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# Group of 5 (G5) Sponsorship

## Submission on G5 intake control mechanisms

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### 1. Introduction and background

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. The CCR is driven by more than 200 member organizations working with, from and for these communities from coast to coast to coast.

CCR has long advocated for enhancing Canada's leadership and generosity in resettlement efforts including through Group of Five (G5) and Community Sponsorship. The Private Sponsorship of Refugees Program (PSR), of which G5s are an important part, plays a crucial role in integrating refugees into Canadian communities, offering them a new life and opportunities for a secure future.

A pivotal issue in our advocacy has been to urge the government to eliminate the Refugee Status Determination (RSD) requirement for Group of Five (G5) and Community Sponsorship (view the CCR resolution adopted in 2013 [here](#)).

For several years CCR has been creating platforms for dialogue and consultation with G5 sponsors and those that support them. As part of this dialogue, CCR has been working to explore with members and G5 sponsors more acceptable intake control mechanisms as alternatives to the RSD requirement. We are committed to help find sustainable solutions to these challenges, including the need to tackle systemic issues and prompt policy change to ensure that Canada remains a welcoming and supportive environment for refugees seeking protection and a new beginning.

The following comments are offered in response to potential intake management options for G5 and Community Sponsors, including numerical limits, recently presented to CCR by Immigration, Refugees and Citizenship Canada (IRCC).

## 2. General considerations

The government's recent exploration of intake options is integrally linked to the structural issue of inadequate immigration levels, which exert downward pressure on Canada's capacity to respond both to its obligations and to the **global needs** for refugee resettlement, which will be at 2.9 million in 2025.

In light of these escalating numbers of forcibly displaced persons and refugees worldwide, CCR has been advocating for an increase in the share of refugee resettlement to 15% within the levels plan. CCR is also actively urging the government to implement a one-time increase in resettlement levels for 2025, to alleviate existing backlogs and pave the way towards achieving a reasonable processing standard of 12 months.

This approach, rather than one focussed exclusively on caps and intake controls, would better reflect Canada's capacity for leadership in refugee resettlement and alignment with humanitarian principles. (See our submission on the Immigration levels plan 2025 [here](#)).

Given the structural issue of the levels, the overwhelming needs around the world, and the vast capacity and longing in homes and communities across Canada to welcome refugees through Groups of 5, it is difficult to identify any intake control option as a good solution – there are disadvantages to any mechanism.

CCR grounds its recommendations on the following principles or considerations, which have emerged through consultation with our members over the years:

### a. Accessibility

Any mechanisms must prioritize accessibility to all individuals who meet the criteria to sponsor and to be sponsored. IRCC should guard against introducing additional layers to the process that often complicate sponsorship applications, potentially creating barriers for applicants. We firmly believe that efforts should concentrate on enhancing the capacity for sponsorship rather than adding complexities that hinder access.

By focusing on simplifying procedures and streamlining processes, we can empower more individuals and groups to engage in the process effectively. This approach not only promotes inclusivity but also strengthens community involvement in supporting vulnerable populations seeking refuge and resettlement.

**b. Equity**

Equity is a foundational principle crucial for refugee protection, to ensure the provision of fair treatment irrespective of race, religion, or ethnic background. It is imperative that intake control mechanisms are designed within an equity framework to uphold this principle effectively.

CCR's position regarding the Refugee Status Determination (RSD) requirement reflects this principle. The RSD is discriminatory, perpetuates disparities and undermines the equal treatment of individuals seeking refuge, based on arbitrary criteria rather than humanitarian need.

By integrating equity considerations into intake control mechanisms, we can foster a more inclusive and just system that respects the dignity of all refugees, in alignment with international human rights standards of fairness and non-discrimination.

**c. Transparency**

CCR urges the government to ensure that intake control mechanisms are implemented in a manner that facilitates clear and timely communication. It is crucial to establish a process that is completely transparent, easily comprehensible, and provides clarity regarding decision-making procedures. This approach will foster trust and accountability throughout the implementation.

