



Citizenship and
Immigration Canada

Citoyenneté et
Immigration Canada

IP 3

In Canada Processing of Convention Refugees Abroad and Members of the Humanitarian Protected Persons Abroad Classes

Part 1 (General)

Part 1 (General)

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Updates to chapter

Listing by date:

Date: 2003-11-14

The major changes that were made to this chapter include:

Part 1 - General

Added definitions for common-law (Section 6.3), community sponsor (Section 6.4), dependants (Section 6.12), durable-solution (Section 6.15), eligibility (Section 6.16), International Organization for Migration (Section 6.24), and Resettlement Assistance Program (Section 6.35).

Deleted definitions for “excessive medical demand” and “Pre-Approved Plan.”

Simplified definition of “family member” in Section 6.17.

Modified definitions of “special needs cases” (Section 6.41), “sponsorship breakdown” (Section 6.46), and “sponsorship default” (Section 6.47).

Repackaged “de facto dependant” information in Section 6.11.

Enhanced Section 7 on “Destining refugees”.

Removed duplicate information re: IFH administration in Section 10.

Part 2 – Resettlement Assistance Program (RAP)

Minor changes to Section 15.4 “Purchase of luxury items”, Section 16.7 “Clothing allowance”, Section 16.8 “School start-up allowance”, Section 16.11 “Basic household needs allowance”, Section 16.17 “Burial expenses”, Section 17.1 “How to calculate the start-up cheque”, Section 17.4 “Sharing of housing”, and Section 18.4 “In-transit expenditures”.

“May be approved” changed to “should be approved” in the first sentence of Section 16.14, of Section 16.15, and of Section 16.16.

Deleted section entitled “Assistance loans for lost cheques.”

Section 22.2, formerly entitled “25% rule” is renamed to “Earning exemptions and employment” and the information is updated.

Part 3 – Private Sponsorship of Refugees Program

Removed sections entitled “Service standards and processing benchmarks”, “Revoking a sponsorship agreement”, “Sponsor responsibilities for following dependants under OYW”, and “Sponsorship revocation”.

Changed Section 30.2 “Release of information without consent”, Section 30.3 “Disclosure waiver”, Section 36.5 “In-kind donations”, Section 45.1 “Sponsorship breakdown versus sponsorship default”, and Section 46.1 “Sponsorship default versus sponsorship breakdown”.

Rewrote Section 31 “Sponsor Eligibility”.

Updated Section 33.3 “Necessary documentation”, Section 40.7 “Completing the Case Processing Support (CPS) Menu”, Section 40.11 “FOSS sponsor information”, Section 41 “One-year window of

opportunity program (OYM)", Section 34 "Sponsorship Agreement Holders (SAHs): Assessment of Undertakings", Section 35 "Constituent Groups (CGs): Assessment of Undertakings", Section 39.3 "Actions for approved sponsorship applications – sponsor-referred cases", and Section 42.1 "Processing extended sponsorships".

Part 4 – Joint Assistance Sponsorship Program (JAS)

Changed Section 52.1 "Unaccompanied minors".

Removed section entitled "Process for minor refugees without family in Canada or abroad".

Part 5 – Appendices

Removed former Appendix A: Global Refugee Resettlement Targets.

Updated Appendix A (formerly Appendix B): CIC Coding for Resettlement Categories.

Added Appendix A (formerly Appendix C) – Annex 2: RAP Change of Status Form.

Minor changes to Appendix B (formerly Appendix C) – Annex 12: Federal Benefits Package.

Updated Appendix C (formerly Appendix E) – Annex 1: List of Sponsorship Agreement Holders (SAHs), and Annex 2: Sponsorship Agreement.

Added Appendix D (formerly Appendix E) – Annex 13: Schedules I and II of the Corrections and Conditional Release Act.

Appendix O – Special Projects has been added to this chapter.

IP 3 Part 1(General) - In Canada Processing of Convention Refugees Abroad and Members of the Humanitarian-Protected Persons Abroad Classes

1 What this chapter is about

IP 3 provides:

- an overview of Canada's refugee and humanitarian resettlement policies and programs;
- information regarding Convention refugees abroad and members of the Humanitarian-protected persons abroad classes (Country of asylum and Source country classes);
- guidelines and information regarding the Private Sponsorship of Refugees Program; and
- details of the Resettlement Assistance Program available to government-assisted refugees.

Note: References in this document to “refugee” include Convention refugees abroad and members of the Humanitarian-protected persons abroad classes (Country of asylum and Source country classes).

Note: This chapter complements the Overseas selection and processing of Convention refugees abroad class and members of the Humanitarian-protected persons abroad classes, Manual Chapter OP 5 . OP 5 contains guidelines for processing applications from refugees overseas.

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2 Program objectives

The objective of Canada's Refugee and Humanitarian Resettlement Program is to uphold Canada's humanitarian tradition as outlined in paragraphs A3(a)(b)(d)(f) of the *Immigration and Refugee Protection Act*.

CIC's policy regarding refugee resettlement includes the following principles:

- protection rather than ability to establish;
- facilitation of refugee family reunification;
- development of closer relationship with partners; and
- facilitating the admission of urgent protection cases.

2.1 Humanitarian component of the immigration program

Canada includes a humanitarian component in its immigrant program.

Canada resettles refugees from abroad

- for humanitarian reasons;
- to meet its international responsibilities; and
- to respond to international crises by providing protection to and durable solutions for refugees.

In 1969, Canada signed both the *1951 Geneva Convention Relating to the Status of Refugees* and the *1967 Protocol*. These international instruments oblige Canada to protect refugees on its territory and provide standards on the treatment of refugees.

The Humanitarian-protected persons abroad classes (HPC) assist persons in "refugee-like" situations where their admission would be in accordance with Canada's humanitarian tradition. It broadens the Convention refugee definition.

Refugees who meet Canada's eligibility and admissibility criteria are considered for resettlement because they are deemed to be at risk, are seeking family reunification, or have met other valid conditions.

