



August 24, 2022

The Right Honourable Justin Trudeau
Prime Minister
House of Commons
Ottawa, ON K1A 0A6

Dear Prime Minister Trudeau,

Open Letter re: The disastrous state of IRCC

It is with grave concerns that we write to you as the leader of the New Democratic Party, as the NDP critic for Immigration, Refugees and Citizenship, and as Caucus Chair, to demand immediate action to address the ongoing system-wide delays and utter chaos at Immigration, Refugees and Citizenship Canada (IRCC). It's important to remember that these are more than just files in a system, each application number corresponds to an individual and delays often have profound and expensive effects on their lives and prevents loved ones from being able to reunite.

One of the highest demands at a MP office is on immigration-related issues. Sadly, IRCC is in complete chaos with over 2 million applications stuck in the backlog that continues to escalate. The unprecedented massive delays in processing in virtually every immigration stream is far beyond a few months above processing standards, whether it's a permanent resident application, family reunification, renewal of CoPRs, verification of citizenship, work permit or study permit application or renewal, PR card renewal, or refugee applications. Applicants are informed of a processing timeline, only to have it changed months later. The Canadian Council for Refugees latest report highlights the dire backlog and slow processing times for permanent residence of those who have received refugee protection in Canada. For some, the threats are so severe that it's a matter of life and death. Meanwhile, thousands of Afghans who have previously assisted Canada's missions abroad are left behind and are being hunted down by the Taliban.

The reality is that too many families are having to endure prolonged separation, impacting their mental and physical health. People's lives are literally in limbo, unable to move forward. Just imagine, if you and your family were faced with lengthy delays in getting your PR card renewed or having your lost PR card/citizenship verification replaced, and you were unable to renew your provincial health insurance. Others are unable to travel abroad to visit sick relatives. A constituent of Vancouver East applied for an urgent refugee travel document on Oct 12, 2021, to visit his 3-year-old daughter in Kenya who was gravely ill. Even though the application was received and flagged as urgent on October 12th, there was no communication from IRCC on the matter. IRCC stated in a June note that the application was missing guarantor signatures;

however, this correspondence was not sent to the constituent until August. This error was not discovered until further inquiries were made into the situation, but by the time the constituent provided the additional information it was too late. His daughter tragically passed away before he was able to travel. This processing delay coupled with error from IRCC is just one example of the real devastating human impact of these delays.

Other situations are equally dire, with grave errors occurring within IRCC on more than one occasion with multiple streams. For example, we have learned that some applications where all assessments have been completed are sitting idle with the official approval message not yet communicated to the applicant. In other instances, IRCC has not been able to locate files, even when they have been referred to them from other government departments such as the Department of National Defence or Global Affairs Canada. We have also learned that there is a serious privacy breach where an individual applicant's information detailing their case have been sent to the wrong person. The litany of mistakes is astounding.

Applicants are even struggling to get information on their application, unable to get through on the inquiry line. Our MP offices are reporting that they have had to endure wait times of 3.5 hours to speak with an agent through the MP inquiry line. As well, your government has also limited the ability of MPs to make inquiries on applications to no more than 7 cases per day by phone. This arbitrary limitation has greatly hindered the ability of our case workers to assist constituents.

To add further insult to applicants who are just trying to make sense of these delays, we have been informed that IRCC is telling people not to email them for inquiries, or they would be taken off the list (see attached screenshot of an IRCC message). We cannot believe that the government has resorted to these scare tactics. With this kind of communication, your government is telling people that they are not welcome. IRCC is completely forgetting that immigration services can impact someone for the rest of their lives. Whether it's for refugees trying to escape persecution, for people trying to gain economic security, or family members trying to reunite with loved ones, the consequences are gravely serious.

MP Kwan has repeatedly written to Minister Fraser directly to raise systemic concerns and critical individual cases to his attention. Unfortunately, responses from the Minister have been sporadic at best, all while the situation continues to worsen with increasing backlogs. Since the House has risen, urgent matters brought directly to his attention have not even received an acknowledgment of receipt. We highlight for you a few examples in the annex below of the urgent issues at hand, which are no doubt reflective of the experiences of MPs across Canada.

In closing, MP offices continue to be inundated with urgent pleas for assistance, from individuals who are often unable to even receive a response from IRCC officials. The situation is beyond unacceptable and the list of issues to rectify is long.

MP offices are doing their best, but with the government's failure to staff IRCC appropriately and insistence on bureaucratic red tape, MPs are unable to properly serve their constituents.

We ask for your urgent intervention to ensure the multitude of problems within IRCC are addressed expeditiously, including immediately increasing staffing levels to deal with unprecedented backlogs and removing the cap on applications. It is important to work swiftly to fix the broken system, as leaving them unaddressed will only create more avoidable work for IRCC as people get frustrated and call IRCC to inquire, update their file or renew expired documents due to the extended period that it is left in limbo.