**3. Abolish the Refugee Status Determination requirement**

As noted above, CCR calls on the government to eliminate the requirement for a Refugee Status Determination (RSD) document for Group of Five (G5) and Community Sponsorships, before or in parallel with the introduction of any numerical limits.

The CCR consistently hears from members and G5 sponsors that the RSD requirement is a major barrier and concern.

The RSD excludes enormous numbers of refugees who are among the most vulnerable. Palestinians in the Middle East are excluded. People in mass displacement situations, where individual determination is not possible, are excluded. There is arbitrariness in the requirement: refugees who have found asylum in one country may have access to RSD, while their siblings who have fled to a different country where no refugee status determination is done have no access.

The Canadian government is aware that many refugees who need resettlement are unable to obtain the RSD – this is shown by the exemptions provided in recent years to allow G5 sponsorships of Syrians and Afghans. The more expansive list of documentation applicants can

provide in the context of the **Economic Mobility Pathways Pilot** also confirms the government's awareness that the RSD is not available to many refugees in need of a durable solution.

Conversely, the RSD requirement includes people who may not need resettlement. In some situations, once the person has RSD, they are considered to have a durable solution because they have been granted asylum in the country where they live.

The RSD requirement also needlessly prolongs people's stay in precarious situations of displacement. People often must wait years for refugee status determination, before they can finally be sponsored by a G5 group. By the time they arrive in Canada, they may have spent close to a decade in a refugee camp or in other temporary accommodation. These years in limbo represent not only an enormous wasted opportunity for them, but also make their integration into Canadian society more difficult because of the long-term impacts of years of living without security and without access to adequate health care, education, training and legal employment.

If the government goes ahead with its plan to impose numerical limits, maintaining the RSD will not contribute anything further to reducing the number of applications accepted for processing, but will continue to limit which refugees can be sponsored, in ways that are arbitrary and deeply unfair.

We anticipate that numerical limits will be very unpopular with the G5 sponsorship community – at a minimum the government should soften the blow by eliminating the RSD requirement.

#### **4. Zero cap is unacceptable**

IRCC's proposals focus on quantitative limits, including the option of setting a cap of zero applications per year, as a way of addressing the existing backlog of applications.

Informed by extensive consultations with the G5 community and our membership, CCR strongly opposes the proposal of a zero cap. It flies in the face of the need for Canada to expand pathways for refugee resettlement, it demoralizes those desperately waiting for resettlement options, and it undermines Canada's reputation as a generous and open country that takes its international obligations seriously.

As noted above, the more appropriate way to address the backlog is to significantly increase immigration targets in 2025 for privately sponsored refugees, so that those who have already been waiting for years for processing can be resettled to Canada without further delay, and new applicants can be processed in a timely way.

If a numeric limit is adopted, it must be as large as possible, and be complemented with other measures – notably an expansion of the resettlement targets in the levels, and the elimination of the RSD requirement as described above.

## **5. Ensure that places in the numerical limit are not wasted**

If there is a numerical limit, the system must be designed to ensure that places are not lost to applications that will not be able to move forward.

We understand that the limit will only apply to complete applications – we welcome this assurance.

The principle could be usefully extended further – for example, to count only applications where the sponsors are determined to qualify.

It is also important to consider the goal of ensuring that all available spaces are used with the design of the process. If a system of expression of interest is considered, the cap must apply to completed applications, not only the expression of interest, since experience shows that many selected at the first stage do not move forward to submit a completed application.

## **6. Communications must be timely and effective**

In any system to manage numerical limits, it is crucial that communications be clear and timely. IRCC should be sensitive to the fact that applicants are living in precarious circumstances and the application for resettlement to Canada represents a chance for safety and a future, for themselves and their children.

- Applicants must be quickly informed whether their application was selected under the cap. The experience with the special G5 measures for Afghans (exempting them from the RSD requirement) was not good – many applicants waited months to hear whether the application would be considered. In some cases, there was miscommunication about whether individual files were accepted for processing, and sponsors were unable to get a clear answer from IRCC, leading to enormous frustration.
- There must be clear communication about when the cap is reached, so that sponsors are aware when it is too late to submit an application. In the Afghan special measures case, IRCC continued to keep the door open for applications until late December 2022, when it was finally announced that the cap had been reached. In fact, it later became known that the limit had been reached soon after IRCC opened the door to applications on October 17, 2022. Because IRCC did not announce that the cap had been reached, people believed that

there was still a chance of being accepted and they invested enormous resources, including paying thousands of dollars to legal representatives to prepare an application, only to learn afterwards that there had been no chance of success.

