

s.21(1)(a)



Immigration, Refugees and Citizenship Canada

Immigration, Réfugiés et Citoyenneté Canada

Deputy Minister

Sous-ministre

Ottawa K1A 1L1

F- 01179756

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MEMORANDUM TO THE MINISTER

TEMPORARY PUBLIC POLICY FOR THE RESETTLEMENT OF LOCALLY ENGAGED STAFF OF THE EMBASSY OF CANADA TO AFGHANISTAN

FOR APPROVAL

SUMMARY

- The purpose of this memorandum is to seek your approval for the implementation of a temporary public policy to resettle currently employed locally engaged staff, and accompanying family members, from the Embassy of Canada in Afghanistan. These measures, which were requested by Global Affairs Canada (GAC), would be triggered in the event of an *in extremis* scenario, i.e.: that either an evacuation order is issued or Canada's presence in Afghanistan is downgraded to a representative office.
- The withdrawal of North Atlantic Treaty Organization (NATO) troops from Afghanistan began on May 1, 2021 and is expected to be completed by September 11, 2021.
- This withdrawal has created significant risks with respect to security in the country. The Taliban has begun a systematic assassination campaign targeting civil society, government officials and judges. Locally engaged staff from Canada and allied embassies have begun to receive death threats.
- - GAC has established a list of employed locally engaged staff who would require resettlement to Canada, together with their family members.
- Separate public policies are under consideration for additional individuals who may increasingly be at-risk, including contractors and former interpreters, both of which represent more complex cohorts to identify. Following receipt of a list of declared former Afghan interpreters shared by your office, the Department is actively engaging the Department of National Defence (DND) to assess whether employment records can be confirmed for these individuals. Recommendations on these additional cohorts will be provided under separate cover shortly.
- We recommend that you approve the proposed public policy by signing the attached public policy (see Annex A) at the soonest opportunity to allow the Department to prepare for urgent processing.

BACKGROUND:

- Section 25.2 of the *Immigration and Refugee Protection Act* (the Act) provides you with the authority to develop a temporary public policy to grant foreign nationals permanent residence

s.13(1)(a)
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status and exemptions from certain requirements of the Act and its Regulations, if you deem they are warranted by public policy considerations.

- As the withdrawal of NATO troops from Afghanistan continues, with a final deadline of September 11, 2021, it is anticipated that the security situation in Afghanistan will deteriorate.

Reports of assassination and killings, as well as the kidnapping and extortion of family members of individuals who have been working as locally engaged staff have increased over the last six months.

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- Since 2015, Canada has maintained a diplomatic presence in Afghanistan through its Embassy in Kabul, at which locally engaged staff are currently employed in various capacities. The closure of other Canadian embassies in recent years, including in Damascus and Tehran, did not involve special immigration measures. The situation in Afghanistan is, however, unique due to the very real threat posed to locally engaged staff by the Taliban.
- Should security concerns become acute, GAC will begin procedures to evacuate the Embassy within a one week timeframe. The evacuation or transformation of Canada's presence to a representative office would signal the loss of allied protection and place locally engaged staff at further risk of reprisal by the Taliban.

CURRENT STATUS

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CONSIDERATIONS:

- A temporary public policy for locally engaged staff as described in the first scenario would support an *in extremis* situation, including by allowing officers to begin the screening of individuals to support expedited visa issuance if and when an evacuation or transformation order is made, and facilitate travel and other logistical arrangements in Kabul.
- As established in the enclosed Memorandum of Understanding (see Annex C), GAC is responsible for identifying locally engaged staff (foreign nationals) for whom they have workplace duty of care, and providing a complete list of individuals to the Department for processing, no later than July 14, 2021.
- Immigration, Refugees and Citizenship Canada (IRCC) will be responsible for conducting all admissibility screening and providing final decisions. Inadmissible cases are not eligible for this public policy, noting that per the *Immigration and Refugee Protection Act*, the inadmissibility of one individual renders all family members inadmissible. GAC will be responsible for fulfilling Canada's duty of care for those deemed inadmissible to Canada.
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- Individuals arriving in Canada while travel restrictions are still in place will be subject to pre/post arrival requirements that have been put in place as a result of COVID-19.