As always, we would be happy to work collaboratively with your government with NDP proposals on how to address some of these critical issues.

We look forward to your prompt response to this important matter.

Sincerely,



Jagmeet Singh, MP
Burnaby South
Leader, New Democratic Party of Canada



Jenny Kwan, MP
Vancouver East
NDP Critic for Immigration, Refugees and Citizenship
NDP Caucus Chair

Encl.

Annex: examples of issues encountered in different streams

Permanent Residency Applications Processing Delays

Our offices are inundated with concerns about delays with Permanent Residency applications. One constituent applied for PR in 2018 and is still waiting for their application to be processed – eligibility and security processing has not even started. Due to the delay, they have had to extend their work permit numerous times and they are now having problems with their BC Medical Services Plan.

Another constituent received Confirmation of Permanent Residence (COPR) in March 2021 but has still yet to receive an initial PR card. IRCC requested new photos, but there is a processing backlog going back to April 2022.

MP Kwan’s office has been assisting a constituent who has been waiting for a typo in their name to be corrected since January, resulting in them unable to travel due to the discrepancy in the name listed on their passport and PR card. These errors at IRCC in addition to unreasonable processing times have widespread consequences.

Spousal sponsorship

The spousal sponsorship process is also plagued with lengthy delays, in addition to discriminatory processing practices. Marie Carmel Bien-Aimé, co-administrator of Spousal Sponsorship Advocates, testified at the Standing Committee on Citizenship and Immigration in April that the spousal sponsorship application process timelines were now 19 months, up from 12 months in January.

Ms. Bien-Aimé also spoke about the discriminatory practices impacting individuals from countries that are designated as “corrupt.” She explained that: “Right now, under the current system, TRV applications from foreign spouses are systematically and categorically denied.” She called for the exemption of subsection 179 (b) of the Immigration and Refugee Protection Regulations, which is used to refuse temporary visa applications due to the belief that the applicant will not return to their home country.

She testified that the process is “100% discriminatory, absolutely” and noted that she has been waiting for 35 months for her husband’s application. The impact of these delays and discriminatory policies are devastating for families; rates of depression among spouses are increasing and families feel betrayed by this system.

Special Immigration Measures for Afghans

Over a year ago, the Canadian government announced the Special Immigration Measures for Afghans. Sadly, the chaos at IRCC is preventing your government from living up to its humanitarian responsibility to bring former Afghan interpreters and their extended family members who assisted in Canada’s missions to safety in Canada. The NDP discovered that 2,900 applications vetted and referred by the Department of National Defence (DND) are ‘lost’ between departments. Many applications referred by Global Affairs Canada also could not be found. Additionally, we are learning that many who followed the government’s instructions and sent an email to the dedicated email address provided by the government have received nothing more than an automatic response.

One such case involves a former Afghan interpreter who assisted Canada's mission, and who is currently facing a second warrant for arrest by the Taliban. In his communication, he asked MP Kwan to serve as a witness to his death should he cease communication with us. MP Kwan has written to Minister Fraser urgently regarding the situation. There was no response from the Minister. The second case involves the brother of a former interpreter who has been left behind, as the only member of his family that did not receive Visa approval to travel to Canada. The Minister acknowledged that families should not be separated, and the matter was referred to his officials. The officials' last response months ago was that they are trying to locate the file. We fail to understand how this could be and it only goes to amplify the chaos within IRCC.

In addition, our offices have also heard from former security guards at the Canadian Embassy who have been left behind by your government, and former women parliamentarians trying to leave Afghanistan through the Humanitarian program for Afghan nationals. These issues have all been brought to the Minister's attention, with some specific case information provided. Yet there is no response. People feel abandoned by the Government of Canada. This is simply not acceptable.

We are calling on the government to act on the recommendations listed in the Report of the Special Committee on Afghanistan, including recommendation 23: "that the government of Canada ensure that Immigration, Refugees and Citizenship Canada does whatever is necessary to ensure that applications under the special immigration measures (SIM) for Afghan nationals with an enduring connection to Canada are being processed immediately." This needs to happen immediately.

Additionally, the NDP has called for the Government of Canada to reduce documentation requirements and allow persecuted Afghans' paperwork to be completed in Canada; to provide evacuation flights to Afghans in third countries; to apply the special immigration measures for Ukraine to Afghanistan; and, to expand and renew the Special Immigration Measures for Afghans for another year. In fact, New Democrats have repeatedly and urgently called on your government to expand and renew the Special Immigration Measures for Afghans for another year so that they can get those who are eligible to safety in Canada instead of abandoning them. We implore you to take urgent action on this matter.

