



Immigration, Refugees and Citizenship Canada

Immigration, Réfugiés et Citoyenneté Canada

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Deputy Minister

Sous-ministre

Ottawa K1A 1L1

F-01195720

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MEMORANDUM TO THE MINISTER

OPERATION AFGHAN SAFETY: REVISED IMPLEMENTATION PLAN

FOR APPROVAL

SUMMARY

- The purpose of this memorandum is to obtain your approval of the Revised Implementation Plan for Operation Afghan Safety (Annex A), which takes into consideration the direction you provided via “F-1193519 – APP - Implementation Plan for the Afghan Humanitarian Resettlement Commitment” (Annex B).
- Per your direction, the Implementation Plan has been revised as follows:
 - *Referral partners for government-assisted refugees:* Referral allocations have been provided to the U.S. Government and NATO as per existing commitments, increased for Front Line Defenders and ProtectDefenders.eu for refugees and individuals inside Afghanistan; and remaining spaces provided to the UNHCR for urgent protection and other vulnerable cases;
 - *An in-Afghanistan program will be established,* via Front Line Defenders and ProtectDefenders who will act as a umbrella referral bodies (see Annex C), accepting referrals from Canadian NGOs (i.e., PEN, the Rainbow Coalition), and which will include provisions for biographic comprehensive security screening to be completed prior to facilitating travel;
 - *Referral partners for privately sponsored refugees:*
- We recommend that you approve the Revised Implementation Plan in Annex A by checking the “I concur” box and signing this memorandum by Thursday, September 16, 2021. This is required to direct the associated public policies/legal instruments required and ensure their readiness for your approval by Friday, September 17, 2021.

BACKGROUND:

- On August 13, 2021, the Government of Canada announced a commitment to resettle 15,000 vulnerable Afghans, in addition to the _____ under the two SIMs, who were forced to flee Afghanistan due to an increased risk of persecution by the Taliban.

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- On September 11, 2021, you approved the Department's proposed implementation plan for this commitment, but provided additional direction.
- The Revised Implementation Plan will support the resettlement of Government-Assisted Refugees and privately sponsored refugees between now and December 2023.
- The following guidelines and principles have guided the development of this plan.
 - **Duty of Care:** The Government of Canada owes a legal duty to protect the health and safety of its employees while at work, and will take all reasonable measures in the circumstances to protect its employees from these risks.
 - **Trusted implementing partners:** IRCC will work with trusted partners with the capacity to support these efforts.
 - **Security and medical screening:** Security screening, biometric enrolment and medical screening must be completed before any individual travels to Canada to mitigate the risk of inadmissibility, increased uncertainty regarding identity and public health risks.
 - **Reception capacity:** Arrivals will be spread out over the length of the initiative to ensure the necessary settlement supports are in place to ensure successful integration.
- The following eligibility provisions will apply to all persons referred by partners to Canada, unless otherwise exempt via a public policy:
 - meets the refugee definition and vulnerability criteria established by partners
 - part of one or more of the priority groups
- For in-Afghanistan cases, partners will be additionally responsible for referring cases according to the following criteria:
 - based on highest vulnerability and evidence of being targeted by the Taliban;
 - known and vetted individuals that pose the lowest security risk; and,
 - have a viable logistical plan to exit to and remain in a temporary third country should facilitation be issued.
- IRCC will assess admissibility for all cases, including security screening, before travel to Canada. For in-country caseloads, IRCC will screen using biographical data for all referred individuals prior to issuing any travel or facilitating documentation. Biometric enrollment will be completed in a third country before individuals travel to Canada in order to confirm identity and complete the admissibility assessment.

CURRENT STATUS:

- The Revised Implementation Plan leverages existing and trusted referral partners and supports new partnerships with Canadian NGOs and sponsor groups in an effort to maximize

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the success and timely implementation of Operation Afghan Safety. It also provides an avenue for the resettlement of individuals from within Afghanistan. For example, the Department will work with Front Line Defenders and ProtectDefenders as they operate within a consortium that also includes Canadian NGOs (e.g., Rainbow Railroad, PEN), and are uniquely positioned to facilitate individuals' movement to neighbouring countries, safe houses, and flights for onward travel to Canada.