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- In preparation for an *in extremis* scenario, GAC is communicating with its locally engaged staff to signal Canada's proposed approach. It is anticipated that these preparations will likely become more widely known via word of mouth, and that Canada will begin to receive pressure to undertake a wider resettlement initiative.

CONSULTATIONS:

- Global Affairs Canada, Canada Border Service Agency, the Canadian Security Intelligence Service, and the International Organization for Migration have been consulted and are supportive of the proposed public policy.

LEGAL IMPLICATIONS:

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COMMUNICATIONS IMPLICATIONS:

- Canada's previous efforts to provide protection to Afghan interpreters received extensive media coverage, with much of it being negative. As social media was not as prevalent in 2009 and 2012, most reaction came via traditional media. While many supported Canada's efforts, detractors criticized the selection criteria, alleging that the Government of Canada left too many people behind who should have received our protection.
- Media interest is expected to increase as troop withdrawal continues and threats to personnel increase. On June 3, 2021, Global News aired a story which spoke about the threat against the interpreters and the growing call for Canada to offer help. On July 8, 2021, media reports, (from an unidentified source), indicated that Canada will be looking to resettle former Afghan interpreters who had supported the Canadian Armed Forces.
- Should the Embassy of Canada to Afghanistan be evacuated, media attention is likely. IRCC would work with GAC to develop responsive key messages that would be used to respond to media and social media enquiries. Operational security will be cited, if pressed for details.

RECOMMENDATION:

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NEXT STEPS:

- Upon approval of this memo and the attached public policy, the Department will proactively begin to process cases and coordinate travel logistics in Afghanistan.
- The Department will return with a separate proposal to specifically address the resettlement of interpreters as well as a scenario where the Embassy remains open, but where ongoing security risks would require ad-hoc resettlement of a wider scope of individuals from Afghanistan.

Caroline Xavier
Associate Deputy Minister

DM Tapley e-approved July 12, 2021
Catrina Tapley
Deputy Minister

Annexes (3):

Annex A: Public Policy

Annex B: Comparative Policy towards Locally Engaged Staff for Relocations

Annex C: Memorandum of Understanding

Additional Instructions :

- 1) Dept's proposed 2500 cap will be revisited within 60 days and may be revised on the advice of GAC and DND
- 2) Dept's proposed expiry subject to review and may be extended

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TEMPORARY PUBLIC POLICY FOR THE RESETTLEMENT OF LOCALLY ENGAGED STAFF OF THE EMBASSY OF CANADA TO AFGHANISTAN

Background

The withdrawal of NATO troops, which began on May 1, 2021 with full withdrawal to be completed by September 2021, is creating significant risks with respect to security in the country. Security concerns in Afghanistan may increase to the point that Canada must evacuate its Embassy or transform its presence to be a representative office.

If the Embassy of Canada to Afghanistan (Embassy) is evacuated or Canada's presence is transformed to be a representative office, locally engaged staff (LES) are very likely to face an increased risk of being targeted for attacks and assassination campaigns due to the perception by insurgents that they have supported "western interests". There is a risk that LES will be left with no safe location in which to take refuge.

The *Temporary Public Policy for the Resettlement of Locally Engaged Staff of the Embassy of Canada to Afghanistan* recognizes the high vulnerability and elevated risk faced by certain staff members from the Embassy as well as their accompanying family members and certain other members of their family as specified below. This new temporary public policy will, in the event of an Embassy evacuation or transformation of Canada's presence to a representative office, facilitate the immigration of LES and their family members to Canada as members of the Convention Refugee Abroad Class of the *Regulations*.