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3 The Act and Regulations

For information about	Refer to	Notes
Ability to establish	R139(1)(g)(i),(ii),(iii),(iv) (General requirements)	
Annual report to Parliament	A94	
Applicants from signatory countries	A102(a)(b)(c) R146 (Humanitarian-protected persons abroad)	
Convention refugees	A96	
Convention refugees abroad class	R144 and R145 (Convention refugees abroad class and Member of convention refugees abroad class)	
Country of asylum class	R146 and R147 (Humanitarian-protected persons abroad and Member of asylum class)	
Criminal inadmissibility	A36(1)(a)(b)(c) A36(2)(a)(b)(c)(d) A37(1)(a)(b)	A36(1) applies to serious criminality A36(2) applies to criminality A37(1) applies to organized criminality
Documents: Status document	A31(1) Status document R53(1) Document indicating status	
Documents required: Permanent residents	R50(1) (Documents permanent residents)	R50(2) (Documents - permanent residents: Exception - protected persons) exempts protected persons from R50(1)
Durable solution	R139(1)(d) (General requirements)	

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Eligibility	A11(1) R139, R140 and R142 (General requirements, class of family members, and family members)	A101 applies to ineligibility
Examination (inland)	A15(1), A16, A17, A18, A20(1)(a), A21 R28 (Examination)	
Family reunification	A3(1)(d) R141(1), R142 (Non- accompanying family member, family members)	
Federal-provincial agreements	A8(1)(2)	
Humanitarian-protected persons abroad class (HPC)	A99(2) R146(1)(a)(b), R147, R148 (Humanitarian- protected persons abroad, Member of asylum class and Member of source country class)	
Inadmissibility	A33 to A43	Please refer to Criminal Inadmissibility, Security Inadmissibility and Medical Inadmissibility A38(1)(a)(b) deal with medical inadmissibility
Inadmissible family members	A42(a)(b) R141(1)(c) (Non- accompanying family member)	A42(b) exempts protected persons from inadmissibility based on family membership
Joint assistance sponsorships	A154(1)	
Judicial review of refusals	A72 to A74	
Managing access	R150	

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Medical examination	R30(1)(a) (Medical examination required) R30(3) for medical surveillance R30(4) for medical certificate R31, R32, R33 (Public health, Conditions and Public safety)	
Medical inadmissibility	A38(1)(a)(b) R30(1)(a) requires all refugees to submit to a medical examination	A38(2) exempts Convention refugees or a person in similar circumstances from A38(1)(c).
One-year window of opportunity (non-accompanying family members)	R141, R142 (non-accompanying family members)	
Permanent Resident Card	A31(1), A32(f) R53(1)(a), R54(b), R57, R56(2), R58(1) (Document indicating status, Period of validity, Applicants, Definition and issuance within 180 days.)	
Permit holders class (Temporary residents)	A20(1)(b), A22(2), A24(1)(2), A26 R63, R64, R65 (Period of permit's validity, Permit holders class, Member of class)	
Private sponsorship of refugees	A13, A14(2)(e) R136, R152 to R157 (Suspension, Sponsorship agreement and Joint assistance sponsorship)	
Province of Quebec	A8, A9 R71, R72(3), R139(1)(h), R158 (Issuance, authorization, Quebec sponsor)	

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Security inadmissibility	A34(1)(a)(b)(c)(d)(e)(f), A35(1)(a)(b)(c) R14(a), R15, R16, R17(a),(b) Application of paragraphs A34(1)(c), A35(1)(a) and A35(1)(b) and prescribed period)	
Self-supporting applicants	R139(1)(f)(iii) (General requirements)	
Source country class	A99(2) R146(1)(b), R148 (Humanitarian-protected persons abroad and Member of Source country class)	
Source country schedule	R148(2)(d) (Member of Source country class) Schedule 2 (<i>Regulations</i>)	
Statelessness	Statelessness can be <i>de jure</i> (by law) or <i>de facto</i> (by fact)	Please refer to the UN conventions: Convention relating to the Status of Stateless Persons of September 28, 1954 Convention on the Reduction of Statelessness These conventions can be found at http://www.unhcr.ch
Travel documents	A14(2)(b), A32(f) R151 (Travel document)	
Urgent protection cases	R138	“urgent need of protection”
Visa issued	A11, A14(2)(b) R139(1) (General requirements)	R50(2) exempts Convention refugees abroad and Humanitarian- protected persons abroad classes with valid and subsisting visas from the requirement to present a valid passport.

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Vulnerable protection cases	R138	“vulnerable”
War crimes/criminals	A35(1)(b)	
Women at risk (AWR)	See Section 6.56	Please refer to Appendix B.

3.1 Forms

The forms required are shown in the following table.

Form title	Form number
Application for Permanent Residence (Generic)	IMM 0008EGEN
Schedule 2 – Refugees Outside Canada	IMM 0008Esch2
Immigrant Visa and Record of Landing	IMM 1000
FOSS Full Document Entry	IMM 1442
Generic document: Confirmation of Permanent Residence	IMM 5292B
Permit to Come into or Remain in Canada	IMM 1263B
Immigrant Loan and Undertaking to Repay	IMM 0501B
Immigration Loan / Contribution	IMM 0500E
Immigrant Loans (Assistance Loan)	IMM 5355B
Medical Surveillance Undertaking	IMM 0535B
Request for a Refugee Profile	IMM 5438E
Undertaking/Application to Sponsor – SAHs and CGs	IMM 5439E
Settlement Plan – SAHs and CGs	IMM 5440E
Document Checklist – SAHs and CGs	IMM 5441E
Undertaking/Application to Sponsor – Groups of Five	IMM 5373E
Settlement Plan and Financial Assessment – Groups of Five	IMM 5373AE
Group Member’s Financial Profile – Groups of Five	IMM 5373BE
Document Checklist – Groups of Five	IMM 5437E
Undertaking/Application to Sponsor – Community Sponsors	IMM 5514E
Settlement Plan and Financial Assessment – Community Sponsors	IMM 5515E
Document Checklist – Community Sponsors	IMM 5517E
Request for a Joint Assistance Sponsorship Refugee Profile	IMM 5504E

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Undertaking/Application to Sponsor – Joint Assistance Sponsorship	IMM 1324E
Settlement Plan – Joint Assistance Sponsorship	IMM 5494E
Document Checklist – Joint Assistance Sponsorship	IMM 5495E
Sponsor Assessment	IMM 5492E

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4 Instruments and delegations

4.1 Signing Authorities

Full authority to sign RAP contribution agreements and payments may be delegated by the Minister to the local CIC Office Manager.

Signing authority for basic needs of life, including basic household needs, to a maximum of \$15,000, may be delegated to positions not lower than:

- RAP counsellor;
- officer; or
- equivalent.

Full authority to approve income support payments in the amount of the approved agreements may be delegated to positions not lower than:

- RAP counsellor;
- officer; or
- equivalent.

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5 Departmental policy

5.1 Background

Over the past 50 years, the people and government of Canada have excelled in providing humanitarian assistance to people fleeing persecution in their homeland or displaced by conflicts. Since World War II, Canada has resettled over 700,000 Convention refugees and persons in “refugee-like” situations.