- A total of _____ levels spaces are reserved for government-assisted refugees and are allocated to partners as follows:
 - **UNHCR** This is in addition to the 200 spaces reserved annually for Urgent Protection cases.
 - **United States Government**
 - **NATO** A public policy is required to waive the referral requirement as NATO cannot be recognised as a referral partner under the *Immigration and Refugee Protection Act* (IRPA).
 - **Front Line Defenders and Protectdefenders.eu** To permit in-country referrals, a public policy will be required to waive the requirement for individuals to be outside their country of persecution.
 - **Ministerial-directed cases**

- A total of _____ levels spaces are reserved for privately sponsored refugees. Caps for all Sponsorship Agreement Holders will be increased, and a plan developed to balance eligible cases in inventory and new applications. Both the _____ and _____ who are Sponsorship Agreement Holders, will get discrete allocations as part of this exercise. This is in response to your direction to urgently consider and approach potential private partners with the expertise, capacity and willingness to triage cases, including those that have already been submitted to the department (i.e., LGBTI NGOs, Afghan Women's Organization).

- Notional allocations have been carved out for some of the key organizations that have contacted the department and with whom discussions will take place in the coming days. These allocations are as follows:
 - **Sponsorship Agreement Holders, including Afghan Women's Organisation** (4,000 existing inventory; 550 - 2,550 new applications, the exact allocation between existing and new will be determined in consultation with the SAH Council);
 - _____ new applications); and,

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- new applications).
- This overall approach will provide pathways for NGOs and sponsors to identify cases for resettlement, including for minority religious groups (i.e., Hazaras) and addresses the risk of working directly with NGOs who may not have the capacity or knowledge to identify individuals most in need or assist them through the resettlement process.
- No new authorities are needed to fulfill this commitment,

This is not
recommended given the high demand for limited spaces available and the already high
representation of this priority group in Operation Afghan Safety.

Considerations:

- ProtectDefenders and Front Line Defenders are the Department's newest authorized referral partners and no cases have been resettled to-date under the new Human Rights Defender stream, given their ongoing training on Canada's resettlement process, and pending funding. It is expected that the demand for resettlement of Afghans may create challenges at this early stage of partnership. Funding agreements are being prepared for signature and additional funding will likely be required to support the increasing volumes of individuals that these organizations will support through covert transportation, temporary shelter, and other expenses incurred while arranging Afghans' safe passage to neighbouring countries prior to travel to Canada.

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CONSULTATIONS:

- All referral partners have been consulted, as well as the Rainbow Coalition for Refugee. The Department continues to engage regularly with in-Canada stakeholder groups.

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RESOURCE IMPLICATIONS:

- Funding for this initiative includes committed resources for government-assisted refugee spaces within the 2021-2023 Immigration Levels Plan (12,500 in 2021 and 12,500 in 2022), as well as new funding that was sought for government-assisted refugee spaces committed to Operation Afghan Safety.
- Processing and prioritizing government-assisted refugees under Operation Afghan Safety increases the risk of not achieving 401K in 2021 and will likely offset the projected immigration class mix.

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.
- A key component of the department's strategy for the closure of the special immigration measures is to direct individuals to referral partners to see if they may qualify for resettlement to Canada under the humanitarian stream. The Government of Canada's use of existing referral partners will support the notion of Canada's resettlement system as being both fair and transparent.
- A pro-active communications approach is recommended with an IRCC news release, currently with the Minister's office, highlighting details of the Afghan humanitarian stream.

RECOMMENDATION:

- We recommend you approve the Revised Implementation Plan in Annex A by checking the "I concur" box and signing this memorandum by September 16, 2021. This includes an explicit approval of including

NEXT STEPS:

- Following your approval of this Revised Implementation Plan, the Department will develop the associated public policies/legal instruments and engage with implementation partners. The following will be provided to you shortly for approval under separate cover:
 - To allow for the a memo and public policy for your approval will be sent to you under separate cover to implement your decision and the public policy rationale for these cases;

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- Public Policy to waive the requirement to be outside one's country of nationality for the inside-Afghanistan caseload; and,
 - If directed, a Public Policy to allow the Manmeet Singh Bhullar Foundation to refer Afghans in India as part of Operation Afghan Safety.
- A memo and public policy for NATO-referred cases is already routing for your approval.