I hereby establish that, in light of the foregoing, there are sufficient public policy considerations to justify granting exemptions, pursuant to section 25.2 of the *Immigration and Refugee Protection Act* "the Act", to the requirements of the provisions of the *Act* and *Regulations* listed below, for foreign nationals who are LES of the Embassy, and their accompanying members of their family or household members, who apply for a permanent resident visa as members of the Convention Refugee Abroad Class and meet the conditions set out below, as well as all admissibility requirements as set out in the *Act*.

Part 1: Conditions (eligibility requirements) applicable to LES at the Embassy:

Delegated officers may grant an exemption from the requirements of the *Regulations* identified below when the following conditions are met:

1. The foreign national is included on a list (the List) submitted to the Department of Immigration, Refugees and Citizenship Canada (IRCC) by Global Affairs Canada on or before Wednesday July 14, 2021. The foreign nationals included on the List are referred to IRCC by the Head of Mission in Afghanistan, on the basis of an assessment performed by Global Affairs Canada. Global Affairs Canada's assessment has verified that each individual identified on the List is an LES at the Embassy; and

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2. The Embassy has been ordered to evacuate or Canada's presence is transformed to be a representative office, and this order evacuate or transform is given on a date between the signature of this public policy and January 31, 2022;

Requirements of the provisions of the *Act* and *Regulations* for which an exemption may be granted:

- paragraph 96(a) of the *Act* – the requirement to be outside the country of their nationality to be a member of the Convention refugee abroad class;
- paragraph 139(1)(g) of the *Regulations*– the requirement to be able to become successfully established in Canada;
- subsection 140.3(1) of the *Regulations* – the requirement to submit a referral from a referral organization with their permanent resident application;
- subsection 140.3(4) of the *Regulations* – the requirement to submit their permanent resident application to the immigration office that serves the foreign national's place of residence;
- paragraphs 151(b) and (c) of the *Regulations* – the requirement to meet the conditions of these paragraphs to be issued a temporary travel document; and,
- section 307 of the *Regulations* – the requirement to pay the application processing fee for examining circumstances under subsection 25.2(1) of the *Act*.

Part 2: Condition (eligibility requirements) applicable to members of the family or household members of an LES at the Embassy:

Delegated officers may grant an exemption from the requirements of the *Act* and *Regulations* identified below to a member of the family or household member of a LES if:

1. The foreign national meets the definition of a “*family member*” in subsection 1(3) of the *Regulations* and is a “*family member*” per this definition of a LES who meets the conditions set out in Part 1 of this public policy;
2. The foreign national meets the definition of a “*de facto dependent*” as per the operational procedure 5 subsection 6.13 (Annex A) and is a “*de facto dependent*” of an LES who meets the conditions set out in Part 1 of this public policy; or
3. The foreign national resides within the same household as an LES who meets the conditions set out in Part 1 of this public policy and is a, father, mother, brother, brother-in-law, sister, sister-in-law, grandfather, grandmother, grandchild, uncle, aunt, nephew, niece, cousin or legal guardian of child who resides in the household.

Requirements of the provisions of the *Act* and *Regulations* for which an exemption may be granted:

- paragraph 96(a) of the *Act* – the requirement to be outside the country of their nationality to be a member of the Convention refugee abroad class;
- paragraph 139(1)(g) of the *Regulations*– the requirement to be able to become successfully established in Canada;

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- subsection 140.3(1) of the *Regulations* – the requirement to submit a referral from a referral organization with their permanent resident application;
- subsection 140.3(4) of the *Regulations* – the requirement to submit their permanent resident application to the immigration office that serves the foreign national's place of residence;
- paragraphs 151(b) and (c) of the *Regulations* – the requirement to meet the conditions of these paragraphs to be issued a temporary travel document; and,
- section 307 of the *Regulations* – the requirement to pay the application processing fee for examining circumstances under subsection 25.2(1) of the Act.

