, March 22). Budget 2022-2023 - press release no. 1 of 5 - investments of \$22 ... Retrieved July 15, 2022, from <https://www.newswire.ca/news-releases/budget-2022-2023-press-release-no-1-of-5-investments-of-22-billion-to-help-quebecers-cope-with-the-rising-cost-of-living-and-to-sustain-economic-growth-808400690.html>



- a. This solution tackles consequence 10 by promoting intersectional approaches to treatment that centre's marginalised individuals.

Conclusion

Brown Papers are a key factor in asylum seekers' and refugees' resettlement and integration into society. These papers allow individuals to set up, begin their lives, and become a part of a community in Canada and Quebec. The minimum 2-year delay that is being experienced by newcomers is effectively creating a stagnation period in which refugee claimants are no longer part of their original communities and are unable to access or become a part of new communities due to the bureaucratic necessity for *Brown Paper* documentation to access social services. In order to best support refugee claimants and asylees, it is crucial to create a society that is ready to welcome and support them in a meaningful and sustainable manner.

We are calling upon MPs and government representatives to use their position of power to advocate for those who are in vulnerable positions in Canada. Immigration levels are rising globally and it is of the utmost importance to ensure positive and supportive resettlement and integration of this population. The *Brown Paper* serves as a key to the community in Canada, it is what connects refugee claimants and asylum seekers to their new homes and allows them to lay new roots. With efforts to evenly distribute these documents in a timely manner, we as a society will be actively demonstrating the values Canada is known for.



Citations

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