Caroline Xavier
Associate Deputy Minister

DM Tapley e-approved September 16, 2021

Catrina Tapley
Deputy Minister

I concur

I do not concur

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

Annexes (2):

A: Revised Implementation Plan

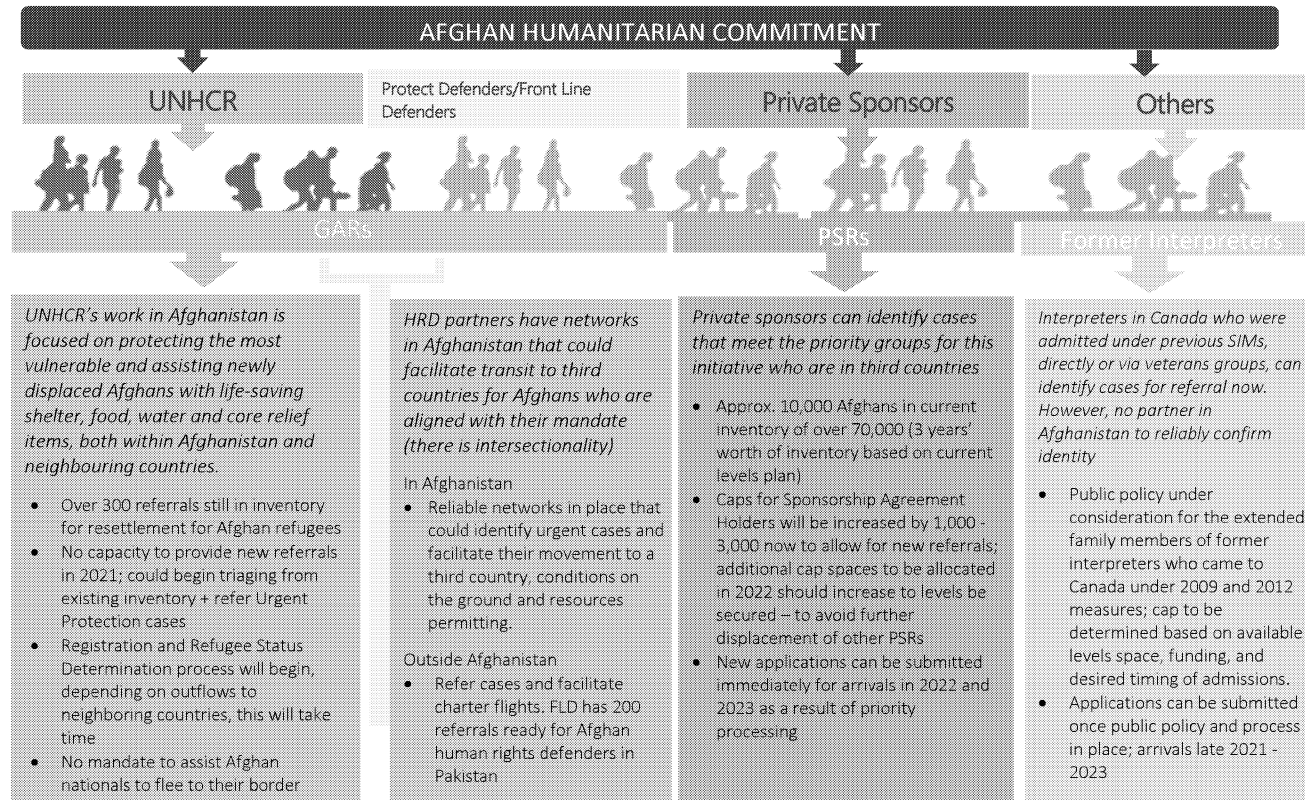
B: Ministerial direction provided via "F-1193519 – APP - Implementation Plan for the Afghan Humanitarian Resettlement Commitment"

