

Le Québec c'est nous aussi

September 27, 2022

**Brief Submitted to the
Standing Committee on Citizenship and Immigration
for Its Study on Application Backlogs and Processing Times**

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About us

Le Québec c'est nous aussi is a non-profit organization that works to defend the rights and living conditions of immigrants in Quebec by bringing the voices of our communities to the forefront in a non-partisan manner, by valuing immigration in Quebec society and by creating the conditions to build a diverse and inclusive Quebec.

Le Québec c'est nous aussi is composed of a team of six dedicated volunteers who have each been through the Quebec and Canadian immigration systems. When we work on particular cases, we are also supported by the people directly affected by the issues.

Summary of recommendations

Recommendation 1: Clearly and explicitly publish the guidelines given to Immigration, Refugees and Citizenship Canada (IRCC) officers and the acceptance criteria for permits and visas.

Recommendation 2: Introduce a bill to create the position of IRCC Ombudsperson in order to support the department in the sound management of its day-to-day operations.

Recommendation 3: Introduce a bill to create a regulatory framework to govern IRCC processing times and Canada's obligations to candidates in the event of delays.

Recommendation 4: Invest in a humanitarian emergency preparedness program to avoid having to constantly reassign critical IRCC resources to emergencies.

Recommendation 5: For permanent residence applications, issue an acknowledgement of receipt (AOR) electronically when the file is submitted online.

Recommendation 6: Review file processing methods to ensure that candidates do not have to restart the entire process if documents are missing or expired as a result of processing delays.

Recommendation 7: Substantially increase the yearly budget allocated to IRCC so that it can meet its own processing targets while treating candidates with humanity and decency.

Background

Immigration is a source of strength for Canada, as much for its economic goals as for its demographics and culture. Unfortunately, for a number of years now, IRCC has been struggling to process the hundreds of thousands of files that are entrusted to it through the various temporary and permanent immigration pathways in an efficient, transparent and fair manner. In addition, the last two years have shown, through the humanitarian crises in Afghanistan and Ukraine, as well as COVID-19, that the department was not adequately equipped to manage emergency situations.

The issue of the backlogs and delays currently faced by immigration candidates is an opportunity to review various IRCC methods and procedures to ensure they are moving toward greater transparency, efficiency and resiliency. The delays experienced by immigration candidates have major impacts on their lives and cause damage to various sectors of the Canadian economy, as well as Canada's reputation.

It is encouraging to see that the Standing Committee on Citizenship and Immigration is proactive in this regard. To support this initiative, Le Québec c'est nous aussi has provided an overview of the impacts of processing delays, as well as various possible solutions to complement and improve the IRCC strategy.

Impacts

There are many immigration pathways, and the impacts of processing delays vary depending on the application. In this section, we will look at the impacts of processing times for different types of applications.

Study permits: Thousands of international students struggle to return to school

After two years of the pandemic, which greatly slowed the inflow of international students into Canadian educational institutions, educational institutions across the country are experiencing such significant delays in obtaining study permits and visas that thousands of students have had to postpone their arrival by a semester or even a year for some programs.

Because of these delays, students do not know when they will receive their permits and visas, and this leads to anxiety and uncertainty when they are supposed to be preparing to move to another country.¹ These delays also have financial impacts for students, who may have already paid tuition or found housing. Their new life in Canada therefore begins on a particularly negative note.²

¹ ["Angoisse et incertitude pour des étudiants étrangers en attente de permis d'étude" \(Anne-Marie Provost for Le Devoir, July 2021\) \[in French only\]](#)

² ["Permis d'études en retard: des étudiants étrangers obligés de mettre leur rêve sur pause" \(Genevieve Abran for 24heures, September 2021\) \[in French only\]](#)

The institutions receiving these students risk becoming less attractive internationally.³ In fact, if the situation is not resolved soon, international students who have options for a comparable education will choose to study in other countries to avoid the burden of lengthy and uncertain immigration procedures.⁴

Work permits: A worsening labour shortage

While employers across Canada are looking for workers, IRCC's processing times are becoming longer and preventing thousands of people from obtaining work permits quickly.

This situation affects candidates by preventing them from working for an indefinite period of time, putting them in a situation of significant financial and mental insecurity.⁵ Of further note, it is impossible to apply for Employment Insurance while an application is being processed.⁶

This situation also has negative consequences for employers, who are sometimes forced to downsize their operations or close temporarily because of a lack of authorized workers.⁷ Some employers are currently considering relocating to avoid the problem.

Refugee protection claims: Whole lives waiting

Because of delays, it currently takes several months, sometimes even up to a year, for the "brown paper" to be issued after people have arrived in Canada. This makes it impossible for them to work or open a bank account, so they rely heavily on local organizations to survive (food banks, services for people without status, etc.). These delays also hinder individuals' integration into Canadian society and cause them considerable pain and suffering.

Family reunification: Families separated by the process

Delays in visa issuance for spousal sponsorships have devastating consequences for families.⁸ In fact, many children are separated from one of their parents for several years, and some mothers find themselves giving birth without their spouse.