Canada has chosen to protect persons for humanitarian reasons, to meet its international responsibilities and to respond to international crises. In 1969, Canada signed both the *1951 Geneva Convention relating the Status of Refugees* and the *1967 Protocol*. These international instruments oblige Canada to protect refugees on its territory. Canada has also made a commitment to resettle refugees from overseas for humanitarian reasons.

We have established the Refugee and Humanitarian Resettlement Program that resettles Convention refugees (CR) and members of the Country of asylum (RA) and Source country (RS) Classes included in the Humanitarian-protected persons abroad class.

Four core principles govern the Refugee and Humanitarian Resettlement Program. These principles place increased emphasis on the protection of refugees and people in “refugee-like” situations by emphasizing:

- a shift toward protection rather than ability to establish;
- rapid family reunion;
- accelerated processing of urgent and vulnerable protection cases; and
- balancing inclusiveness with effective management through closer relationships with partners.

The following table provides additional information:

Principle	Detailed description
Protection	As an instrument of protection, resettlement remains the best solution for some refugees. By placing emphasis on protection, the assessment of a refugee’s ability to establish in Canada must be balanced against their protection needs. Refugees who meet the regulatory definitions of “urgent protection” or “vulnerable” are exempt from ability to establish. Refugees for whom resettlement is an instrument of protection include those in need of urgent protection and those who have been identified as being members of vulnerable or “at risk” groups such as women at risk, survivors of torture and victims of violence.
Rapid family reunification	Canada looks sympathetically at reunifying family members of refugees in Canada and keeping refugee families together. In order to facilitate the rapid reunification of families, the Refugee and Humanitarian Resettlement Program allows for the concurrent processing of refugee families. Where this is not possible, the One-Year Window of Opportunity (for non-accompanying family members) facilitates their rapid reunion in Canada.

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Urgent and expedited processing	In order to ensure Canada is able to quickly identify refugees most in need of protection and expedite their processing, definitions of “urgent” and “vulnerable” have been developed. This allows for the use of transparent criteria in the determination of processing priorities and exemptions.
Closer relationships with partners	Flexibility in the Refugee and Humanitarian Resettlement Program, such as the enhanced sponsorship programs, has increased the number of persons who can seek access to Canada. Budgetary requirements and effective use of resources necessitate the management of the flow of applications. In meeting the goal of strengthening relationships with partners, CIC has a commitment to consult with all stakeholders.

5.2 Immigration agreements

The *Immigration and Refugee Protection Act* allows the Minister to enter into agreements with provinces and territories on sharing responsibility for immigration.

All provinces and territories meet regularly with federal-provincial working groups to discuss a wide range of immigration issues.

The provinces and territories that have an agreement with CIC regarding immigration are identified in the information table found at the following website indicated below:

<http://www.cic.gc.ca/english/press/conference/overview.html>

5.3 Canada-Quebec Accord

The Canada-Quebec Accord is the most comprehensive of the provincial agreements. Signed in 1991, it gives Quebec selection powers and control over its own settlement services.

Canada retains responsibility for:

- defining immigration categories;
- setting levels;and
- enforcement.

The Canada-Quebec Accord specifically gives Quebec sole responsibilities for selecting all independent immigrants and refugees abroad who are destined to Quebec.

Those selected by the province receive a *Certificat de sélection du Québec (CSQ)*. The federal government ensures that statutory admission requirements (medical, criminal and security checks) are met before issuing a visa.

For more information, please refer to:

<http://www.mrci.gouv.qc.ca> (Ministère des Relations avec les citoyens et de l'Immigration)

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6 Definitions

6.1 Admissibility

For Convention refugees abroad and members of the Country of asylum and Source country classes, admissibility includes both the statutory requirements (medical, security, criminality) and an assessment of applicants' ability to establish themselves successfully in Canada. The statutory requirements appear in A34 to A38.

6.2 Blended Initiatives

CIC may form partnerships with SAHs on "blended initiatives." Under such initiatives, responsibilities for benefits to resettle refugees may be shared.

The RAP Terms and Conditions currently allow only SAHs and Constituent Groups (CGs) to participate in blended sponsorship initiatives.

6.3 Common-law relationships

"Common-law partner" means a person who is cohabiting in a conjugal relationship with another person either of the opposite sex or same sex, having so cohabited for a period of at least one year.

6.4 Community sponsor

A Community Sponsor may be:

- an organization;
- an association; or,
- a corporation.

It is **not** necessary that the organization, association or corporation be incorporated under federal or provincial law.

6.5 Computer-Assisted Immigration Processing System (CAIPS)

For information, please refer to:

http://cicintranet/cicexplore/english/systmguides/caips_stidi/index.htm

6.6 Co-sponsor

A sponsoring group may choose to formally partner with an individual (e.g., a family member of the sponsored refugee living in Canada) and/or another organization in carrying out settlement duties. The partner is termed a "**co-sponsor**".

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6.7 Constituent Group

Constituent Groups (CGs) are local groups that are associated with a Sponsorship Agreement Holder (SAH) to sponsor under its agreement. Each SAH sets its own criteria for recognizing CGs.

CGs have the following characteristics:

- they are in the community where the refugee(s) is/are destined;
- they are authorized, in writing, by the SAH to act on its behalf as sponsors of refugees; and
- they are managed under the umbrella of the SAH.

6.8 Convention refugee

The definition of a Convention refugee is based on that contained in the 1951 Geneva Convention and its 1967 Protocol.

A96(a) and (b) define a Convention refugee as follows:

“**96.** A Convention refugee is a person who, by reason of a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion,

(a) is outside each of their countries of nationality and is unable or, by reason of that fear, unwilling to avail themselves of the protection of each of those countries; or

(b) not having a country of nationality, is outside the country of their former habitual residence and is unable or, by reason of that fear, unwilling to return to that country.”

Note: See A98 for persons who are excluded from being a Convention refugee.

6.9 Convention refugee abroad class (CR)

R144 and R145 define the “Convention refugee abroad class.” To be eligible for resettlement in Canada, a person must:

- meet the Convention refugee definition;
- apply for protection from outside Canada; and
- not have, within a reasonable period of time, a durable solution other than resettlement in Canada.

Individuals may be government assisted, privately sponsored or have adequate financial means to support themselves and their dependants.

6.10 Country of asylum class

The *Immigration and Refugee Protection Regulations* define a member of the Country of asylum class (RA) as persons:

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- who have been and continue to be seriously and personally affected by civil war, armed conflict or massive violations of human rights; and
- for whom there is no possibility, within a reasonable period of time, of a durable solution other than resettlement in Canada.

Individuals selected under this category must be outside all of their countries of citizenship or habitual residence. They may be privately sponsored (RAS/RAG/RAC), have adequate financial means to support themselves and their dependants (RA4), or have qualified for a Joint Assistance Sponsorship (RA5).