C: Affiliates of Front Line Defenders and ProtectDefenders

D: Operation Afghan Safety: Partners, Tools and Engagement

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Operation Afghan Safety (OAS): Partner engagement and capacity



Without these partners, Canada cannot responsibly meet its humanitarian commitment to Afghanistan

CURRENT CONTEXT IN AFGHANISTAN

- Afghans make up one of the largest refugee populations worldwide. There are 2.6 million registered Afghan refugees in the world, of whom 2.2 million are registered in Iran and Pakistan alone.
- The overwhelming majority of Afghans will remain inside Afghanistan and will require increased humanitarian support and funding.
- Neighboring countries will soon begin to face new outflows from Afghanistan while continuing to host existing Afghan refugees whose return prospects have diminished, as well as others who may have left for family, business or medical reasons, but who can now no longer safely return.
- All Afghan refugees will need longer-term solutions. The vast majority may voluntarily return when the conditions are right, and at a time of their choosing.
- In comparison, resettlement to third countries – a chance for the most vulnerable to restart their lives in a new country – is an option for only a tiny proportion of the world's refugees.

Current status

Bottom line

We are currently in a period of uncertainty in terms of referral targets and capacity

- No new referrals in 2021
- 2022 levels have yet to be determined

Capacity to bring Afghans to a transit country and charter flights to Canada

- Referrals possible immediately
- 2022 levels TBD

Private Sponsors can only refer cases outside of Afghanistan

- Referrals possible now for 2022/ 2023 arrivals
- 2022 levels TBD

New program required to facilitate this cohort.

- Referrals possible shortly
- 2022 levels TBD

EXISTING COMMITMENT (SIMs)

Special Immigration Measures for Afghan Nationals with a significant and/or enduring relationship to the Canada. IRCC continues to process and facilitate movement of this cohort. As demand far exceeds available levels space this cohort will continue to exert pressure on the levels plan in 2022.

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Operation Afghan Safety roll-out plan

		2021 2021 – 2023 Levels Plan;	2022 2022 – 2024 Levels Plan; BIA 2022	2023 2023 – 2025 Levels Plan; BIA 2023
Opportunities for funding/authorities →				
GAR New commitment to be reflected in the 2022 – 2024 Levels Plan	Arrival of USG referred 2,000		Arrival of USG referred 3,000	N/A
	UNHCR: Urgent Protection case referrals and arrivals; referrals may be possible from existing inventory of cases; MOU in place		Approx 1,300 UNHCR referrals (including UPP) and arrivals	
	NATO 150 arrivals			N/A
				N/A
	Frontline Defenders/ProtectDefenders.eu		Frontline Defenders/ProtectDefenders referrals and arrivals	
PSR commitment: current inventory	Sponsorship Agreement Holders referrals to begin + expediting some existing case load. Spaces to be managed by SAH council and distributed, in a metered fashion, for cases meeting specific criteria such as specific priority cohorts (e.g. Hazara) and in line with capacity of SAHs		6,550 Sponsorship Agreement Holders arrivals	
	Rainbow Coalition for Refuge		Rainbow Coalition for Refuge arrivals	
	Manmeet Singh Bhullar Foundation		Manmeet Singh Bhullar Foundation arrivals	
Other (extended family members of interpreters admitted under previous SIMs – i.e. 2009, 2012)	Depending on Min direction, a public policy to implement will likely be required. PSR program could be leveraged for small number of cases (new cap spaces to be distributed among all priority populations).		Referral and arrival the extended family members of interpreters admitted under previous SIMs (pending direction: public policy; additional levels spaces, funding) + select private sponsorship cases.	