- Consideration needs to be given to how and when IRCC communicates about the upcoming opening of an application process. Prospective sponsors need to have clear information, in a timely manner, about who can sponsor and be sponsored, and how the application process will work.
- IRCC must also be transparent about how it will be determined which applications are selected for processing.

## **7. Qualitative as well as quantitative measures: mandatory training**

We support building the capacity of sponsors including through training to be offered by RSTP (Refugee Sponsorship Training Program). Mandatory training, for example, was required for sponsors of Afghan special measures cases.

With respect to training on the legal and technical aspects of private sponsorship, we would suggest that one or two members of the group be required to take a live training online or in-person. Having two members take the training may lead to better group dynamics than if only one person has received training.

With respect to training relating to the settlement of newcomers after arrival, all members of the group should be encouraged to at least view a recorded training. This is particularly important if the sponsorship is of newcomers not known to the group or if the sponsors have little prior experience with resettlement. Some training on how to provide appropriate supports and how to maintain a healthy relationship between sponsors and newcomers can improve the settlement experience and avoid hurts to newcomers.

In considering requirements and design of training, prior experience should be taken into account – both of individuals who have previously undertaken sponsorships, and of individuals who have personal experience of settling in Canada.

## **8. Accessibility to newcomers**

Becoming a private sponsor as a member of a Group of Five must be accessible to newcomers. Many people who wish to sponsor themselves came to Canada as refugees. Facilitating their participation in refugee sponsorship is an important way of promoting their integration into

Canadian society. It also tells them that Canada hears and shares their concerns about displaced members of their community that are still living without protection or a durable solution.

It is therefore crucial that the program be designed so that newcomers can become G5 sponsors. Sponsors should not need to be very wealthy or have advanced fluency in English or French. Nor should they be required to have specialist knowledge or to rely on an expert to assist them. When a crisis emerges in a particular region, people from the affected communities should be able to respond quickly and easily.

With this in mind, we recommend that:

- The intake mechanism through which applicants can seek one of the available spots be designed so that it does not favour those with the most advanced digital skills, or those able to afford a legal representative.
- The forms and instructions be designed to be user-friendly and use plain language.
- Training on the legal and technical aspects of sponsorship must not be mandatory for all members of the group, given the language and literacy barriers some people face.
- Training for sponsors should be designed to make sponsorship as accessible as possible to newcomers, and to recognize the expertise brought by former refugees as a result of their lived experience.

## **9. Giving people hope**

Any intake measures adopted should be designed as much as possible to provide sponsors and applicants with some reason for hope. Those being sponsored are often surviving in very difficult circumstances, with few solutions available to them. Implementing a cap means that some applications will not be selected (whether selection is done based on order of arrival or by lottery). People may apply several times, and each time not be selected. Sponsors in Quebec have experience with this, as numerical limits have been in place for several years – they report that it leads to discouragement and a sense of unfairness.

Providing some possibility of resettlement, even though the wait will be very long, is a welcome alternative to the crushing disappointment of a complete refusal.

We recognize that it adds to the complexity of the system to build in a mechanism to reduce the likelihood that an application will be rejected repeatedly, based on the cap. Nevertheless we recommend that a way be found to give priority to applications that were previously rejected.

For example, some of the numerical limit could be set aside for applicants that were not selected in previous selections.

## 10. Humanitarian crisis responses must be additional

We underline the importance of ensuring that when, in response to a humanitarian crisis, the Canadian government implements special measures with a private sponsorship component, extra spaces should be added to accommodate this response.

As we said in our [recent submission](#) on the development of a crisis response framework, the principle of additionality must be respected. Emergency measures must avoid negative impacts on others, including other refugees. Refugees from other populations should not lose their opportunity for resettlement to Canada because of the introduction of measures in response to a crisis.

