

# A National Plan for Asylum with Dignity: Five Key Pillars



## AT A GLANCE

Canada is a country that prides itself on its leadership and know-how in welcoming and settling refugees whose applications are approved overseas. But refugee claimants, those who arrive seeking protection at our borders, are incorrectly labeled as a “crisis” and the government’s current approach is to bus them to hotels with no support services. We argue that there is existing community-based shelter infrastructure in the country that can be scaled up, and existing settlement and legal services that can be made available to refugee claimants—all at a fraction of the cost of what is currently spent on emergency measures. With some key adjustments to the infrastructure in place and a proactive mindset, governments together with civil society can repurpose what already exists, redirect wasteful expenses, and replicate what we know works, so that those fleeing persecution are treated fairly and set up for success.

Canada is a global leader in resettling refugees approved by the UN prior to their arrival in Canada. Our extensive national welcome system, while not perfect, sets such refugees up for success by providing information, services and logistical support so they can find housing, work and community.

Unfortunately, no similar system exists for refugee claimants arriving without pre-approval—who numbered more than 140,000 last year, a fifty percent increase over 2022. The right to claim asylum in another country is protected under international human rights covenants to which Canada is a signatory.

The vast majority of those seeking refugee status in Canada after their arrival (over 70 percent in 2023) are ultimately determined to be refugees fleeing persecution. However, they must navigate a bureaucratic maze for two years or more, often without legal counsel, making their way with no orientation and little assistance. To find short and long-term housing, employment, a lawyer, even to register their children in school, they are left on their own, turning an already disorienting first days, months or years in Canada into a nightmare.

Despite sizable yet sporadic injections of short-term federal funding for temporary housing in hotels or homeless shelters, despite efforts by

municipal and provincial governments, and despite the work of nongovernmental and community organizations, too many refugee claimants—people who have survived often perilous journeys to seek safety in Canada—are falling through the cracks.

### **Failing to plan is planning for failure - everybody loses**

Canada’s approach to refugee claims has several fundamental strengths, notably the refugee determination process, which is admired throughout the world, as well as access to work permits and the provision of health care through the Interim Federal Health Program. However, the rising numbers of people driven from their homes around the world to our doorstep demands more than stopgap measures. Spending hundreds of millions on hotel rooms, which is what the federal government is currently doing, may keep this problem out of sight for a while, but it serves neither claimants nor the public.

The lack of a coordinated response from all three levels of government fails those who have a right to asylum, puts local governments and community groups in short-term reaction mode, and leaves Canadians shocked and upset that so many claimants end up homeless in a country that prides itself on its openness to refugees.

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People in Canada are increasingly being told that refugee claimants are causing a “crisis”—a situation Canada is unable to handle. This is simply not the case. Our country has the infrastructure, the know-how and the resources. With some key adjustments to the infrastructure in place and a proactive mindset, governments together with civil society can repurpose what already exists, redirect wasteful expenses, and replicate what we know works, so that those fleeing persecution are treated fairly and can live in safety.

## Five key areas for federal action

The measures we propose will set refugees up for success in Canadian society, at a fraction of the cost that is currently spent on emergency measures.

### **#1 Establish reception centres in cities with large numbers of claimants to orient arrivals and coordinate services, in collaboration with provincial and municipal governments and civil society.**

While adapted to local needs, all such centres should provide orientation and referral services to newly arrived refugee claimants—both those who need shelter and those who have found it. They triage claimants’ needs and connect them to relevant service providers. The work underway to establish a reception centre for the Peel Region with federal funding is a positive sign of collaboration that should be built upon. For example, NGOs and community groups in Ottawa are organizing with support from city officials for a similar project, and are ready to engage with the federal government.

In addition, such centres can facilitate the movement of refugee claimants within a city and to regions where the capacity to welcome and settle them exists. Finally, the centres can provide emergency shelter where needed, with access to immediate respite supports.

Having a single venue for receiving expert guidance from the outset will greatly alleviate stress for exhausted and overwhelmed refugee claimants. It will help claimants stay on track with their claims, leading to better outcomes for refugees and savings for government. And it will facilitate the work of refugee support organizations.

A centre responsible for coordination can also play a critical role in ensuring services are appropriate and complementary.