OBJECTIVES

- Facilitate the arrival of GARS, PSRs and extended family members of former SIM interpreters between 2021 and 2023
- Facilitate the departure from Afghanistan of SIMs and other urgent cases where identity can be confirmed
- BVOR promoted to leverage support from Canadians and organizations.
- Arrivals are paced to the extent possible with the capacity of Service Provider Organizations and private sponsors
- Public health protocols are respected and impact on provincial social services is limited
- Access to private sponsorship spaces is done fairly. Sponsors are equipped and supported to receive and settle refugees

PRIORITIES

☐ = Dependent on new authorities and/or funding ☐ = May require new authorities and/or funding

Further direction on the memo “F-1193519 - APP - Implementation Plan for the Afghan Humanitarian Resettlement Commitment”

Establish an immediate mechanism for referrals within Afghanistan:

- In response to the urgent protection needs of highly vulnerable populations and very limited ability to exit Afghanistan to seek refugee status, allow select experienced and trusted organizations to refer candidates for refugee resettlement as GARs and PSRs from within Afghanistan.
- Select and designate referral partners based on expertise, capacity and willingness to triage cases and consider cases that have already been submitted to the department by trusted organizations. Urgently consider and approach potential partners such as Front Line Defenders, Protect Defenders, Rainbow Refugee, Rainbow Railroad, AWO, PEN, CCR, and potentially other established SAHs and NGOs, in order to select referral partners within a week.
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- Establish principles and a set of guidelines to be used to prioritize referrals and mitigate risks.
 - Prioritize referrals based on the following factors:
 - highest vulnerability and evidence of being targeted by the Taliban,
 - known and vetted individuals that pose the lowest security risk, and
 - viable logistical plan to exit to and remain in a temporary third country should facilitation be issued.
 - Potential criteria for consideration:
 - Clear fit with the identified priority at-risk groups
 - Identified and vetted by trusted partner/referral organization
 - Low-risk from a security perspective
 - Viable travel plan by land or air
 - A transit country identified as being able to host for a period of time until individuals can be processed
 - Plan and commitment by trusted organization to provide support in transit country

Other elements of the resettlement program:

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- Ensure all at-risk cohorts are covered through the identified partners and mechanisms, eg Hazaras and other persecuted minorities
- Explore opportunities to leverage EMPP



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

Annex C: Organizations affiliated with Protectdefenders.eu

Protectdefenders.eu (<https://protectdefenders.eu/>) is the European Union Human Rights Defenders Mechanism, established to protect human rights defenders at high risk and facing the most difficult situations worldwide. It is implemented by a consortium of twelve experienced international organizations with a proven track record in the field of human rights defenders protection. Consortium members include:

- Front Line Defenders
- Reporters Without Borders
- World Organization Against Torture
- International Federation for Human Rights
- International Network for Economic, Social and Cultural Rights
- International Lesbian, Gay, Bisexual, Trans and Intersex Association
- Urgent Action Fund for Women's Human Rights
- Protection International
- Peace Brigades International
- Euro-Mediterranean Foundation of Support to Human Rights Defenders
- Asian Forum for Human Rights and Development
- The East and Horn of Africa Human Rights Defenders Project

The above organizations have their own networks of members, ranging from dozens to hundreds, which makes the reach of Protectdefenders.eu exceptionally broad. Several Canadian organizations which have contacted IRCC about human rights defenders are affiliated with Protectdefenders.eu, either directly or through these consortium members. A non-exhaustive list includes:

- PEN Canada- PEN Canada's parent organization, PEN International, is a member of Protectdefenders.eu's Temporary Relocation Platform.
- Rainbow Railroad- Board member of the International Lesbian, Gay, Bisexual, Trans and Intersex Association, one of the twelve organizations in the consortium that delivers Protectdefenders.eu.
- Rainbow Refugee- member of the International Lesbian, Gay, Bisexual, Trans and Intersex Association.
- Canadian Journalists for Free Expression- connected to the Protectdefenders.eu consortium through the Journalists in Distress Network, a network of international organizations that provide direct assistance to journalists and media workers. Consortium members Front Line Defenders and Reporters Without Borders are both members of this network.
- Amnesty International- member of Protectdefenders.eu's Temporary Relocation Platform, which is a network of entities engaged in the temporary relocation of human rights defenders.
- Scholars at Risk- member of Protectdefenders.eu's Temporary Relocation Platform.

