



Immigration, Refugees and Citizenship Canada

Immigration, Réfugiés et Citoyenneté Canada

Deputy Minister

Sous-ministre

s.21(1)(a)

s.21(1)(b)

Ottawa K1A 1L1

F-01194808

PROTECTED B

MEMORANDUM TO THE MINISTER

OPERATION AFGHAN SAFETY: REFUGEE SELECTION

FOR DECISION

SUMMARY

- This memo is further to your direction to develop an alternative option to the proposed implementation plan (F-01193519), previously provided to you for decision, which set out the recommended approach to resettling 15,000 Afghan refugees by 2023 and starting in 2021 (Operation Afghan Safety), per your announcement on August 13, 2021.
- An alternative option would create the ability for [redacted] selections and a set allocation to do so under the [redacted] government-assisted refugee target in support of Operation Afghan Safety.
- The Department's recommendation remains that the Government resettle Afghans in need of protection according to the principles, legislation and regulations of Canada's established Refugee Resettlement Program. In practice this would mean working with recognized referral partners [redacted] who have the expertise to ensure transparent, equitable program access, and to triage cases based on vulnerability.
- Your direction is required to allow the Department to make final preparations and adjustments to its implementation plan and processing priorities, including providing clear direction to referral partners in support of Operation Afghan Safety.
- If you choose to proceed with including [redacted] selections in support of Operation Afghan Safety, the Department notes there is a maximum of approximately 2,200 government-assisted refugee spaces available. We would need your clear direction as to [redacted]
- Given the departure from the regular operations of Canada's refugee resettlement system that this approach entails, and [redacted] the Department is mindful that normally during the [redacted]

s.21(1)(a)

s.21(1)(b)

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BACKGROUND:

- The Government announced the launch of a humanitarian commitment (Operation Afghan Safety) on August 13, 2021, in response to the crisis in Afghanistan, with a focus on vulnerable populations including women and girls, persecuted religious minorities, LGBTI, human rights defenders and journalists, and extended family members of formerly resettled interpreters.
- Funding and authorities for this initiative allow for the resettlement of an additional persons under the Government-Assisted Refugees program and priority processing of persons under the Private Sponsorship of Refugees program over 2021-2023. Established referral partners of Canada's Refugee Resettlement Program – have been inundated with requests and are prepared to refer cases to IRCC under Operation Afghan Safety.
- At the same time, numerous individuals and organizations have approached both government officials and political offices directly to identify cases of concern. At the time of Operation Safe Haven, your office conveyed the direction to facilitate support to approximately 1,600 specific individuals in anticipation of meeting criteria for Operation Afghan Safety. and it is to these individuals Canada has made a firm resettlement commitment. We understand that
- The Government has already made commitments toward the Government-Assisted Refugee spaces. to Canada. They could act as a referral partner for Operation Afghan Safety, as part of the GAR spaces. For 2021, these spaces could be counted as part of the 250 spaces set aside for the existing, stream in the 2021 Levels plan, which would leave

CURRENT STATUS:

- With the above noted commitments, the government-assisted refugee commitment set out for Operation Afghan Safety is already well-subscribed, leaving a maximum amount of approximately 2,200 spaces available for allocation for referrals.
- You have directed the Department to develop an alternative option to enable a more targeted approach that would respond to requests for resettlement from high-profile individuals and organizations. To this end,

- s.15(1)(ii)
- s.21(1)(a)
- s.21(1)(b)
- s.21(1)(c)

The Department would only be responsible for determining admissibility for these cases and all admissibility criteria would still apply. Additionally,

- The Department would need to be provided with the name, date of birth, and contact information for each individual. Based on current processing for Afghan refugees, family sizes are averaging approximately 5 family members per principal applicant. Therefore, approximately 450 principal applicants.