Note: “Seriously and personally affected” means sustained, effective denial of a core or basic human right.

6.11 *De facto* dependants

De facto dependants (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. They must be the dependants of a PA who has been determined to be a member of one of the three refugee classes. The *de facto* dependant must also meet the definition of refugee in his own right even when a dependency relationship is established. Persons who form part of the family unit should be examined sympathetically. This is consistent with efforts to keep family units together if at all possible. If the *de facto* relationship cannot be established, then the refugee must be assessed in their own right as a refugee and, failing that, could be considered under H&C grounds.

Examples of persons who should be found to be “*de facto*” dependants:

- An unmarried adult daughter in cultures where it is normal for an unmarried adult daughter to remain dependent until she marries.
- A widowed sister or sister-in-law in a traditional culture where it is normal that the applicant take on responsibility for her care and support where she has no other means of support.
- Nieces and nephews whose parents have been killed or are missing. In the cases of nieces and nephews, officers must take into consideration the best interests of the child and ensure that there are no disputes with respect to custody or guardianship of the child.
- Parents of any age living with the principal applicant and who have no other children with whom they could reside or no means of support other than the principal applicant. Those family members who appear to be unlikely to enter the work force should be processed as CR5s with a request for a contribution for transportation and medical costs, where appropriate.
- Elderly relatives who have resided with the principal applicant for a substantial period of time and/or who are solely, or for the most part, dependent on the applicant for care, shelter, etc.

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Examples of persons who should NOT be found to be “*de facto*” dependants

- A married sister living with the applicant who has a husband residing in another known location, unless it is demonstrated to the officer that the sister cannot rely upon her husband for support.
- A married daughter and her husband living with the principal applicant unless they can demonstrate to the officer that they are completely dependent upon the principal applicant for financial support .
- An elderly parent who normally resides with the principal applicant but who may reside with other children from time to time.
- A person who has been taking care of the principal applicant’s children and living in the household for an extended period of time but who is not without family of their own.

6.12 Dependants

The *Immigration and Refugee Protection Regulations* define “dependant” in respect of a person as:

- the spouse or common-law partner of the person;
- a dependent child of the person, dependent child of their spouse, or dependent child of a common-law partner; or
- a dependent child of a dependent child referred to in paragraph above.

For the definition of dependent child see R2 definition for “dependent child”

6.13 Destination matching request (DMR)

Visa offices use destination matching requests (DMRs) for all GARs, including visa office-referred and JAS cases.

Please note that each DMR message:

- will indicate the name of the visa office sending the DMR;
- is numbered sequentially beginning at 001, followed by the year in which the refugees will be travelling (example: NROBI 001/2002); and
- is to contain no more than 50 people.

For the format of a DMR, please refer to OP 5, Section 19.1, Preparing a Destination matching request (DMR).

6.14 Destining

Destining is the process whereby best efforts are made to send (destine) refugees to a location within Canada, where community resources and services will best support their resettlement and integration needs. For more information, refer to Section 7.

6.15 Durable solution

The three durable solutions for refugees and persons in “refugee-like” situations are:

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- **Voluntary repatriation or resettlement in their country of nationality or habitual residence:** Voluntary repatriation should occur only when the situation in the country of habitual or permanent residence has changed in a lasting and meaningful way and refugees can return in conditions of safety and dignity. If the country is made up of many ethnic groups, officers should bear in mind that some individuals could be safely repatriated while others could not. There are a variety of reasons why some individuals may not be able to return safely when others can, including political opinion, religion and personal experience (e.g. survivors of torture or rape for whom it would be re-traumatizing to return, or individuals who would be social outcasts like the forced slaves of combatants.) The UNHCR is an excellent source of information on such conditions.
- **Integration in their country of asylum:** Refugees are considered to be locally integrated in the country of refuge if they have rights similar to those of citizens such as: they can move around the country freely; they are allowed to earn a living; their children are allowed to attend school; there is no threat of refoulement, etc.
- **Resettlement to a third country:** Resettlement is intended for those refugees without local integration prospects. Resettlement may also be used as an instrument of protection geared primarily to the special needs of refugees whose life, liberty, safety, health or fundamental human rights are at risk in the country where they sought refuge. It is used for refugees unable to benefit from the other two solutions.

There is a fourth type of durable solution that may exist for refugees and persons in refugee-like situations who have not fled their country of nationality. There may be an internal flight alternative (IFA) for the refugee. IFA involves the consideration of whether the individual could have found a safe haven in another location within the country of nationality or residence at the time of their flight. If so, they will not need Canada's protection.

Note: The fear of being persecuted need not always extend to the whole territory of the refugees' country of nationality. For example, in ethnic clashes or civil war, persecution of a specific ethnic or national group may occur only in one part to the country. However, individuals will not be excluded from refugee status merely because they could have sought refuge in another part of the same country, if under the circumstances, it is not reasonable to expect them to do so.

6.16 Eligibility

To be eligible for resettlement, three conditions must be met:

The applicant must:

1 - meet the definition of one of the following:

- Convention refugee abroad class (CR);
- Humanitarian-protected persons abroad class (HPC) which includes:
 - Country of asylum class (RA);or
 - Source country class (RS);

2 - not have any other **durable solutions** (see definition in Section 6.15);

3 - demonstrate their ability to establish themselves successfully in Canada.

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Applicants are not eligible if they have:

- not met the definition of a Convention refugee abroad or humanitarian-protected persons abroad class (Country of asylum class or Source country class);
- committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes;
- committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee; or
- been found guilty of acts contrary to the purpose and principles of the United Nations.

6.17 Family member

- Consistent with the use of appropriate discretion and flexibility in assessing refugees, the concept of family, for refugee resettlement purposes, should be considered to include those who currently may be included on the principal applicant's application (i.e., spouse, common-law partner and dependent children of the spouses or common law partner or the dependent children of the dependent children of the spouses or common law partners - regardless of whether they are physically at the same location).
- For an explanation of *de facto* family members, see Section 6.11, *De facto* dependants.

6.18 FOSS (Field Operations Support System)

The Field Operations Support System (FOSS) is an online, real-time system that serves to create, store and retrieve important immigration information within Canada. It is designed to automate and streamline immigration processing in Canada. It provides an electronic file system to store, transmit, access and retrieve immigration information online. FOSS utilizes a search engine developed by the Royal Canadian Mounted Police (RCMP) in 1976 to perform name queries. Users at ports of entry, inland and case processing centres can query clients, create new clients, update existing clients, create, modify and delete immigration documents. Other FOSS features include printing documents, tracking progress on cases, and maintaining registry files.