³ ["Canada risks losing its edge on international student recruitment over visa delays, universities say" \(Joe Friesen for Eastern Workforce Innovation Board, September 2022\)](#)

⁴ ["Study permit delays impacting thousands of international students coming to Waterloo region" \(CBC, September 2022\)](#)

⁵ ["Toujours dans l'attente de permis - Plusieurs étrangers qui résident au Canada ne peuvent travailler ou même étudier à cause de longs délais" \(Clara Loiseau for Le Journal de Montréal, September 2020\) \[in French only\]](#)

⁶ ["Des travailleurs étrangers temporaires à l'arrêt en attendant des permis en retard" \(Pascal Raiche-Nogue for ICI Nouveau-Brunswick, July 2022\) \[in French only\]](#)

⁷ ["Délais dans les demandes de permis de travail: un manque de main-d'oeuvre qui coûte cher" \(Katy Desjardins, William Paquet and Sébastien Agostini-Cayer for L'Exemplaire, March 2021\) \[in French only\]](#)

⁸ ["Processing times for family reunification have reached absurd new lengths" \(Canadian Council for Refugees, June 2021\)](#)

Permanent residence: Selected individuals kept in precarious situations

With regard to permanent residence, lengthy delays are reported for AORs, confirmations of permanent residence and permanent resident cards.

Many people who meet all of the criteria for permanent residence find themselves trapped in precarious situations for several years while waiting for confirmation of their permanent residence. These precarious situations have numerous implications, ranging from mental health (lack of transparency and uncertainty causing anxiety) to financial issues (access to the labour market and health insurance plans), as well as the countless procedures required to maintain status throughout the waiting period (work permit before obtaining the AOR, then a bridging open work permit).⁹ The burden is even increasing on the legal side, as more and more people are now turning to the courts to have their cases processed.¹⁰

Once confirmation of permanent residence is received, the wait for a permanent resident card is currently several months, leaving new residents unable to travel during this time (to visit their families, for example).

It should also be noted that since permanent residence is a required step in obtaining Canadian citizenship, delays in issuing permanent residence confirmations affect the life plans of candidates until they obtain their citizenship.

The increase in applications for temporary status by permanent residence candidates, in order to maintain status while waiting, also affects IRCC by increasing its workload, worsening the general problem of delays.

Visas: Canada's reputation is at stake

The increasing delays in obtaining visas are threatening Canada's reputation. In fact, various events recently organized in Canada have paid a price for these administrative delays.¹¹ This issue has implications beyond Canada's borders, as organizing committees for various events are noticing this trend and will choose to hold their events in other countries if the situation is not addressed quickly.¹² From a cultural perspective, if Canada wishes to project an image of a country open to diversity, it must prove it by welcoming the artists who wish to perform here in a dignified way.

⁹ [" Femmes enceintes et migrantes: plus de 10 000\\$ pour accoucher" \(Nora T. Lamontagne for the Journal de Montréal, May 2022\) \[in French only\]](#)

¹⁰ ["Épuisé d'attendre, un couple poursuit Immigration Canada" \(Romain Schué for Radio-Canada, February 2022\) \[in French only\]](#)

¹¹ ["Retards dans l'octroi de visas: des événements touchés à Québec" \(Victoria Baril for Le Soleil, July 2022\) \[in French only\]](#)

¹² ["The concept of solidarity is a lie: Why these empty chairs at AIDS 2022 have Canada under fire" \(Alex Boyd for the Toronto Star, August 2022\)](#)

Recommendations

For greater transparency

Recommendation 1: Clearly and explicitly publish the guidelines given to Immigration, Refugees and Citizenship Canada (IRCC) officers and the acceptance criteria for permits and visas.

Recommendation 2: Introduce a bill to create the position of IRCC Ombudsperson in order to support the department in the sound management of its day-to-day operations.

Recommendation 3: Introduce a bill to create a regulatory framework to regulate IRCC processing times and Canada's obligations to candidates in the event of delays.

Building resilience in crisis management

The humanitarian crises in Afghanistan and Ukraine have proven that IRCC is currently unable to meet its usual processing targets and manage such crises. Unfortunately, the geopolitical balance is fragile in many parts of the world. It is therefore crucial that this humanitarian emergency be managed effectively without compromising IRCC's usual operations.

In addition, as one of the world's largest per capita emitters of greenhouse gases, Canada has an international responsibility to take in the climate refugees it helps create. In this context, it is all the more necessary for IRCC to develop a plan to handle a significant rise in refugee numbers in the coming years.

Recommendation 4: Invest in a humanitarian emergency preparedness program to avoid having to constantly reassign critical IRCC resources to emergencies.

To improve efficiency

In the case of permanent residence applications, the AOR is the beginning of the formal processing of the immigration file. Yet AORs are not issued until several weeks or months after the application is actually received. For a more accurate picture of the timelines involved, processing of the file should begin on the day it is received.

Recommendation 5: For permanent residence applications, issue an acknowledgement of receipt (AOR) electronically when the file is submitted online.

A large portion of the files processed by IRCC are “simple,” yet errors can occur on both the applicant’s and IRCC’s end. Currently, when a document or signature is missing, the file is often rejected and the candidate must restart the entire process, regardless of how precarious this makes their situation.

Recommendation 6: Review file processing methods to ensure that candidates do not have to restart the entire process if documents are missing or expired as a result of processing delays.

Immigration enables Canada to grow economically, culturally and demographically. IRCC must therefore be the focus of government strategies in order to support other departments in their mission. IRCC’s budget must therefore be increased to match its crucial role.

Recommendation 7: Substantially increase the yearly budget allocated to IRCC so that it can meet its own processing targets while treating candidates with humanity and decency.

Conclusion

Beyond being a humanitarian responsibility (in the context of various crises), taking in immigrants is an opportunity for Canada’s economy, demography and culture. The various measures implemented by the government over the past few years show that it fully understands this reality. It is therefore necessary and desirable to ensure that the various procedures for immigration pathways are efficient, transparent and resilient.

Le Québec c’est nous aussi welcomes the Standing Committee on Citizenship and Immigration’s study of the issues and consequences of delays and backlogs in these various procedures and hopes that the recommendations in this brief will be acted on.