CONSIDERATIONS

Implementation Approach for the Balance of the 8000 GARs

- Canada's Refugee Resettlement Program framework is founded upon the 1951 Refugee Convention and the principle of providing protection to those who need it the most. It therefore relies on established referral partners who independently identify and triage those most vulnerable and at-risk requiring Canada's protection, and who meet Canada's legislative and regulatory requirements for refugee resettlement. While they are prepared to refer cases that support Canada's announced priority populations, it is uncertain as to what extent their referrals would align with the lists collected and submitted by various high profile groups and individuals.
- Canada's internationally-recognized resettlement program framework, which is anchored in leveraging the expertise of mandated referral partners to triage and identify those most in need of protection and resettlement.
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**is withheld pursuant to sections
est retenue en vertu des articles**

16(1)(c), 15(1)(i)i), 21(1)(a), 21(1)(b)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

s.15(1)(i)i)

s.21(1)(a)

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s.21(1)(b)

- The only mechanism to facilitate access to permanent residence in the face of serious inadmissibilities are: Ministerial relief issued by the Minister of Public Safety under section 42.1 of the IRPA or a public policy issued by the Minister of IRCC under section 25.2.

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Interplay with the Special Immigration Measures and Other Cohorts

- Referrals from Global Affairs and the Department of National Defence under the Special Immigration Measures have far exceeded the 9,800 cap. The 9,800 cap is the maximum number of refugees that can be resettled under pre-existing Levels and authority for 2021.

the Department is prioritising the processing of this cohort – who have an enduring and/or significant relationship with the Government of Canada and for whom we therefore have a duty of care - above all other cohorts, including this broader humanitarian initiative.

- We note also that we are

if this is to be contemplated as a GAR movement, given the above limitations, they would need to be deferred to at least 2022 or other programs would have to be leveraged.

should these persons access social assistance programs due to lack of financial support from family.

- Taking into consideration the new funding allocated to resettle an additional _____ in 2021-23, capacity of Settlement organizations on the ground, the allocation of all pre-existing 2021 GAR Level spaces to the resettlement of 9,800 SIMs and their family members,

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s.23

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LEGAL IMPLICATIONS:

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s.15(1)(i)ii)

s.21(1)(a)

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s.21(1)(b)

RESOURCE IMPLICATIONS:

- This plan is fully funded. There are no associated costs to allowing a carve-out for
Given significant and ongoing demand, however, funding elements are likely to require recalibration in respect to the 2022 Immigration Levels Plan.

COMMUNICATIONS IMPLICATIONS:

- Media and social media interest in the situation in Afghanistan is extremely high, with confusion between the special immigration measures and the humanitarian stream. There is also significant interest in the opening of the humanitarian stream.
- Based on the 1951 Refugee Convention, Canada has an internationally recognized refugee resettlement program, which depends on referral partners to identify at-risk individuals. It is a system that is both fair and transparent.

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s.21(1)(a)
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- Consideration for technical briefings, including to the Opposition parties is suggested.

RECOMMENDATION:

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NEXT STEPS:

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Caroline Xavier
Associate Deputy Minister

e-approved Sept 6, 2021
Catrina Tapley
Deputy Minister

s.21(1)(a)

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s.21(1)(b)

DECISIONS REQUIRED

- **That the Department proceed with the implementation plan for Operation Afghan Safety as articulated in F-01193519 with no (Recommended).**

I concur I do not concur

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I concur I do not concur

The Hon. Marco E.L. Mendicino, P.C., M.P.
Minister of Immigration, Refugees and Citizenship

Annex
Memo (F-01193519)



Immigration, Refugees and Citizenship Canada

Immigration, Réfugiés et Citoyenneté Canada

Deputy Minister

Sous-ministre

s.21(1)(a)

s.21(1)(b)

Ottawa K1A 1L1

F-01193519

SECRET

MEMORANDUM TO THE MINISTER

IMPLEMENTATION PLAN FOR THE AFGHAN HUMANITARIAN RESETTLEMENT COMMITMENT

FOR DECISION

SUMMARY

- The purpose of this memorandum is to seek your direction and approval of the proposed implementation plan for the humanitarian commitment

This is part of the Government's announced plan to resettle 20,000 Afghans, which includes 6,000 persons resettled under Special Immigration Measures.