6.19 Fraud

Cases of fraud are situations where a client has intentionally provided false or misleading information to obtain income support.

Fraud exists if blatant misrepresentation of facts by the client led to the issuance of income support to which the client was not entitled.

Overpayments may be caused by deliberately withholding or providing false information. Such cases may constitute fraud.

Officers should be certain that the fraud has actually taken place and, where it is suspected, give the client the opportunity to explain their situation. For more information, see IP 3, Part 2, Section 26, Fraud.

6.20 Government-assisted refugees (GAR)

Each year, the Government of Canada:

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- plans for the resettlement of a number of refugees from abroad; and
- supports these refugees through the Resettlement Assistance Program (RAP).

Under RAP, the refugees are supported at approximately the equivalent of local provincial social assistance levels for up to twelve months after their arrival in Canada.

Government-assisted refugees include both Convention refugees abroad and members of the Source country class. They are selected from applicants referred by the UNHCR or other designated referral agents, or, in countries deemed to have direct access, present themselves on their own initiative to visa offices.

For more information, please refer to:

IP 3, Part 2, Section 28, Government-Assisted Refugees and the Resettlement Assistance Program (RAP)

6.21 Group of five (G5)

Refugees may be sponsored by any group of five or more Canadian citizens or permanent residents who:

- are at least 18 years of age;
- live in the community where the refugees are expected to settle;
- are not in default on any other sponsorship undertaking; and
- have the necessary resources to guarantee support for the full duration of the sponsorship, usually up to a 12-month period.

G5 sponsorship groups are often:

- one-time groups; and
- formed in response to special situations that arise.
- For more information, refer to IP 3, Part 2, Section 36.

Note: G5s are not eligible to sponsor JAS cases according to the terms and conditions of RAP.

6.22 Humanitarian-protected persons abroad class (HPC)

A person in similar circumstances to a Convention refugee is a member of one of the following humanitarian-protected persons abroad classes:

- the Country of asylum class; or
- the Source country class.

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6.23 Interim Federal Health Program

The IFH provides all resettled refugees with the following medical benefits until provincial health insurance is available:

- essential and emergency health services for:
 - the treatment and prevention of serious medical conditions; and
 - the treatment of emergency dental conditions;
- contraception, prenatal and obstetrical care;
- approved prescription medications, and
- the cost of an immigration medical examination by a designated medical practitioner (DMP) when the refugee is unable to pay.

For the first 12 months in Canada (or longer if RAP is extended), other types of benefits may be provided with the proper pre-authorization, for example:

- eye glasses;
- prostheses;
- wheelchairs;
- second and subsequent psychiatric consultations; and
- routine medical examinations.

For more information, please see Section 10 and refer to:

<http://www.fasadmin.com>

6.24 International Organization for Migration (IOM)

The International Organization for Migration (IOM) has a primary mandate to make arrangements for the organized transfer of foreign nationals, including refugees, displaced persons and other individuals in need of international migration services. It arranges transportation and medical examinations for refugees. The IOM provides an in-depth Canadian Orientation Abroad (COA) program on a contractual basis, in some locations, to refugees and foreign nationals before they arrive in Canada.

Canada is a full member of IOM and works closely with the organization. The IOM has its headquarters in Geneva and has 72 offices around the world. It has a Web page at <http://www.iom.int/>

6.25 Joint assistance sponsorship (JAS)

The purpose of the JAS Program is to facilitate the resettlement in Canada of Convention refugees abroad and members of the source country and country of asylum classes who have special needs. Because of their special needs or circumstances, these persons are expected to need an extended resettlement period, beyond 12 months, and assistance over and above that provided through either government assistance or regular private sponsorship. CIC may provide support through RAP for

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up to 24 months from the date of arrival of the refugee and provides access to the Immigration Loans Program according to program criteria.

JAS provides the opportunity for the government and private sponsors to work together in the resettlement of these special needs persons who would not otherwise be accepted. The government provides income support for the period of the sponsorship and the private sponsors provide moral and emotional support and guidance while ensuring that the resettlement services required are provided.

6.26 Matching Centre (MC)

The Matching Centre (MC) is located in the Resettlement Division (SRE), Refugees Branch at NHQ. The MC performs the following activities:

Maintains	<p>An inventory, where possible, of:</p> <ul style="list-style-type: none"> • profiles of refugees awaiting sponsorship • groups who are waiting for visa office-referred sponsorship. This inventory is created using the submitted Request for a Refugee Profile forms (IMM 5496) and the applications to sponsor • a database of arrivals and landings by target and actual figures
Performs	<ul style="list-style-type: none"> • FOSS query on client by referring case to CIC for sponsorship
Sends out	<ul style="list-style-type: none"> • messages to one of several visa offices outlining the requirement for profiles when a local CIC contacts the MC with a request from a sponsor
Keeps records of	<ul style="list-style-type: none"> • government-assisted cases • privately sponsored cases • urgent protection cases
Assists	<ul style="list-style-type: none"> • in the matching of refugees with private sponsors • with the destining of refugees (GARs and privately sponsored)
Coordinates	<ul style="list-style-type: none"> • the distribution of refugees within Canada through DMRs
Determines	<ul style="list-style-type: none"> • an appropriate location for the refugee(s) having regard to information in the profile <p>This decision is based on information about:</p> <ul style="list-style-type: none"> • the family and friends that the refugee(s) may have in Canada • the special needs of the refugee • the availability of resources, including interpreters and other services, to support resettlement and integration
Receives	<ul style="list-style-type: none"> • NATs from visa offices and ensures arrival information is distributed to the local CICs and POEs at destinations in Canada. The local CIC forwards the NAT to the sponsor and SPO

For more information , please refer to:

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IP 3, Part 3, Section 52 – Special needs cases

IP 3, Part 3, Section 39.5 – Visa office-referred cases: refusal of refugee profile

6.27 Notification of Arrival Transmission (NAT)

A Notification of Arrival Transmission (NAT) advises the local CIC and Service provider organization (SPO) of the date of arrival and flight details of the refugee, and of pertinent details such as the names of sponsors, onward travel arrangements to final destinations, and special needs (e.g., wheelchair required), etc. NATs are required to maintain accurate statistics and are sent for all refugees.

Please note that each NAT is numbered sequentially beginning at 001 at the start of each calendar year (example: NAT 0001/99), followed by:

- point of origin;
- port of entry;
- date of arrival;
- flight details;
- special requirements; and
- identification of special programs such as OYW or blended initiative.
- Each NAT is to contain the names of no more than 50 persons.

