

## **Refugee Family Reunification: A Practical Solution for an Urgent Problem**

### **The Problem**

Did you know that children and spouses living overseas now wait more than **4 years** to reunite with a family member who has been accepted as a refugee in Canada? The processing times are getting longer and longer.

The long separation causes immense suffering. Children in particular suffer severe harms – often their safety is at risk as they struggle to survive in a war zone or other precarious situation. They may not have enough food or access to health care and may be unable to attend school. They often feel abandoned and blame their parent for not bringing them to Canada sooner.

### **The Cause of the Problem**

The main reason for the long delays is that Canadian government limits the number of refugees and refugees' family members who can receive permanent residence each year, as part of the overall immigration levels plan. Recently, the number of people accepted as refugees in Canada's refugee determination system has been increasing, but the number who can be granted permanent residence has grown only slightly. As a result, each year more refugees apply for themselves and their family members than can receive permanent residence, leading to ever bigger backlogs.

This is unacceptable:

- It is not consistent with the objective in the immigration legislation “to support the self-sufficiency and the social and economic well-being of refugees by facilitating reunification with their family members in Canada.”
- It violates our commitments to children under international human rights law – in particular the obligation under the Convention on the Rights of the Child to reunite children speedily with their parents.
- It is harmful to Canadian society – refugees in Canada who are separated from their families are more fragile and cannot contribute fully; when their children finally arrive in Canada, they face greater challenges in integrating, due to poor physical and mental health, missed schooling and the need to rebuild the family relationship.

### **Long term solution:**

The government should process in a timely way all applications from refugees accepted in Canada, without imposing yearly limits. This could be achieved by matching the immigration levels for refugees accepted in Canada to the number of refugee applicants, or by exempting accepted refugees entirely from the levels. A solution to the levels problem is essential in order to allow refugees and their families to get on with their lives. However, this solution may take some time to implement given that annual levels are set in advance.

## **A practical, short-term solution**

There is a practical solution that can be implemented in the short term. The Canadian government could issue Temporary Resident Permits (TRPs) to allow family members of refugees to live in Canada while they wait for their permanent residence applications to be processed.

## **Reasons for this approach**

Issuing Temporary Resident Permits to family members of refugees is a practical solution that makes sense on several levels:

- Refugees are legally entitled to reunification with their immediate family members; in almost all cases, reunification will happen eventually. It makes sense to reunite them sooner rather than later, and thus avoid unnecessary harm and suffering.
- It is in the best interests of children, who are often living in precarious situations, to be reunited with their parents in Canada as soon as possible.
- There is precedent. In May 2023, the Canadian government announced “faster temporary resident visa processing times” for spouses to reunite with their partners – but only for Family Class immigrants! This precedent should also apply to spouses and dependent children of refugees.
- TRPs already exist as a mechanism to admit people on a temporary basis, following security screening. It would be straightforward for the government to adopt a policy to issue TRPs systematically to family members of refugees.
- A system-wide policy on issuing TRPs to refugee families would save immigration officers’ time analyzing individual requests for TRPs, and reduce judicial costs since applicants would not need to apply to the courts to ask for quicker processing.
- Speedier family reunification would enable Canada to better meet its legal obligations under the UN Convention on the Rights of the Child, Canada’s Charter of Rights and Freedoms, as well as legal requirements relating to the need for a fair immigration process.

We urgently need a solution to the long separation of refugee families: the safety and well-being of thousands of vulnerable children is at stake.

**RECOMMENDATION: The Canadian government should adopt a policy to issue Temporary Resident Permits (TRPs) to overseas family members of accepted refugees, so that families can be reunited in Canada while they finalize processing of their permanent residence applications.**

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