Other statutory eligibility and admissibility requirements:

Foreign nationals eligible under this public policy and all accompanying family members are subject to all other applicable statutory eligibility and admissibility requirements not addressed by this temporary public policy, including the requirement not to be inadmissible on criminal, security and health grounds.

Applicants intending to reside in Quebec are subject to the Province of Quebec's selection criteria further to subsection 70(3) of the Regulations, and cannot be granted permanent residence unless Quebec determines that they meet such criteria.

Coming into effect and expiration

This temporary public policy takes effect on the date of my signature and it may be revoked at any time. If the Embassy of Canada to Afghanistan has not received an order to evacuate or transform Canada's presence to be a representative office by January 31, 2022, the public policy ends on that date and all pending applications under this public policy will be refused.

Additional Instructions: Remove implementation trigger event (evacuation or embassy downgrade) and instead instruct that implementation of public policy shall take account GAC and DND operational requirements in Kabul



The Honourable Marco E. L. Mendicino, P.C., M.P.
Minister of Citizenship and Immigration
Dated at Ottawa, this 22nd day of July 2021

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Annex A

IRCC's Operational Procedures 5 subsection 6.13

De facto dependents (who may or may not be blood relatives) do not meet the definition of family members. The officer must be satisfied that these persons are dependent on the family unit in which membership is claimed and cannot apply as a family member. The dependency may be emotional or economic and will often be a combination of these factors. Such persons would normally, but not exclusively, reside with the principal applicant (PA) as members of the same household.

**Pages 10 to / à 11
are withheld pursuant to sections
sont retenues en vertu des articles**

13(1)(a), 15(1)(i)i)

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

Page 11

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de la Loi sur l'accès à l'information**

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sont retenues en vertu des articles**

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

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

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

MEMORANDUM OF UNDERSTANDING (MOU)

BETWEEN

**THE DEPARTMENT OF IMMIGRATION, REFUGEES AND CITIZENSHIP
CANADA**

**herein referred to as “IRCC”
and**

**GLOBAL AFFAIRS CANADA
herein referred to as “GAC”**

Collectively referred to as the “Participants”

Preamble

WHEREAS the Minister of Immigration, Refugees and Citizenship may, in examining the circumstances concerning a foreign national who is inadmissible or who does not meet the requirements of the *Immigration and Refugee Protection Act* (S.C.2001, c 27) (“the Act”), grant that person permanent resident status or an exemption from any applicable criteria or obligations of this Act if the Minister is of the opinion that it is justified by public policy considerations;

WHEREAS the Minister established on July 22, 2021, the *Temporary Public Policy for the Resettlement of Locally Engaged Staff of the Embassy of Canada to Afghanistan* (“the public policy”) under section 25.2 of the Act;

REAFFIRMING that Global Affairs Canada will be responsible for fulfilling Canada’s duty-of-care for any individuals deemed inadmissible to Canada;

WHEREAS the Participants are committed to work together in the spirit of cooperation and mutual interest to implement this public policy;

REAFFIRMING that resettlement and other forms of humanitarian admission for refugees or persons in refugee-like situations from overseas is part of Canada’s humanitarian tradition, and reflects its commitment to share responsibility for the world’s displaced and persecuted;

ACKNOWLEDGING that the *Canadian Charter of Rights and Freedoms* provides constitutional protection to one’s reasonable expectation of privacy and that further privacy protection exists in the *Immigration and Refugee Protection Act*, the *Privacy Act* (R.S.C., 1985, c. P-21), the *Personal Information Protection and Electronic Documents*

Act and other Canadian federal statutes;

The Participants, therefore, have agreed as follows:

Purpose

The purpose of this MOU is to establish a formal mechanism that sets out the roles and responsibilities of the Participants in the implementation of the *Temporary Public Policy for the Resettlement of Locally Engaged Staff of the Embassy of Canada to Afghanistan*.