6.28 One-year window of opportunity (OYW)

The one-year window of opportunity is a regulatory mechanism. Its purpose is to allow immediate family members (spouses, dependants, common-law partners) to reunite with a principal applicant.

To be processed as non-accompanying family members, family members must:

- be identified on the PA's permanent resident visa application (IMM 0008EGEN);
- be included in the application prior to the PA's departure for Canada; and
- have submitted an application at a visa office within one year of the date of arrival of the PA in Canada.

If privately sponsored, the sponsor was notified and settlement arrangements were found to be adequate.

6.29 Overpayment - RAP

An overpayment occurs when a client receives income support for which they were not entitled.

The causes may be:

- an oversight by the RAP counsellor;
- a lack of understanding on the part of the client when providing information to determine their eligibility under the program; or
- fraud.

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6.30 Personal assets

Personal assets are those items that persons requiring financial assistance might be expected to own before arriving in Canada given their background, social status, or economic status.

Cases of this nature can be quite difficult to assess and should be discussed with the local office manager.

Items that can be reasonably interpreted to mean “personal assets” are excluded from consideration as liquifiable assets.

6.31 Privately sponsored refugees

Under the Private Sponsorship of Refugees Program, a sponsor or sponsoring group commits to:

- receiving the refugees; and
- providing them with lodging, care, settlement assistance and support.

The benchmark level of care under private sponsorship is equivalent to social assistance rates.

The refugees are supported for up to 12 months or until the sponsored refugees become self-sufficient. In exceptional cases, the 12 month time frame can be extended up to 36 months with the sponsor’s agreement.

For more information, please refer to:

IP 3, Part 3, Section 31.1 – Private Sponsorship of Refugees Program

6.32 RAP Cheque Request Form

The RAP Cheque Request Form:

- is used as the payment voucher when issuing income support; and
- was formerly known as the EMP3102 Income Support Contribution.

The RAP Cheque Request Form:

- is completed on behalf of a recipient and their dependants;
- must be authorized by CIC RAP counsellors;
- may be used for subsequent payment periods where client circumstances remain substantially unchanged.

When funds are available, RAP counsellors:

- determine the current financial needs of those listed on the RAP Cheque Request in accordance with operational guidelines.

For more information, please refer to:

Appendix B, Annex 7 – RAP Cheque Request Form

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6.33 Refugee Tracking System (RTS)

The Refugee Tracking System (RTS) is an NHQ computer system that assists in managing the movement of government-assisted and privately sponsored refugees into Canada. Information for privately sponsored refugees and joint assistance sponsorships is gathered from copies of the undertaking received from Citizenship and Immigration Centres nationally.

6.34 Resettlement

Resettlement is an instrument of protection and one of three durable solutions.

Resettlement occurs when a refugee in a country of asylum (or in their own country for Source country class) is accepted for permanent residence in a third country such as Canada. It is a limited, but vitally important, remedy to refugee situations.

As an instrument of protection, resettlement is the best solution for some refugees.

6.35 Resettlement Assistance Program (RAP)

The Resettlement Assistance Program (RAP) is a contribution program that operates within program terms and conditions and a program budget approved by Treasury Board. The program has two main components: income support and a range of immediate essential services. Income support can be provided for up to 12 months for regular stream government-assisted refugees (GARs), and for up to 24 months for JAS cases.

Note: Monthly income support provided under the RAP is guided by provincial welfare income support rates for food and shelter, and covers only the most basic needs. Start-up items such as basic furnishings may be provided. To reduce unrealistic expectations that the actual dollar figures may stimulate, pre-departure orientation sessions for selected refugees must include cautionary information on current living costs at their destination and how to manage their budget in that context.

6.36 Secondary migration

The term "secondary migration" refers to a refugee-initiated change in location on or shortly after arrival in Canada to a destination (city or province) other than the one chosen during the selection process overseas.

6.37 Self-supporting refugees

"Self-supporting refugees" are refugees who meet resettlement criteria and have sufficient financial resources to support themselves and their accompanying dependants until they are likely to become self-supporting. This category of refugees is in addition to the other categories of refugees who receive assistance from the government or private sponsors.

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Even though the self-supporting refugee category and the economic class have many similarities, self-supporting refugees should not be forced to apply under the economic category.

The Department does not have a target for self-supporting refugees and therefore does not allocate self-supporting refugees to visa offices. Self-supporting refugees are included in the range of privately sponsored refugees reported to Parliament each year.

6.38 Service provider organizations (SPO)

SPOs are funded by CIC to deliver Resettlement Assistance Program services directly to the newcomer.

SPO responsibilities are primarily to administer client service and ensure program accountability. They include the following:

Service provided	Details
Arrival and accommodations	<ul style="list-style-type: none"> • ensure reception at port of entry at major airports • ensure temporary accommodation is arranged and provided • ensure refugees get from final destination to temporary accommodation • meet and greet refugees at temporary accommodation
Available services	<ul style="list-style-type: none"> • provide intake and complete process to link refugees to mandatory federal and provincial/territorial programs such as: <ul style="list-style-type: none"> • health plan • social insurance number, and • National Child Benefit (NCB) • ensure refugees understand their: <ul style="list-style-type: none"> • income support entitlements, and • responsibilities • provide basic orientation
Permanent accommodations and special needs	<ul style="list-style-type: none"> • assist with locating permanent accommodation • provide client assessment and referral to settlement and broad-based community services to ensure, where possible, a continuum of service • ensure appropriate intervention and support for refugees with exceptional needs

6.39 Source country class (RS)

The *Immigration and Refugee Protection Regulations* define the Source country class (RS) at R148(1). This class applies to individuals residing in their country of citizenship or habitual residence. It includes:

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- those persons who have been and continue to be seriously and personally affected by civil war or armed conflict;
- those persons who have been or are being detained or imprisoned with or without charges, or subjected to some other form of penal control, as a direct result of an act committed outside Canada that would, in Canada, be a legitimate expression of freedom of thought or a legitimate exercise of civil rights pertaining to dissent or trade union activity; or
- those persons who, by reason of a well-founded fear of persecution for reasons of race, religion, nationality, political opinion, or membership in a particular social group, are unable or, by reason of such fear, unwilling to avail themselves of the protection of any of their countries of nationality or habitual residence.

For members of this class, there must be no possibility, within a reasonable period of time, of a durable solution other than resettlement in Canada. Individuals selected under this class may receive financial assistance from the Government of Canada (RS1), private sponsorship (RSS/RSG/RSC), have adequate financial means to support themselves and their dependants (RS4), or Joint Assistance Sponsorship (RS5). Schedule 2 of the Regulations lists the countries whose nationals would be admissible for source country classification.