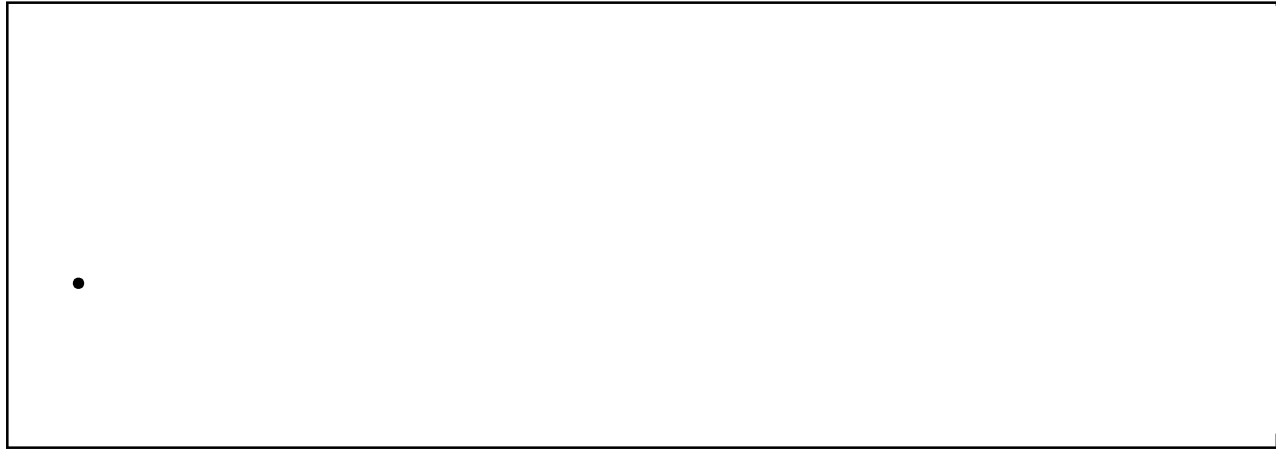
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- The attached implementation plan (Annex A) proposes to leverage the three existing refugee resettlement program streams and utilize trusted referral partners to ensure that vulnerable refugees from the identified priority groups are selected for resettlement. It also provides details on eligibility criteria, partner roles and responsibilities.
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s.21(1)(a)

s.21(1)(b)

s.69(1)(g) re (d)

SECRET



BACKGROUND:

- On August 13, 2021, the Government of Canada announced a commitment to resettle 15,000 vulnerable Afghans, in addition to the 9800 individuals eligible under the two SIMs, who were forced to flee Afghanistan due to an increased risk of persecution by the Taliban.
- Pressure from stakeholders to prioritize the resettlement of Afghan nationals is mounting, and an increasing number of organizations and interest groups are seeking to provide direct case referrals.

CURRENT STATUS:

- The announcement to resettle 20,000 Afghan refugees includes approximately 6,000 individuals eligible under the Special Immigration Measures for Afghans. These Special Immigration Measures have since been extended to allow for the resettlement of up to 9,800 individuals and this cap has now been reached.

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s.15(1)(i)ii

s.21(1)(a)

s.21(1)(b)

SECRET

- The Department is already expediting the processing of Family Reunification applications, including for Family Class and for Dependents Abroad of Protected Persons in Canada. There are no caps on those classes; however, admissions need to align with available space in the 2021 levels plan. The processing of family reunification applications will continue to be tracked and reported, in addition to the humanitarian commitment.

CONSIDERATIONS:

- This commitment will have significant impacts on refugee operations, existing commitments and inventories. Applications in the existing inventory will be delayed or displaced, which will impact the Department's ability to meet existing refugee commitments in 2021. This will also impact 2022 commitments; a commensurate increase to the levels plan would be required to ensure that other populations are not displaced, as per the foundational principles of this initiative. The department will endeavour to limit displacement of other refugee populations in 2022. The inventories in both the Government-Assisted and Private Sponsorship of Refugee streams are already high as a result of pandemic-related processing interruptions, and this commitment will result in increased inventory growth and wait times in both of these streams.
- For privately-sponsored refugees, this impact may be mitigated by drawing from existing inventory to fulfill the private sponsorship component of the commitment where the criteria are met, noting that some of these individuals may have fled years ago rather than in the last few weeks. Doing so, however,

in the queue who have already been waiting years for resettlement.

- The proposed numbers within the implementation plan are notional, given uncertainty around the number of arrivals under Operation Canadian Safe Haven, and the number of referrals that will ultimately be made by the U.S. and NATO. Once these populations arrive in Canada and are processed accordingly, particularly those without identification, there will be a clearer understanding of the proportion that fit within announced commitments and the existing levels plan. As such, the implementation plan may need to be recalibrated once the number of arrivals are known.