### **#2 Provide sustained federal funding for short term and transitional housing for refugee claimants, scaling up the successful experiences of civil society, diaspora and community groups, to complement provincial and municipal efforts.**

Civil society has on its own initiative, developed a network of 35 shelters across the country that offer emergency short term and transitional housing for refugee claimants. They run at a fraction of the cost of hotels or homeless shelters yet respond far better to claimants’ needs. Crucially, this network also offers food, assistance in finding a lawyer and help applying for a work permit. Perhaps most importantly it provides a community of support that is critical to wellbeing and mental health. These homes also help residents find long-term housing, leading to shorter stays in transitional housing and easing pressures on homeless shelters.

Diaspora community organizations and faith groups have also devised innovative ways to provide emergency shelter and social supports.

With predictable long-term government funding, this refugee housing network could be scaled up to serve many more claimants in need of housing and supports on arrival. Such funding would encourage provinces and municipalities to replicate this successful model for claimants, while investing in affordable housing for all.

### **#3 Make refugee claimants eligible for the support services offered to other newcomers under the Settlement Program run by Immigration, Refugee and Citizenship Canada (IRCC).**

A highly developed network of organizations across the country offering specialized services to new arrivals already exists, however their hands are tied as they are not allowed to serve refugee claimants. Extending IRCC’s existing successful settlement program to include refugee claimants would be a fast and cost-efficient way of providing quality services to claimants. The Program provides needs and assets assessment and referrals, information and orientation, language training, employment-

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related services and community connections. There is already precedent for this - in 2022, access to settlement services was exceptionally (but appropriately!) extended to Ukrainians fleeing war who would have been otherwise ineligible due to their temporary status. Refugee claimants deserve no less.

Note that the vast majority of refugee claims are ultimately approved—roughly three in four in 2023, meaning most claimants will eventually become eligible for these services anyway. The proposed approach would simply ensure that they have access to them when they are most needed. Settlement support would allow claimants to better navigate the refugee claim process and meet key deadlines, thus contributing to a fairer and more efficient refugee determination system. In 2023, IRCC’s Strategic Immigration Review recognized just such a need to “improve services to those seeking asylum to ensure a human approach”.

#### **#4 Ensure that adequate legal aid coverage is available for refugee claimants in all parts of the country supported by multi-year funding.**

Representation by qualified counsel is needed from the beginning through to the end of the the refugee claim process if claims are to be initiated promptly and correctly and a fair hearing held. Multiyear federal funding of legal aid is essential to remove the serious barriers to legal representation that refugee claimants face. It would address the severe shortage of legal aid lawyers by encouraging provinces to set compensation rates that bring more professionals into the system. Federal funding should be worked out with legal aid organizations, based on cost per claim, and tied to actual numbers of claims.

Crucially the federal government should fund a diversity of organizations to ensure legal aid services are available to claimants in provinces where the provincial program does not cover

refugee claims (New Brunswick, Saskatchewan, Nova Scotia and Prince Edward Island). The successful experience of the Halifax Refugee Clinic, for example, which receives federal funding to provide legal services in Nova Scotia, could be replicated in other provinces.

#### **#5 Streamline the initial stage of the claims process and eliminate the backlog in the subsequent determination process with small but significant adjustments.**

A complete solution to the long delays and unnecessary costs of the refugee claims process may require a comprehensive revision of the eligibility rules, including legislative change. However, the process could be significantly simplified with small adjustments now, especially to the initial stage. Dispensable questions could be identified and eliminated, information could be collected in the language of the claimant, and timeframes could be made more realistic.

Allowance could be made for the many claimants who lack the level of literacy and access to equipment required to utilize the online portal. (While in theory exceptions are allowed, in practice they are almost never granted.) And claimants could be given documentation identifying them as such immediately, so that they can access vital services, such as opening a bank account.

These steps to simplify the initial stage will shorten the time period during which claimants need social assistance and emergency housing. For the subsequent determination stage, adequate funding tied to the number of claims received will eliminate backlogs and safeguard our internationally respected model, while shortening the waiting period for claimants.

**The Canadian Council for Refugees (CCR)** is a leading voice for the rights, protection, sponsorship, settlement, and well-being of refugees and migrants, in Canada and globally. Founded in 1978, the CCR is driven by over 200 member organizations working with, from and for these communities from coast to coast to coast.

Committed to social justice and transformation by challenging racism, colonialism and intersecting oppressions, we undertake policy monitoring, advocacy, network building, and public education to empower members and communities to bring about systemic change.