Roles and Responsibilities

The roles and responsibilities of the Participants in the implementation of the public policy are as follows:

1. GAC will:
 - a) Determine the criteria for eligibility of locally engaged staff at the Embassy of Canada to Afghanistan who will benefit from the *Temporary Public Policy for the Resettlement of Locally Engaged Staff of the Embassy of Canada to Afghanistan*;
 - b) Submit a finalized list of eligible foreign nationals (including names and dates of birth of principal applicants) to IRCC on or before July 14, 2021;
 - c) Review the list provided to IRCC should any new information emerge that may impact upon an individual's eligibility for inclusion on the list referenced above in 1(b);
 - d) Inform applicants that, while they have been included on the list of foreign nationals to IRCC, all applicants, including accompanying family members, must undergo and pass non-exempted statutory eligibility and admissibility requirements by IRCC, noting that if they do not meet all the requirements they may not be able to resettle to Canada;
 - e) Ensure eligible applicants referenced in the list set out in 1(b) have access to required IRCC application forms (i.e. Schedule A / IMM008) and support in preparation of applications;

2. IRCC will:
 - a) Consider granting exemptions from relevant criteria and obligations of the Act and the *Immigration and Refugee Protection Regulations* (IRPR) to facilitate the resettlement of each foreign national and their accompanying family members in accordance with the public policy;
 - b) Process the applications, which will include all non-exempted statutory eligibility and admissibility determinations (including medicals, biometrics, etc.);
 - c) Render a decision pertaining to whether the foreign national and their accompanying family members are eligible and admissible under the

- Government-Assisted Refugees (GAR) Program;
- d) Issue travel documents to approved foreign nationals and their accompanying family members to facilitate travel to Canada;
 - e) Work with the International Organization for Migration (IOM) and other Government partners, where necessary, to coordinate travel to Canada of approved applicants; and,
 - f) Allocate the resources required to facilitate the processing and issuance of visas, travel and settlement and integration supports upon applicants' arrival in Canada.

General Requirements

3. The Participants will abide by the conditions, requirements and criteria set out in the enclosed public policy as well as in this MOU.
4. Under this MOU, GAC is responsible for identifying principal applicants who would benefit from this public policy; IRCC is responsible for processing the immigration applications and determining admissibility for each applicant.

Post-Arrival / Settlement

1. IRCC will ensure that all applicants receive settlement and integration support upon arrival to Canada as Government-Assisted Refugees, including: at least one year of income support, orientation to their new community, lodging, support to access language classes and settlement services as well as in obtaining provincial health care and access to provincial and federal services.

Privacy Safeguards

2. The Participants recognize that personal information, as defined in the *Privacy Act*, will be managed in accordance with any applicable legislation, including *the Privacy Act* and *the Personal Information Protection and Electronic Documents Act* (S.C. 2000, c.5) or applicable provincial and territorial governments' privacy legislation.
3. The Participants undertake to maintain, respect and protect fully the confidentiality of the information received under this MOU and not to release it to anyone other than the individual to whom it relates, unless such release is clearly authorized herein or specifically required by law.
4. GAC will notify IRCC prior to disclosure should any information collected by or provided to them require disclosure to a foreign government or to any individual not expressly authorized to collect it under this MOU.
5. In order to prevent the unauthorized access, disclosure, copying, use or

modification of information provided to a Participant under this MOU, the receiving Participant is to restrict access to such information on a need-to-know basis, and use recognized security mechanisms, such as passwords, encryption or other reasonable safeguards.

6. If any personal information is accessed, disclosed, used, copied or modified without authorization, GAC will notify IRCC within five business days of the incident and will propose mitigation measures.
7. GAC will obtain the applicants' consent to collect and disclose their personal information to IRCC. Applicants will provide this consent; if this consent is not obtained, the application will not be processed.