Privately Sponsored Refugees Processing Delays

The dire circumstances surrounding delayed processing of refugee applications extends far beyond the crisis in Afghanistan. Minister Fraser recently confirmed at the standing committee on citizenship and immigration, that the wait times for privately sponsored refugees are now averaging over three years. Our offices have worked with organizations such as Rainbow Refugee, who are trying to bring 2SLGBTQI+ individuals and their families, who face persecution, to safety yet these unreasonable delays pose serious roadblocks. Furthermore, the Minister has also suggested that the privately sponsored refugee stream is a viable option for Afghans left behind. How can we expect people facing persecution to wait for three years?

Work and Study Permit Processing Delays

Delays in the processing times of work and study permits also remains a serious problem. One of our NDP colleagues told us of a constituent who recently lost their EI and child benefits, while caring for a 7-month-old baby due to work permit delays. A Vancouver East constituent lost his employment while awaiting his PGWP to be processed. Due to processing delays, he is now on the verge of being homeless as he is unable to make rent. Our offices constantly receive emails with concerns of this nature – people who are in desperate situations as they wait for IRCC updates and application processing.

Temporary Resident Visas

The chaos at IRCC is harming Canada's international reputation. As I'm sure you are aware, the recent AIDS 2022 conference held in Montreal left a black mark for Canada as discriminatory Visa processing and denials were denounced. Many researchers who planned to attend were unable to travel because their visa applications were not processed or were rejected. Last month, MP Kwan wrote to the Minister of Immigration, Refugees and Citizenship about a Nepali research team unable to attend the conference. Despite securing scholarship funding and being invited to attend, researchers were told they did not have sufficient financial means for their stay and that the visit was not consistent with a temporary stay in Canada. Despite the request for an expedited processing and reconsideration of the applications, the Minister did not respond to MP Kwan's request for intervention.

A conference in Vancouver, Towards Unity for Health, scheduled for August 16-19 2022, faced a similar predicament. Organizers of the important conference estimate that about one-third of their expected participants were impacted by visa processing delays, and that overall registration was repressed due to concerns with IRCC. Despite having a special event code, organizers were told by IRCC staff that they could not guarantee visas will be issued in time due to other priorities the department is dealing with such as the crisis situations in Ukraine and Afghanistan. Because of these problems, the conference will be less successful than the organizers had envisioned, and much of the effort put in by researchers will go to waste.

Caregivers Processing Delays

We are also calling for action to address the unjust treatment for caregivers. MP Kwan has pressed the Minister to devote the appropriate resources to speed processing of the delayed applications. An Access to Information request exposed that almost no caregiver files have been processed since 2019. MP Kwan has heard from frustrated caregivers who are still left in the dark and have been waiting without any update beyond a simple, confirmation that their application has been received. These processing delays create immeasurable sufferings and additional burdens on caregivers who have to jump through hoops to maintain status and in some situations, they fall between the cracks. In February, the House passed Motion 44 with MP Kwan's amendment to include "caregivers" into economic immigration measures. Caregivers deserve landed status on arrival, and we renew this call.

Unjust Treatment for Migrant Workers

Our current temporary foreign workers program is deeply exploitative. The employer-specific work permit system makes workers completely dependent on one employer for their ability to work in Canada, making them highly vulnerable to exploitation, abuse, and income precarity. This also prevents workers from having the flexibility to fill jobs where workers are actually needed.

We have all heard employers complain that “nobody wants to work anymore,” when the fact is that as employers struggle to find workers, Canada has increasingly turned to the temporary workers program to fill permanent positions and labour shortages with temporary people. The pandemic has revealed that without the essential work across industries performed by migrant workers, our economy grinds to a halt. The term “low-skilled” does not reflect the value of the work being done. Instead, it is just a term that justifies poor working conditions and low wages. On an annual basis, there are now more temporary foreign workers in the country than there are new landed immigrants. This is not only wrong, but also incredibly inefficient.

Workers in all professions should have permanent status upon arrival. This eliminates the precarity of status for newcomers and removes the power imbalance created by tying a migrant worker to a specific employer. Given that there are many who are already here in Canada, we are calling on your government put in a special immigration measure to regularize them. This would have an enormous positive impact on the lives of migrant workers overnight, and in the long term, a positive impact for our economy.

Citizenship Guide

We are also concerned with the disappearance of the citizenship guide, which was supposed to have been updated by now. Further, as detailed in the ministerial mandate letter, your government has promised to remove the fees for permanent residents applying for citizenship. There has been no update from the Minister on these issues and we are still awaiting a response to a letter from MP Kwan.