6.40 Source Country Schedule (Schedule 2)

Schedule 2 of the *Immigration and Refugee Protection Regulations* lists the countries whose nationals would be admissible for source country classification. The schedule is revised on a regular basis and is developed in consultation with a number of CIC's partners. The current schedule, which went into effect on June 29, 2001, includes the following countries:

- Colombia
- Democratic Republic of the Congo (DRC)
- El Salvador
- Guatemala
- Sierra Leone
- Sudan

To be a member of the RS class, the applicant must reside in a country that is still on Schedule 2 at the time the visa is issued.

6.41 Special needs cases

Special needs cases are those which may require an extended resettlement period and assistance above that provided through either government assistance or regular private sponsorship. Special needs cases are processed under the JAS program and can include:

- women at risk (AWR);
- medically disabled persons;
- victims of trauma;
- elderly refugees.

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6.42 Sponsor

A group, a corporation or an unincorporated organization (or any combination of them) that is acting for the purpose of sponsoring a Convention refugee or person(s) in a refugee-like situation.

6.43 Sponsor-referred sponsorship (named-sponsorship)

In sponsor-referred sponsorships, private sponsors identify a refugee whom they wish to assist. They may involve persons with family links to Canada or be a direct response to requests from refugees overseas. Sponsor-referred (named) sponsorships are meant to promote and facilitate family reunification for refugees in need of resettlement.

6.44 Sponsorship agreement

A signed agreement between the Minister of Citizenship and Immigration Canada (or delegate) and a corporation in Canada to govern and facilitate the sponsorship process. Refer to Appendix D – Annex 2.

6.45 Sponsorship agreement holder (SAH)

Sponsorship agreement holders (SAHs) are continuing a tradition of dedication by the voluntary sector to the resettlement and integration of refugees into Canadian society.

Through financial and moral support, they provide refugees with the foundation on which they can build their lives in Canada.

SAHs have the following characteristics:

- They are incorporated organizations.
- They vary widely in composition and type, for example:
 - religious organizations;
 - ethno-cultural groups; or
 - other humanitarian organizations.
- They have signed a sponsorship agreement with the Minister of Citizenship and Immigration Canada (or delegate) to facilitate the sponsorship process.
- They are completely responsible for managing sponsorships under their agreement.
- They can be composed of Constituent Groups (CGs) specifically recognized and managed by the SAH.
- They are responsible for training and informing their Constituent Groups.

SAHs may:

- undertake sponsorships on an on-going basis;
- manage a sponsorship with assistance from a CG;
- have many CGs across Canada or a few CGs in a specific region/area;

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- work with local CICs in their community of residence.

SAHs and their CGs are eligible to sponsor JAS cases according to the terms and conditions of RAP.

6.46 Sponsorship breakdown

Sponsorship breakdown is a condition of deterioration in the sponsor-refugee relationship such that the sponsor is unable or unwilling to fulfill the terms of the sponsorship undertaking. Normally, attempts are made to reestablish the sponsorship, but failing those efforts, CIC will formally declare a breakdown in the sponsorship and depending on the circumstances, the sponsoring group may be found in default.

6.47 Sponsorship default

Sponsorship default refers to a breach of the contractual obligations of the sponsorship undertaking itself or, specifically, the failure to fulfill a financial or non-financial obligation associated with the undertaking. A sponsoring group may not submit undertakings while they remain in default.

6.48 Sponsorship undertaking

The undertaking used for the Private Sponsorship of Refugees Program is a legal document that forms part of a sponsorship kit. Sponsor/refugee contact information and an overview of sponsorship responsibilities are provided in the undertaking.

6.49 Sponsorship withdrawal

Sponsorship withdrawal is the cancellation of an undertaking to sponsor that occurs **before** the permanent resident visa has been issued. It is the last option when all other attempts to fulfil the conditions of the sponsorship have failed or when situations have changed.

Sponsorship withdrawal:

- should not be confused with sponsorship breakdown;
- occurs when the sponsor cancels the sponsorship undertaking prior to the issuance of the permanent resident visa; or
- occurs when the refugee withdraws their application (e.g., resettles in another country).

6.50 The United Nations High Commissioner for Refugees (UNHCR)

The office of the UNHCR is a humanitarian and non-political organization with a mandate to protect refugees and promote solutions to their problems. Solutions may include voluntary repatriation, local integration and, in exceptional cases, resettlement in a third country.

Local UNHCR offices identify persons in need of resettlement and refer them to visa offices. They may also help find candidates for private sponsors. The factors that the UNHCR takes into consideration when it refers a case for resettlement are described in detail in the *UNHCR Resettlement Handbook*, a copy of which can be found in all visa offices. The text of the handbook is also available from the UNHCR Web site at:

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<http://www.unhcr.ch/resettle/handbook/>

6.51 Unaccompanied minors

CIC does not have a specific policy or program to deal with unaccompanied minors. However, the solution for most minor refugees is to:

- reunite them with their immediate family; or
- place them with their extended family.

CIC does process minors on an exceptional and case-by-case basis. There are two types of unaccompanied minor cases:

- the minor has extended family in Canada and resettlement is the only durable solution; or
- the minor does not have family in Canada or abroad to provide support and resettlement is still the best solution.

Note: For an unaccompanied minor to be accepted, provincial concurrence is required.

6.52 Urgent need of protection

Urgent need of protection means, in respect of a member of the Convention refugee abroad class, the Country of asylum class or the Source country class, that their life, liberty or physical safety is under immediate threat and, if not protected, the person is likely to be:

- killed;
- subject to violence, torture, sexual assault or arbitrary imprisonment; or
- returned to their country of nationality or of their former habitual residence.

6.53 Urgent protection program (UPP)

A case in need of urgent protection is one where the life, liberty or physical well-being of a refugee is under immediate threat. Urgent protection cases, by definition, need to be resettled on the expedited basis required by their particular circumstances. Consequently, these cases are to be assigned the highest processing priority.

The concept of resettlement as an instrument of protection is key to this program. Resettlement in urgent protection cases is undertaken as a priority where there is no other way to guarantee the security of the person concerned. Resettlement in these cases is the best, and often the only protection response.

Urgent protection is not gender-specific; referrals may include men, women and children. “Urgent protection,” however, differs from “expedited processing.” For the purposes of an urgent protection program, officers should use their best judgment in determining if a case requires urgent processing. Refugees in need of urgent protection should be en route to Canada within three to five days of referral to the visa office.

For more information, please refer to: OP 5, Section 6.50.

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6.54 Visa office-referred sponsorship (unnamed sponsorship)

Visa office-referred sponsorship refers to situations where a refugee has been determined to be eligible and is referred by a visa office for sponsorship. Either a sponsor requests the visa office-referred case or a visa office refers the case to the Matching Centre to find a sponsor.

