

# Refugee Family Reunification Project

## FAQs

### Refugee family reunification: call for Temporary Residence Permits

Recommendation: To respond to the long delays in refugee family reunification, Temporary Resident Permits (TRPs) should be issued to family members of refugees so that they live in Canada while they wait for their permanent residence applications to be processed.

#### Who are we talking about?

When a person who makes a refugee claim in Canada is accepted as a refugee in the determination system, they become a Protected Person. They can then apply for permanent residence for themselves and immediate family members (spouse and children). If the family members are overseas they must wait for their permanent residence application to be processed before they can travel to Canada.

#### How long are families waiting to be reunited?

Processing times for family members overseas are currently **four years (48 months)** from the time of the application for permanent residence of the principal applicant in Canada. See [processing times](#).

However, most families have been separated for longer than four years – many claimants wait two or more years for their refugee determination, after making a claim.

#### How many people are affected?

At the end of August 2023 there were 32,350 family members abroad waiting for their permanent residence application to be processed. The number will have grown since then.

#### Why the long processing times?

Each year the Canadian government approves an immigration levels plan, which establishes targets for each category of immigrant. This includes a target, or limit on the number of refugees and refugees' family members that can receive permanent residence.

Meanwhile, in recent years an increasing number of people are accepted as refugees in the refugee determination system (a system not affected by the immigration levels) – and those people then also apply for permanent residence for themselves and their family members. In 2023, 37,000 were accepted as refugees.

Since the number of people applying for permanent residents in this category is greater each year than the number of people that can be granted permanent residence, the backlog is growing each year, and the wait times are also increasing.

The table below shows that the government is only planning to give permanent residence to **27,000 people in 2024** – yet there were already nearly four times as many waiting in August 2023.

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Levels target 2024 for Protected Persons Landed In Canada and dependents abroad 27,000

## **Inventory of applications as of end Aug. 2023:**

Protected Persons Landed In Canada	68,000
Dependents Abroad of Protected Persons	32,350
<b>Total backlog</b>	<b>100,350</b>

## **What are Canada's legal obligations towards children?**

As a signatory to the United Nations Convention on the Rights of the Child, Canada is legally obliged to:

- Give primary consideration to the best interests of the child in all actions taken that concern a child
- Deal with any applications to enter the country for the purpose of family reunification “in a positive, humane and expeditious manner”.

The Immigration and Refugee Protection Act is required to be applied in a way that complies with Canada's international human rights commitments, which include complying with the Convention on the Rights of the Child (IRPA s. 3(3)(f)).

## **What are the impacts of prolonged family separation?**

Children in particular suffer greatly as a result of the long wait. They may:

- Be living in a situation of conflict or insecurity
- Be displaced from their home and living with precarious or no status
- Have limited access to health care
- Not be able to go to school regularly
- Develop trauma as a result of forcible separation from their parents

Parents in Canada waiting to be reunited with their children also suffer. They often:

- Struggle to move forward with their life in Canada, because their mind is with their family overseas
- Need to send money overseas to support their family
- Live with feeling of guilt because they are not able to protect their children
- Experience mental and physical health challenges as a result of the stress

## **How would it work to issue Temporary Resident Permits?**

The Canadian Bar Association and the Canadian Council for Refugees recommended that refugee family members be given Temporary Resident Permits (see [April 2024 letter](#))

The Minister of Immigration, Refugees and Citizenship could issue instructions for Temporary Resident Permits (TRPs) to be given to family members of refugees so that they could come to Canada and live here while they wait for their permanent residence applications to be processed.

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The TRP is a tool that is regularly used when people need to be able to enter Canada before a permanent residence application can be finalized.

## **Is there any precedent?**

In May 2023 the government [announced measures](#) designed to allow family members to travel to Canada and remain here while waiting for their Family Class applications to be processed. As the news release says: “Families are meant to be together, especially during life’s big moments like moving to a new country. That is why Canada is working to help families reunite more quickly and easily, and support themselves once in Canada.”

These measures do not apply to refugees, since their family members are not issued visitor visas.

But the same or even greater need for family reunification applies to refugees, due to heightened insecurity. Offering Temporary Resident Permits would mean treating refugee families in the same way that other families are being treated.

## **What are the financial implications of the proposed solution?**

The administrative costs of issuing Temporary Resident Permits to family members would be small.

On the other hand, the measure would lead to significant financial benefits:

- There will be cost savings for the judicial system as families would no longer need to ask the Federal Court to intervene to order faster processing
- Reunited families will be stronger economically
- Refugees will no longer need to send money overseas to their immediate family
- The costs of delayed reunification on Canada’s health and social systems will be reduced.

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For more information: <https://refugeefamilyreunification.ca/>