



IMPACT OF COVID-19 ON IMMIGRATION CANADA: UPDATES



Mission

The Salvation Army is an international Christian church. Its message is based on the Bible; its ministry is motivated by love for God and the needs of humanity.

The Immigrant and Refugee Services (IRS) is involved in delivering settlement and immigration services to all people regardless of their immigration status.

We have been actively and proudly involved in delivering and supporting the delivery of settlement, English as Second Language and Spiritual Care for over 30 years, serving clients from all corners of the world with rich diverse cultural background. Their statuses include Canadian citizens, refugee claimants, convention refugees, permanent residents, visitors, and non-status.

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Immigration, Refugee and Citizenship Canada website

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Immigration and Refugee Board of Canada

Canada Council for Refugees (CCR)

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Acronyms

- IRCC: Immigration, Refugee and Citizenship Canada
<https://www.canada.ca/en/immigration-refugees-citizenship.html>
- CBSA: Canada Border Services Agency
<https://www.cbsa-asfc.gc.ca/menu-eng.html>
- IRB: Immigration and Refugee Board of Canada
<https://irb-cisr.gc.ca/en/Pages/index.aspx>



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1. TRAVEL RESTRICTIONS

1.1. Restrictions on foreign travel to Canada

On 2020-March-18, the federal government announced the closure of the Canada-U.S. border to all “non-essential travel.”

On 2020-March-16, Canada had already announced it is closing its borders to most people who are not Canadian citizens or permanent residents. Exceptions will be made for immediate family members of Canadians, U.S. citizens (now also restricted by new measures), aircrew members, and diplomats.

Border restrictions will not apply to cargo and goods transportation.

In addition, airlines have been instructed to check all boarding passengers for symptoms of COVID-19, and no one who presents symptoms will be allowed to fly to Canada.

ON 2020-March-18 only four Canadian airports opened to international flights: Toronto Pearson International Airport, Montréal-Pierre Elliott Trudeau International Airport, Calgary International Airport, and Vancouver International Airport.

The following are among the list of people allowed to enter Canada by land or air while the travel restrictions are in place until 2020-June-30:

- Canadian citizens
- Permanent residents
- Immediate family of Canadian citizens and permanent residents
- Permanent resident applicants who had been approved for permanent residence prior to March 18 and who had not yet travelled to Canada
- Temporary foreign workers
- International students who held a valid study permit or who had been approved for one before March 18
- Transiting passengers

Confirmation of Permanent Residence (COPR) holders who are unable to travel because of coronavirus-related disruptions can contact IRCC via its web form to explain their situation. They can expect IRCC to advise them about the next steps.

Here <https://www.cic.gc.ca/english/contacts/web-form.asp>

1.2. Exemption for temporary foreign workers

Foreign nationals are still allowed to travel to Canada for work, even with the travel restrictions in place.



The worker may not be required to obtain a work permit if they are:

- Providers of emergency or medical services for the protection or preservation of life or property (such as firefighters);
- Students in a health field, including as a medical elective or clinical clerk at a Canadian medical teaching institution, if they have written approval from the body that regulates that field;
- Foreign nationals seeking to enter and remain in Canada solely to become a member of a transportation crew, including a vessel engaged in international transportation.

These foreign nationals can self-identify to airlines by presenting documents such as a letter of invitation from a relevant Canadian organization. This letter may come from a federal, provincial, or municipal government entity for emergency services providers, teaching institutions for medical students or shipping agents for people joining vessel crews.

Canada is also easing the process for employers to hire foreign workers in critical industries such as agriculture, food processing and trucking. Employers hiring for 10 occupations from these industries can skip past the advertising requirement for their Labour Market Impact Assessment.

1.3. Exemption for international students

International students who were approved for a study permit on or before 2020-March-18 are exempt from travel restrictions.

1.4. Exemption for family members of a temporary resident

Following confusion regarding the documentation needed for family members seeking to join a temporary resident in Canada, the government has now implemented a clear process to facilitate the entry of family members of temporary residents, including temporary foreign workers.