Designated Representatives

8. The following designated officials have overall administrative responsibility for this MOU and its annexes:

Designated Officials

IRCC:

Assistant Deputy Minister, Operations
Immigration, Refugees and Citizenship Canada
365 Laurier Avenue West
Ottawa, ON K1A 1L1

GAC:

Assistant Deputy Minister, Asia
Global Affairs Canada
125 Sussex Drive
Ottawa, ON K1A 0G2

Final Dispositions

9. This MOU is an administrative arrangement that reflects the understandings of the Participants and is not intended to be legally binding.
10. The MOU shall come into effect on the date that it is signed by the last Participant.
11. The MOU shall remain in effect until the obligations of GAC for all applicants resettled or refused under this public policy are fulfilled.
12. The MOU may only be amended by the mutual written consent of the Participants.

13. Any disagreement with respect to this MOU that cannot be resolved through consultation between the Participants will be referred for resolution to the designated representatives of this MOU.
14. This MOU may be terminated by any of the Participants by providing 30 days written notice to the other Participants.
15. If the MOU is terminated, GAC will be responsible for any outstanding duty-of-care obligations for locally engaged staff at the time of the termination.

Signatures

For IRCC

Daniel Mills
Assistant Deputy Minister, Operations
Immigration, Refugees and Citizenship Canada

Date

Marian Campbell Jarvis
Assistant Deputy Minister, Strategic and Program Policy
Immigration, Refugees and Citizenship Canada

Date

For GAC

Paul Thoppil
Assistant Deputy Minister, Asia
Global Affairs Canada

Date

TEMPORARY PUBLIC POLICY FOR THE RESETTLEMENT OF LOCALLY ENGAGED STAFF OF THE EMBASSY OF CANADA TO AFGHANISTAN

Background

The withdrawal of NATO troops, which began on May 1, 2021 with full withdrawal to be completed by September 2021, is creating significant risks with respect to security in the country. Security concerns in Afghanistan may increase to the point that Canada must evacuate its Embassy or transform its presence to be a representative office.

If the Embassy of Canada to Afghanistan (Embassy) is evacuated or Canada's presence is transformed to be a representative office, locally engaged staff (LES) are very likely to face an increased risk of being targeted for attacks and assassination campaigns due to the perception by insurgents that they have supported "western interests". There is a risk that LES will be left with no safe location in which to take refuge.

The Temporary Public Policy for the Resettlement of Locally Engaged Staff of the Embassy of Canada to Afghanistan recognizes the high vulnerability and elevated risk faced by certain staff members from the Embassy as well as their accompanying family members and certain other members of their family as specified below. This new temporary public policy will, in the event of an Embassy evacuation or transformation of Canada's presence to a representative office, facilitate the immigration of LES and their family members to Canada as members of the Convention Refugee Abroad Class of the Regulations.

I hereby establish that, in light of the foregoing, there are sufficient public policy considerations to justify granting exemptions, pursuant to section 25.2 of the Immigration and Refugee Protection Act "the Act", to the requirements of the provisions of the Act and Regulations listed below, for foreign nationals who are LES of the Embassy, and their accompanying members of their family or household members, who apply for a permanent resident visa as members of the Convention Refugee Abroad Class and meet the conditions set out below, as well as all admissibility requirements as set out in the Act.

Part 1: Conditions (eligibility requirements) applicable to LES at the Embassy:

Delegated officers may grant an exemption from the requirements of the Regulations identified below when the following conditions are met:

1. The foreign national is included on a list (the List) submitted to the Department of Immigration, Refugees and Citizenship Canada (IRCC) by Global Affairs Canada on or before Wednesday July 14, 2021. The foreign nationals included on the List are referred

to IRCC by the Head of Mission in Afghanistan, on the basis of an assessment performed by Global Affairs Canada. Global Affairs Canada's assessment has verified that each individual identified on the List is an LES at the Embassy; and

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2. The Embassy has been ordered to evacuate or Canada's presence is transformed to be a representative office, and this order evacuate or transform is given on a date between the signature of this public policy and January 31, 2022;