## 11. Expansion of family reunification options

Expanded family reunification options are needed. Private sponsorship is extremely important for reuniting refugees with extended family members in Canada. A very large percentage of G5 sponsorships are family-linked. If the government broadened the definition of family and expanded family class options, perhaps specifically targeting refugee families, there would be less need for private sponsorship.

## Operational issues

### 12. Challenges related to numerical limit selected by order of arrival

In principle, if there needs to be a numerical limit, there has been a slight preference among those consulted by the CCR for selection by order of arrival over selection by lottery.

However, there are many factors to be taken into account in order to make selection by order of arrival as smooth and as equitable as possible. The following list of concerns take into account the experiences with the Afghan special measures.

- Using the existing portal for applications, as proposed, would require a lot of data entry under an intense pressure of time. This will be very stressful for applicants, especially if there are glitches.
- It is unfair to give an advantage to sponsors simply because they are quick on data entry or can afford to pay for someone who is.



- There is a risk of people rushing the application in order to submit it before the cap is filled, leading to incomplete applications, or errors.
- Having large numbers of people seeking to submit an application all at the same time risks a system crash. This is extremely stressful for applicants. It can cause confusion about whether an application has been successfully submitted or not, as well as a sense of injustice if an application ends up not being selected because the system crashed just before it could be submitted.
- It is not clear how the order of arrival of paper applications will be assessed in relation to submissions through the portal.
- The surge of applications at the time of intake needs proactive planning by IRCC to ensure that there is the capacity to review the applications. Consideration should also be given to the impacts on RSTP, since there will be high demand on their services in advance of the opening of the intake window. (These factors will be somewhat mitigated if, as we recommend, there are two intakes a year.)

We also urge IRCC to consider the following other factors:

- Balance of regions of origin of sponsored persons. It is important to avoid the reality or perception that most of the selected applicants are from one region or a single nationality.
- Balance of regions in Canada. We should aim for approximately even distribution of sponsors across Canada. In smaller centres or regions where there are no SAHs, the G5 process is the only private sponsorship option that is available to people – this should be taken into account.
- Applications that were not selected in previous intakes. As noted above, we recommend that some sort of priority be given to those who have applied previously.

After applications are submitted, as noted above, IRCC must communicate with sponsors in a timely way whether or not the application was accepted under the cap. IRCC must also make clear as soon as the numerical limit is met, so that potential applicants are not given false hope.

### **13. Intakes more than once a year**

We favour opening up for new applications more than once a year.

We note that under a system with two intakes a year, it is even more necessary for IRCC to be prompt in communicating with applicants about whether they were accepted or not.

## 14. Timing issues

We suggest that intake windows be in January and June (this suggestion takes into account that by June most people will have received their Notice of Assessment for the previous year).

Communication about the upcoming intake window should factor in the need for a long lead time to prepare communities and allow for training and capacity building.

## 15. Expression of interest

We welcome IRCC's openness to considering a model using an "expression of interest", where those accepted as part of the numerical limit would be invited to complete a full application. We note that this process has been used for private sponsorships in Quebec.

An expression of interest model would save a lot of time and effort. Some of the documents required are time-sensitive and costly to obtain – for example, the police certificate. It would be better to avoid people needing to constantly update the documents if they are not selected and need to re-apply.

The model would also allow sponsors to take the time necessary to prepare the complete application, rather than rushing to submit their application at 12:01am, and potentially make mistakes.

However, it would be important that enough information is gathered through the Expression of Interest to ensure that applicants are serious and likely to be eligible. It would be ineffective to assign large numbers of spots to applicants who will not end up putting in a viable application at the next step in the process.

Given current experiences with short timelines given by IRCC to provide documents, we also urge that applicants be given a reasonable time to submit the full application, taking into consideration the many challenges to obtain documents.

## 16. Families should be kept together

The process should ensure that linked files (for example, when there are separate applications for de facto family members) are kept together. We do not want to see reproduced the painful situations reported by many Quebec sponsors, where part of the family was selected and the other part not.