While family members of Canadian citizens and permanent residents do not require written authorization from the government to travel, family members of temporary residents do require authorization. In order to be eligible to travel to Canada, family members of temporary foreign workers will require the following:

- Written authorization from IRCC confirming their exemption to the travel restrictions
- A valid visa or eTA
- A valid passport
- Clear indication of health (i.e., no visible symptoms)



In addition, as part of the Canadian government's efforts to support the reunification of families during this time, the **definition of immediate family members** for the purposes of immigration has temporarily been expanded to include: parents or step-parents, a parent's or step-parent's spouse or common-law partner, or a guardian or tutor. The interim order applies to dependent children obtaining visitor records to accompany their parents in Canada.

1.5. Exemption for Protected Persons

Refugees that has been accepted by the IRB (Protected Persons/Convention Refugees) and travelled outside Canada are allowed to re-enter Canada. Here is the official text of the travel ban announced which includes an exemption for Protected Persons so people on Refugee Travel Documents should be able to get back in.

<https://orders-in-council.canada.ca/attachment.php?attach=38952&lang=en>

1.6. Mandatory self-isolation plan

It is also mandatory for all travellers to self-isolate for 14 days after their arrival to Canada. As of 2020-April-15, all new arrivals to Canada must wear a mask or face covering before they can proceed to their final destination. They must also have a credible quarantine plan, or they will be forced to stay in a hotel.

Now entrenched in IRCC's program delivery guidance, and in line with the introduction of a mandatory 14-day isolation period for all international travellers under the *Quarantine Act*, together with actions that have been taken by other ministries and some provinces is the requirement that international travellers provide evidence of their self-isolation plan on entry.

Only those who provide essential services - for example truck drivers who regularly cross the border to maintain the flow of goods - are exempt from the isolation requirements.

All travellers and foreign nationals seeking entry to Canada during this time are recommended to have evidence of their self-isolation plan, including details on how they will get to their residence/accommodations from the airport without using public transport as well as how they will secure food or groceries.

More information about isolating at home when you have COVID-19 here:

<https://www.facebook.com/TheSalvationArmyIRS/photos/a.2528719860683999/2528719960683989/?type=3&theater>

1.7. Further updates



IRCC recommends checking their webpage for the most recent updates before travelling to Canada. Here:

<https://www.canada.ca/en/immigration-refugees-citizenship/news/2020/03/canada-provides-update-on-exemptions-to-travel-restrictions-to-protect-canadians-and-support-the-economy.html>



2. IMMIGRATION PROGRAMS

2.1. Overview

On 2020-March-16 Canada unveiled special immigration measures related to the coronavirus pandemic.

The most notable measure was the decision to restrict travel into the country until 2020-June-30, although several major exceptions were made.

Recognizing that the immigration system would face significant disruptions due to developments that are both within its control as well as beyond its control, Canada has taken additional steps to try to keep its immigration system running as smoothly as possible.

For instance, Canada has stated that no immigration application will be refused due to incomplete documentation. Rather, the federal government will provide applicants with more time to obtain their documents before it makes a decision on their application. More information here:

<https://www.canada.ca/en/immigration-refugees-citizenship/services/coronavirus-covid19/immigration-applicants.html>

Canada's immigration department also released new instructions for officials and immigrants affected by COVID-19 on 2020-March-15.

IRCC announced they will be cancelling all citizenship ceremonies, citizenship tests and retests, and itinerant service trips until further notice.

The new program delivery instructions are an effort to prevent the spread of the virus, and to help those whose immigration applications are affected by service disruptions, including people who are applying for temporary residence, permanent residence, and Canadian citizenship.

In-person permanent resident landing appointments and pre-scheduled in-person refugee claim appointments will be cancelled until 2020-April-13. The situation remains the same until the date of the document.

Under new general processing measures, IRCC says applications will not be refused for non-compliance and all those currently in progress at IRCC offices abroad at case processing centres and within the Domestic Network will continue to be processed. There may be delays as some visa application centres are closed until further notice, and some IRCC offices are operating with essential staff only.

Expedited processing for those in special circumstances will continue to be at the discretion of the Migration Program Manager of the responsible IRCC office, and the manager of the responsible processing office in Canada.



IRCC may continue to request any additional documents necessary for processing all citizenship and immigration applications. These might include police certificates, biometrics, passports, medical exams, etc.