Requirements of the provisions of the Act and Regulations for which an exemption may be granted:

paragraph 96(a) of the Act – the requirement to be outside the country of their nationality to be a member of the Convention refugee abroad class; paragraph 139(1)(g) of the Regulations – the requirement to be able to become successfully established in Canada; subsection 140.3(1) of the Regulations – the requirement to submit a referral from a referral organization with their permanent resident application; subsection 140.3(4) of the Regulations – the requirement to submit their permanent resident application to the immigration office that serves the foreign national's place of residence; paragraphs 151(b) and (c) of the Regulations – the requirement to meet the conditions of these paragraphs to be issued a temporary travel document; and, section 307 of the Regulations – the requirement to pay the application processing fee for examining circumstances under subsection 25.2(1) of the Act.

Part 2: Condition (eligibility requirements) applicable to members of the family or household members of an LES at the Embassy: Delegated officers may grant an exemption from the requirements of the Act and Regulations identified below to a member of the family or household member of a LES if:

1. The foreign national meets the definition of a “family member” in subsection 1(3) of the Regulations and is a “family member” per this definition of a LES who meets the conditions set out in Part 1 of this public policy; 2. The foreign national meets the definition of a “de facto dependent” as per the operational procedure 5 subsection 6.13 (Annex A) and is a “de facto dependent” of an LES who meets the conditions set out in Part 1 of this public policy; or 3. The foreign national resides within the same household as an LES who meets the conditions set out in Part 1 of this public policy and is a, father, mother, brother, brother-in-law, sister, sister-in-law, grandfather, grandmother, grandchild, uncle, aunt, nephew, niece, cousin or legal guardian of child who resides in the household.

Requirements of the provisions of the Act and Regulations for which an exemption may be granted:

□ paragraph 96(a) of the Act – the requirement to be outside the country of their nationality to be a member of the Convention refugee abroad class; □ paragraph 139(1)(g) of the Regulations – the requirement to be able to become successfully established in Canada;

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□ subsection 140.3(1) of the Regulations – the requirement to submit a referral from a referral organization with their permanent resident application; □ subsection 140.3(4) of the Regulations – the requirement to submit their permanent resident application to the immigration office that serves the foreign national's place of residence; □ paragraphs 151(b) and (c) of the Regulations – the requirement to meet the conditions of these paragraphs to be issued a temporary travel document; and, □ section 307 of the Regulations – the requirement to pay the application processing fee for examining circumstances under subsection 25.2(1) of the Act.

Other statutory eligibility and admissibility requirements:

Foreign nationals eligible under this public policy and all accompanying family members are subject to all other applicable statutory eligibility and admissibility requirements not addressed by this temporary public policy, including the requirement not to be inadmissible on criminal, security and health grounds.

Applicants intending to reside in Quebec are subject to the Province of Quebec's selection criteria further to subsection 70(3) of the Regulations, and cannot be granted permanent residence unless Quebec determines that they meet such criteria.

Coming into effect and expiration

This temporary public policy takes effect on the date of my signature and it may be revoked at any time. If the Embassy of Canada to Afghanistan has not received an order to evacuate or transform Canada's presence to be a representative office by January 31, 2022, the public policy ends on that date and all pending applications under this public policy will be refused.

Additional Instructions: Remove implementation trigger event (evacuation or embassy downgrade) and instead instruct that implementation of public policy shall take account GAC and DND operational requirements in Kabul

The Honourable Marco E. L. Mendicino, P.C.,
M.P. Minister of Citizenship and Immigration Dated at Ottawa, this 22nd day of July
2021

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Annex A

IRCC's Operational Procedures 5 subsection 6.13

De facto dependents (who may or may not be blood relatives) do not meet the definition of family members. The officer must be satisfied that these persons are dependent on the family unit in which membership is claimed and cannot apply as a family member. The dependency may be emotional or economic and will often be a combination of these factors. Such persons would normally, but not exclusively, reside with the principal applicant (PA) as members of the same household.