GAR and BVOR Implementation

- Relying upon transparently selected referral partners are a fundamental part of the delivery of this commitment and stakeholder relations will need to be managed carefully given demand. The Government has already made a commitment
these
will be included in the GAR allocation. Established referral partners -
- will
ensure the process is fair and transparent, particularly with respect to identifying the most vulnerable cases for resettlement.

s.16(1)(c)

s.17

s.20(1)(c)

s.21(1)(a)

s.21(1)(b)●

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s.69(1)(g) re (e)

- In the final days of the allied airbridge, we were able to facilitate travel via airbridge and/or issue facilitative travel documents for a number of individuals. The Government of Canada is deemed to have made a commitments to these people to be resettled in Canada, which will be done as GARs under the humanitarian program.

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prior to arrival in Canada.

- Some individuals who received travel facilitation documents remain in Afghanistan, and we will continue to process them under the GAR stream and facilitate access to regular travel support from a third country after they have left Afghanistan.

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- As Operation Safe Haven has ended, all other lists and referrals will be done through referral partners as identified in this Memo. All eligibility and admissibility requirements will need to be met. Facilitative travel documents will be issued by the Department, if requested and required by referral partners.

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PSR Implementation

- As 10,000 persons within the nearly 80,000 person PSR inventory have been identified as Afghan nationals, the Department will work with the Sponsorship Agreement Holder (SAH) Council to develop criteria to prioritize applications of Afghans within the existing caseload that align with the vulnerable groups.

- This approach would facilitate consistency in prioritizing the existing caseload, and ensure that any new PSR applications expedited under the commitment align with the identified priority groups.

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CONSULTATIONS:

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RESOURCE IMPLICATIONS:

- This plan is fully funded. Depending on the total number of arrivals under the existing Special Immigration Measures and Operation Safe Haven, the plan, including funding elements, may need to be recalibrated.
- The pace at which arrivals take place will greatly impact the Settlement Network's capacity to ensure a successful integration story for these newcomers; the Department will work closely with settlement provider organizations to monitor and adjust resources as necessary.

COMMUNICATIONS IMPLICATIONS:

- Media and social media interest in the situation in Afghanistan is extremely high, with significant confusion between the special immigration measures and the humanitarian stream.
- Limited information has been available on the humanitarian stream since the initial announcement that the Government of Canada will welcome 20,000 Afghan refugees. This is a good opportunity to highlight further developments.
- We recommend a proactive communications approach and a public announcement by the Minister. A news release with supporting key messages and updated web text are in development, which will be highlighted through social media. This announcement also provides an opportunity to begin highlighting settlement supports for refugees, including the role of partners to help refugees integrate. Opportunities to profile service provider organizations and others involved in the effort to welcome Afghan refugees will be explored.

RECOMMENDATION:

- We recommend you confirm your direction and approve the attached implementation plan by checking the "I concur" boxes and signing below. Upon your signature, the Department will begin to engage partners to operationalize the plan, and will develop a public policy for extended family members of resettled Afghan interpreters, which will be sent for your approval under separate cover.

NEXT STEPS:

- If the implementation plan is approved, Departmental officials will continue to engage with new and existing partners to define respective roles and responsibilities within the commitment.
- The Department will keep you informed, via decision memos, of any required modifications to the implementation plan.
- To accommodate the high and growing demand, the overall cap of 20,000 is expected to be reached quickly and decisions will soon be required, following the election and the writ period, as to whether or not to increase the cap.

s.15(1)(i)i)

s.16(1)(c)

s.21(1)(a)

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SECRET

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- Some attention to communications and managing relationships with partners and other refugee hosting regions with which Canada had made commitments, but will now be displaced, will also be required.

Caroline Xavier
Associate Deputy Minister

e-approved 09/01/2021
Catrina Tapley
Deputy Minister

Decisions sought

1. That the Implementation Plan (set out in Annex A) for the Humanitarian Resettlement program

I concur I do not concur

I concur I do not concur



The Hon. Marco E.L. Mendicino, P.C., M.P.
Minister of Immigration, Refugees and Citizenship

Annex:

A: Implementation plan to meet Afghan humanitarian commitments