When additional documentation is required, immigration officers will send a request letter allowing the applicant 90 days to respond. If a previous request for additional documents was sent, but the applicant could not meet the deadline, applicants will be given an additional 90 days to respond.

Though the biometric instruction letter will continue to say that applicants have 30 days to give biometrics, they will actually be allowed to complete this step in 90 days instead.

2.2. Citizenship

Canada is temporarily cancelling all citizenship ceremonies, as well as knowledge testing and retesting events.

These events will be rescheduled “in the near future” but IRCC has not given a date as to when they will reopen.

Those who are affected by cancellations will be provided with a new date and time in the coming weeks.

IRCC will consider urgent processing on a case by case basis. Those who feel their case is urgent can contact the immigration department at:
IRCC.Rescheduling-RVreporteCOVID.IRCC@cic.gc.ca.

IRCC will also reschedule missed appointments for citizenship-related appointments such as interviews, hearings, oath ceremonies, as well as knowledge tests and retests. Once applicants notify IRCC that they have returned to Canada the responsible office has been instructed to ensure that they are rescheduled within a reasonable time frame so as to not delay processing times. Applicants will receive a new notice to appear that will be treated as their first notice.

2.3. Economic class: Express Entry and PNP

IRCC has confirmed that Express Entry draws will continue, and they will also continue to process applications for permanent residence. However, IRCC has indicated there may be delays in processing for those who are approved for permanent residence after 2020-March-18. These applicants will likely not have their application processed within six months.

Four Express Entry draws have happened since 2020-March-18. Two of them happened on the same day (2020-April-09). In addition, the provinces Alberta, British Columbia, Saskatchewan, and Manitoba have held Provincial Nominee Program (PNP) draws.



2.4. Family class

Family class immigration has been the least affected by the travel restrictions. Immediate family members of citizens and permanent residents are still allowed to enter the country, spousal and common-law sponsorship applications are being processed as usual, with IRCC allowing some flexibility in submitting incomplete applications. However, Canada has postponed the opening of the 2020 parents and grandparents immigration program.

Canada considers the following to be immediate family members:

- spouses and common-law partners
- dependent children
- dependent grandchildren
- parents or step-parents
- a parent's or step-parent's spouse or common-law partner
- a guardian or tutor (same legal concept)

Travellers who fall into one of these categories must self-identify to airlines by presenting documented proof of their relationship to a Canadian citizen or permanent resident.

2.5. More time for permanent residence applications

IRCC is being more lenient for those unable to submit a complete application for permanent residence before the deadline, allowing an additional 90 days in some cases.

If applicants must submit an incomplete application before the allotted 60 days are up, they must include an explanation as to why they do not have all the required documents. They must also pay all associated fees in order to have their deadline extended an additional 90 days.

In addition, those who hold confirmation of permanent residence, and permanent residence visas may be eligible for an extended deadline, as long as they inform IRCC of their situation via the web form. Here: <https://www.cic.gc.ca/english/contacts/web-form.asp>

2.6. New temporary resident applications: Outside Canada

On 2020-April-10 IRCC has announced that they will continue to process visas and electronic travel authorization (eTA) applications for those who are exempt from travel restrictions, with a particular focus on temporary foreign worker applications related to essential medical services and food supply chain services.



Workers, students, and visitors, who qualify for an exemption to travel restrictions, are being asked to apply online.

a) Foreign workers

In an effort to further support Canada's COVID response, Employment and Social Development Canada (ESDC) has announced some key changes to its processing of LMIA applications. Specifically, ESDC will now be prioritizing applications for key occupations related to the agriculture and agri-food sectors. In line with this approach, the government has similarly relaxed requirements for the Temporary Foreign Worker Program (TFWP) in these identified occupations and critical industries, which has included the following:

- Recruitment requirements are waived for key occupations related to the agriculture and agri-food sectors until 2020-October-31.
- As part of a 3-year pilot employers seeking to hire foreign nationals in the low-wage stream may now obtain LMIA's to authorize employment for up to 2 years.