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Operation Afghan Safety: Partners, Engagement and Process Flow

Referral Partners / notional numbers	Instrument	Status	Next Steps	Most Recent Engagement	Process Flow	
Government-Assisted Refugees	Emergency referrals (urgent protection program) (as required)	MOU	in place	Continue regular engagement to ensure on-going preparedness.	Various since August 13 announcement.	Standard UPP processing flow http://cicintranet.ci.gc.ca/connexion/tools-outils/refugees-refugies/resettlement-reinstallation/priority-prioritaire/index-eng.aspx
	UNHCR (951)	MOU	in place			Standard processing flow. Notification of the new Additional Background Information Form for all in-Afghanistan applicants between the ages of 16-79 sent January 25, 2022.
			pending			
		pending				
U.S. Government (5,000)	Letter of Cooperation / PP and LoC amendment required to allow referral of individuals in Safe Havens in the US /	in place in progress	Signature of PP and sign LoC amendment.	On-going, at senior official and working levels. Last call took place on January 12, 2022.	Standard processing flow plus: <ul style="list-style-type: none"> Letter of Cooperation (Done) Referral mechanism (Done) 	

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	NATO (472)	Memo + PP signed on Oct. 18 MOU signed on Oct 75	Memo + PP signed on Oct. 18 MOU signed on Oct 25		Ongoing: IRCC Operations working with NATO in the region; GAC's BNATO unit in contact with NATO HQ. NATO has agreed to extend Operation ALLIED SOLACE, including in Kosovo, to Feb 28, 2022.	Standard processing flow plus: <ul style="list-style-type: none"> • MOU (Done) • Public Policies (Done) • Referral mechanism (Done) • Completed referrals for 472 (150 + 322)
	Front Line Defenders and ProtectDefenders.eu	MOUs / PP in place to waive certain eligibility requirements for in-Afghanistan caseload	in place	<p>FLD: contribution agreement relating to identification and referral of HRD signed on January 21, 2022.</p> <p>PD: Budget negotiations for the contribution agreement are ongoing. Once finalized PD will seek approval of the final budget by their Board members and the negotiations of the contribution agreement will move forward.</p> <p>FLD in the process of preparing a group of new applications of Afghan HRDs, roughly 60% of whom are located inside of Afghanistan. For clients in Afghanistan the new <i>Additional Background Information Form</i> for</p>	Engagement with FLD and PD on January 14, 2022 on their funding proposal. Discussed further information required from FLD for transportation MOU with FLD.	Standard processing flow plus: <ul style="list-style-type: none"> • Public Policy for in-Afghanistan (Done) • Referral mechanism for outside of Afghanistan (Done) • Notification of the new Additional Background Information Form for all in-Afghanistan applicants between the ages of 16-79. (Done)

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				<p>all applicants between the ages of 16-79 will need to be provided.</p> <p>Discussions with FLD on movements of persons out of Afghanistan (via leveraging of IRCC's Immigration Loan Program) are ongoing pending review of FLD's operations. The issue of potential contravention of the Criminal Code of Canada is still a concern for any activities in Afghanistan.</p>		
	Prince's Trust Foundation	<p>Operation Safe Haven PP</p> <p>PP for (approved)</p> <p>Total of 657 individuals</p>		<p>TRP processing and arrivals for many of these cases took place under Operation Safe Haven</p> <p>decision-maker, and for exemptions from certain legislative and regulatory requirements (approved).</p> <p>MSBF <u>started</u> submitting applications for the 254 clients using a TRV e-app portal that was developed as a pilot for refugee application information intake. MSBF has confirmed that 2/3 of this cohort are outside of Afghanistan and have travelled to either India or Pakistan.</p> <p>Notification of the requirement to complete the new <i>Additional Background Information Form</i> for all in-Afghanistan applicants between the ages of 16-79 sent on January 25, 2022.</p>	<p>Ministerial-level. Operational level contact with groups to support facilitation.</p> <p>IN met with MSBF on January 13, 2022 to discuss intake.</p>	
		Memo and Public Policy			<p>On January 12, 2022, IN met with authorized representative of this</p>	