IRCC has also advised that all work permit applications filed from outside of Canada during the pause must be applied for online and, before travelling to Canada, workers must have the following:

- Work Permit approval letter
- Confirmation that the job is still available / physical presence is still required in Canada
- Self-isolation plan

b) International students

IRCC also stated that study permit applications will continue to be processed "to the extent possible" ahead of the fall academic term.

Study permit applicants now have 90 days instead of the usual 30 days to provide biometric data. Many visa application centers that provide this service are temporarily closed, as a special measure, due to the coronavirus pandemic.

c) Tourists

Current travel restrictions have caused the suspension of processing of non-essential visitor visa applications, which IRCC said will allow resources to be reallocated and concentrated on essential services.

IRCC has put a pause into effect on the processing of non-essential visitor visa and eTA applications, which will remain in effect until 2020-April-29. The pause is designed to allow for priority processing of applications from individuals who fall under a travel restriction exemption and are entering for an essential purpose. During this time, applications will not be processed



until the pause is lifted if individuals do not meet one of the exemption criteria or if an officer determines that the travel is not for an essential purpose.

2.7. Temporary resident applications: Inside Canada

Foreign nationals who are in Canada and whose temporary resident status will soon expire may apply for an extension to maintain their status.

Temporary residents wishing to extend must apply online, meet all requirements, and pay associated fees.

Those who have extension applications currently in progress will receive implied status and can stay in Canada until a decision is made on their application.

a) Flagpole

As a result of Canada's directives aimed at limiting the spread of coronavirus, foreign nationals can no longer apply for a temporary visa, such as a work permit, study permit or visitor visa, by flagpoling.

Flagpoling refers to a process whereby foreign nationals inside Canada go to the Canada – US border, enter the US briefly, and then apply for a visa upon re-entering Canada.

There are a few key advantages to applying for a visa through this method, and each highlights the additional care and attention that must be given to applications now that flagpoling is not an option.

2.8. Other updates you may have missed

Here is a summary of some other changes, you may have missed:

a) Canada increases application fees for several immigration processes

Effective 2020-April-30, government processing fees for applicants and their family members applying for permanent residence to Canada, including Quebec investor/entrepreneur/start-up business and self-employed persons classes, as well as the Right of Permanent Residence fee, will increase.

b) International Students

As of 2020-April-8, IRCC has announced that students transitioning to online classes as a result of COVID-19 will not forfeit their eligibility to apply for a post-graduate work permit. In addition, the interim orders also exempt from the travel restrictions



the following foreign nationals: valid study permit holders or students who were issued a letter of introduction on or before 2020-March-18. The exemptions only apply to international students already enrolled in a Designated Learning Institution (DLI) in Canada or have been accepted by a DLI prior to the travel restrictions coming into effect. This includes students who have a study permit, or who were approved for a program that is starting in May or June, but who are unable to travel to Canada amid travel restrictions. International students in this situation can begin their classes while outside Canada and may complete up to half of their program while abroad if they cannot travel to Canada sooner.

c) International Experience Canada suspensions

Rounds of invitations for the International Experience Canada (IEC) work permit program are currently on hold due to COVID-19. This program is widely used by youth looking to gain work experience in Canada through a Working Holiday Program, Internship, or Young Professionals arrangement.

d) Automatic Extensions for Requested Documentation, Medical Examinations and Biometrics Collection

Applicants affected by Visa Application Centre and Service Canada office closures will be granted an automatic extension for a total of 90 days for the submission of requested additional documents, biometric collection and completion of medical examinations.

2.9. Further updates

IRCC recommends checking their webpage for the most recent updates about their immigration programs. Here:

<https://www.canada.ca/en/immigration-refugees-citizenship/services/coronavirus-covid19.html>



3. REFUGEES

3.1. Inland refugees

IRB continues to monitor the evolving situation caused by the COVID-19 pandemic, which has created challenges for parties and their counsel preparing for proceedings. The IRB recognizes that it is appropriate to take measures to help those who have matters before the Board and their counsel follow the proper health protocols required by the pandemic, as well as to ensure proceedings are conducted fairly and in a timely manner when they resume.

The IRB has further issued a Practice Notice implementing Special Measures due to COVID-19. Division-specific Practice Notices have also been issued. Here:

<https://irb-cisr.gc.ca/en/legal-policy/procedures/Pages/special-measures-covid-19.aspx>

The following special measures apply to all four of its Divisions, except where noted.

a) Postponements of in-person hearings and mediations

The IRB is suspending, until further notice, all in-person hearings and mediations, except detention reviews and some admissibility hearings involving detained persons.

b) Hearing Resumption

The IRB will issue a Resumption Notice to provide at least 30 days' notice before proceeding with a previously scheduled in-person hearing or scheduling a new in-person hearing, except detention reviews and some admissibility hearings involving detained persons, subject to specific exceptions.

When hearings resume, the IRB will be flexible with respect to the application of its rules where the parties have difficulty complying with them due to the COVID-19 situation. However, the IRB seeks the parties' and their counsels' cooperation to comply with the requirements of the rules of the Divisions, to the extent possible, to ensure the proceedings will proceed in a fair and timely manner.

c) Time Limits

Time limits for the filing of various forms and submissions and notices of appeal across various Divisions are being temporarily extended. For the Refugee Appeal Division, Refugee Protection Division and the Immigration Appeal Division, time limits for certain documents are being extended until 30 days after the Resumption Notice.

d) Communication



The Immigration Division is now accepting communication by email, as set out in its *Practice Notice: Communicating by email at the Immigration Division (ID)* joining the Immigration Appeal Division which released its *Practice Notice: Communicating by email at the Immigration Appeal Division 2020-January-31*. The RPD continues to accept documents by Canada e-Post. Divisions continue to explore various options to facilitate communication and will provide updates as and when available.

<https://irb-cisr.gc.ca/en/legal-policy/procedures/Pages/id-communicating-electronic-mail.aspx>
<https://irb-cisr.gc.ca/en/legal-policy/procedures/Pages/iad-email-communication.aspx>

In conclusion, Canada is no longer interview refugee claimants in person or process refugee protection claimant document renewals in person. IRCC will contact refugee claimants, who had scheduled interviews, to let them know when the new interview will be.

Refugee claimants who need to update their contact information can use the IRCC web form. Here: <https://secure.cic.gc.ca/enquiries-renseignements/canada-case-cas-eng.aspx>

3.2. How to start a refugee claim (office closures)

IRCC offices are closed during the COVID-19 emergency. IRCC has suspended in-person intake and eligibility interviews until further notice.

- If you need to start a claim for refugee protection in Canada, send an email to: IRCC.RefugeeClaim-Demandedasile.IRCC@cic.gc.ca Include the name of the applicant and in the subject: *"I intend to make a refugee claim."*
- You will receive an email response asking for more information
- IRCC will send an Acknowledgement of Claim (AOC) to applicants by email. The AOC is the document people need to access basic health coverage (Interim Federal Health) and Income Assistance.
- Contact Legal Aid in your province and obtain a Legal Aid certificate, if eligible
- Contact a lawyer that accept Legal Aid certificate
- Work with the lawyer to get help with your application so that it is ready when IRCC offices re-open.
- Full applications are not being accepted or required at this time.

3.3. Refugee seekers at the border

Here is the Order in Council closing the US border:



<https://orders-in-council.canada.ca/attachment.php?attach=38958&lang=en>

The closure applies to irregular arrivals at the US-Canada border (like Roxham Rd) and those who apply at an official Port of Entry such as those who benefit from an exception under the Safe Third Country Agreement.

Refugee seekers are directed back to the US.

3.4. Removals

Removals are going to continue to be suspended until at least 2020-April-21. Supposedly CBSA is going to post something to this effect on their website, but there's no information yet.

Note that there are exceptions to the suspension where:

- Person wants to voluntarily leave
- Person presents serious inadmissibility, but this needs to be approved by Headquarters (and depends whether they can find routing, commercial flights.)

3.5. Refugee resettlement

Immigration loan collections activities are also being suspended until September 2020. IRCC offers these loans to eligible immigrants, mainly refugees, providing them access to funding that would otherwise not be available to them. Questions pertaining to immigration loans can be forwarded to IRCC by calling 1-800-667-7301. More information here:

<https://www.canada.ca/en/immigration-refugees-citizenship/services/coronavirus-special-measures.html>