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			Memo + PP Signed Dec. 23	Applications have been received and created in GCMS.	group to discuss guardianship of the 3 minor children and collect other necessary information (i.e. family linkages in Canada).	
Privately Sponsored Refugees	Manmeet Singh Bhullar Foundation (Sikhs and Hindus) ()	MOU / Memo and Public Policy / Role: Privately sponsor up to Afghan Sikh and Hindu refugees	in progress in progress			Standard processing flow plus: <ul style="list-style-type: none"> Amended memo and Public Policy to exempt from durable solution requirement (in progress) Amended MOU (in progress) <u>Notification of the new Additional Background Information Form for all in-Afghanistan applicants</u>

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						<u>between the ages of 16-79 sent January 25, 2022.</u>
	Rainbow Coalition for Refuge (LGBTI+) (up to	Rainbow Refugee Assistance Partnership – via various SAH agreement holders / 150 additional RRAP spaces for Afghan PSRs 2022-2024. Have 150 existing spaces for 2022-24 through RRAP. Role: Privately sponsor up to 300 LGBTI+ refugees		Revised Letter of Agreement on Cost-Sharing between IRCC and the Rainbow Refugee Society (Rainbow Refugee Assistance Partnership) revised based on legal review. Meeting to be scheduled in early 2022 to discuss Letter of Agreement.	September 1, 2021: Director-level – expressed interest in referring cases for expedited processing (PSR, BVOR, GAR) With conformation of additional RRAP spaces, partner prepared to take on this commitment. Will expect expedited processing, which will be incorporated into broader PSR strategy.	Standard processing flow plus: <ul style="list-style-type: none"> Completed referrals for RRAP (after agreement reached on allocation)
	Sponsorship Agreement Holder Council (representing all priority groups)	Various Sponsorship Agreement Holders Role: Work with all SAHs to set criteria for distribution and prioritization				Standard processing flow. In relation to new allocation, initial 10 spaces were advance to each SAH on 2 December and are available for immediate use by SAHs as per established application procedure. RASO provided recommended methodology for allocation of remainder of space to ADM-ATT and ADM-Ops on 12 January 2021. Awaiting go ahead from senior management to communicate to SAH Allocation committee. December 10 Discussion with members of SAH council to brainstorm what may be a feasible model to facilitate connection of those who may

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					wish to help Afghans with interested SAHs (e.g. Other persecuted religious minorities and veterans groups) December 17 IRCC officials from SN/RASO/ATT/RAB were given a demonstration of the Welcome Exchange, a platform being used by the USA to respond to donations/needs for refugees. Further discussion within IRCC planned in early 2022 to determine feasibility/cost of using this tool, including an assessment of services/platforms that already exist and needs/priorities.	
	Afghan Women's Organization (representing all priority groups, particularly women at risk)	SAH agreement Role: Privately sponsor refugees		IRCC to engage the organization in advance of the movement of inventory cases out of Tajikistan, for which they have sponsored individuals (applications). Will receive advanced 10 spaces as part of PSR humanitarian pool.	Correspondence received - Offer to sponsor and support sponsorships of others Meeting with IRCC Minister on 16? December 2021.	Standard processing flow.
	Other SAHs – Other Persecuted Religious Minorities (Hazara, Baha'i) and other priority groups	SAH agreement/other Role: Interested in privately sponsoring persecuted minorities and other priority groups		Once ADM approval is received, IRCC to connect CHHS with the SAH Navigation Unit to facilitate connections to the SAH community and potential partnerships.	Oct 22 – IRCC met with The Canadian Hazara Humanitarian Services (CHHS) regarding their interest in the initiative and potential support of Hazaras.	Standard processing flow.
	PSR Existing Inventory (4000)	Groups of Five / Community Sponsor agreements, Quebec Sponsors, SAH agreements			RSTP existing training for new sponsors	

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Afghan-Canadian Interpreters and other veterans groups (#TBD)	TBD – likely a mix of Public Policy, GAR and PSR Role: Support applicants in applying to IRCC via the appropriate streams with some likely acting as or supporting private sponsors			Various meetings over couple of week last weeks, including a meeting with ACI on September 1
Humanitarian and Compassionate Considerations		H&C and memo Case by Case facilitation using H&C	In place	