6.55 Vulnerable

“Vulnerable” with respect of a Convention refugee or a person in similar circumstances means that the person has a greater need of protection than other applicants abroad because of the person’s particular circumstances that give rise to a heightened risk to their physical safety.

Vulnerable cases are eligible for expedited processing. Expedited cases are not urgent and it is acceptable to have refugees in these cases en route to Canada within one to four months.

6.56 Women-at-Risk Program (AWR)

The Women-at-Risk Program (AWR) is designed to offer resettlement opportunities to women in:

- perilous or permanently unstable situations; and
- in situations where urgent or expedited processing is necessary.

Women eligible under this program may:

- not have the resettlement potential usually required by applicants under the Convention Refugee Abroad class or Humanitarian-Protected Persons Abroad classes;
- be marginalized or alienated in their communities;
- be vulnerable to the threat of rape, other forms of violence to themselves or to their children;
- be in such critical situations that urgent processing is required;
- require help because their ability to start a new life is hampered by:
 - young dependent children;
 - poor ability to communicate in either official language; or
 - the lack of skills necessary for employment.

In many cases, women eligible under the AWR and their dependent children:

- experience more difficulties in resettling than other classes of refugees;
- will require a Joint Assistance Sponsorship; and
- will need a longer period to become integrated and established in Canada.

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7 Destining refugees

Visa offices submit a DMR for refugees who are visa ready not less than six weeks before the refugees are ready to travel unless they are urgent protection cases. The number of refugee cases listed on a DMR should not exceed 50. However, DMRs for JAS cases or visa office-referred cases should be limited to one family unit.

The Matching Centre must respond to the visa office within five working days of receipt of the DMR. Therefore, rapid responses are required for CICs and regions for this process to function effectively.

7.1 DMR format

The DMRs are to be numerically numbered by visa office and by year. Example: On August 1, 2002 the first DMR from Nairobi would be numbered Nairobi 001/2002 and the next DMR for that year would be Nairobi 002/2002. On January 01, 2003 the first DMR number would be Nairobi 001/2003 and so forth. Also each family unit would be numerically identified on the DMR.

Each DMR should contain the following information for each head of family (HOF) listed:

- visa office file number (B #); and
- full name and date of birth of HOF.

7.2 Contact Information

The DMRs are to be sent to the Matching Centre electronically at the following e-mail address:

Matching-Centre@cic.gc.ca

When electronic communications are down the DMR may be faxed to (613) 957-5849.

7.3 Destining process

When a DMR arrives at the Matching Centre, the CAIPS notes for each file number will be reviewed before the Matching Centre (MC) refers cases to regions. Wherever possible, the Matching Centre will refer GARs to communities in Canada where close relatives have been identified in the CAIPS notes. The process for referring the cases, other than JAS and visa office-referred cases, to the regions/CICs is as follows below:

1. Refugees destined to Ontario

The MC will identify refugees on the DMR who may be destined to Ontario and will provide a list of file numbers and other relevant information contained on the DMR to the RHQ Ontario. The Matching Centre will refer the visa office name and the incoming DMR number from which the refugees have been identified. RHQ Ontario will then be responsible for determining to which municipality within Ontario the refugees will be destined. RHQ Ontario will then notify the Matching Centre NHQ of the municipality selected for each refugee family identified on the DMR. Matching Centre will then relay this information back to the visa office when responding to the DMR. The regions in Canada will be copied on all DMR responses to the visa offices.

2. CICs where refugees may be directly destined by the Matching Centre

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A number of regions and CICs have expressed little desire to be directly involved in the normal DMR process. These regions and CICs will, however, continue to be directly involved and will be consulted on all JAS and visa office-referred cases. These CICs are:

- Vancouver;
- Edmonton;
- Calgary; and
- Winnipeg.

For these destinations, the Matching Centre will review the information contained on the DMRs submitted by the visa offices abroad along with the CAIPS notes and will make the decision on where to destine the refugees. The regions and the CICs, to which the refugees will be destined, will be copied on the response to the DMRs that the Matching Centre sends to the visa offices abroad.

3. CICs to consult before final destining decision

For CICs or regions not identified in the two previous sections, the Matching Centre will review the DMRs submitted by the visa offices abroad along with the relevant CAIPS notes for each file. After assessing the remaining families on the DMR, the Matching Centre will make a referral recommendations to the CIC believed to be most suitable to meet the needs of the refugees identified on the DMR.

The CICs will have three working days to confirm acceptance of refugee families that have been referred. Should the Matching Centre not receive a response within three working days of the referral, the Matching Centre will assume the CICs accept the recommendations. Notification to this effect will be sent to the visa office abroad and to the CICs to which the refugees have been destined.

7.4 JAS and visa office-referred cases

As indicated earlier, visa offices are to submit individual DMRs to the Matching Centre for these types of referrals.

Officers are encouraged to indicate in the CAIPS notes whether the case is a JAS or whether a regular sponsorship would be appropriate and reasons for the recommendation. If a JAS is recommended, the officer should also recommend if a contribution should be approved to cover the cost of medical examination and transportation to Canada rather than the approval of a loan to cover these costs. Where an officer has not addressed this consideration in the CAIPS notes, the Matching Centre should review the family profile and circumstances and, if warranted, seek clarification from the visa office on whether a contribution should be considered.

Where a contribution is considered warranted, the Manager of the Immigration Loans Program in Resettlement must approve the request before this information is relayed to any potential sponsor group. Approval of a contribution request will often help market a JAS case with SAHs. However, there is only a limited amount of money set aside to cover these costs and care must be taken not to exceed the amount allocated to cover these expenses.

The MC will list the details of the families identified as JAS or visa office-referred case on the Web site for up to six months. Where no sponsor is found within six months, the case will be referred back to the visa office for reconsideration and potential refusal.

When a visa office becomes aware of a potential lengthy delay in the processing of a JAS or visa office-referred case, this information should be relayed to the sponsoring group as soon as possible to avoid raising expectations of the refugee's pending arrival.

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7.5 Unsuccessful destination match

Where a CIC notifies the Matching Centre that it cannot provide services which are adequate to meet the needs of the referred refugees, Matching Centre will refer these refugees to other CICs until a match has been confirmed.

7.6 Life span of DMR

With the exception of JAS cases, a DMR will have a life span of three months from its date of origin. Where a NAT has not been provided for any family identified on a DMR within that three-month period, the Matching Centre will send notification to the visa office that a new DMR will be required, unless the visa office had already notified the Matching Centre that additional time would be required for flight arrangements.

7.7 Matching Centre

Until the Refugee Tracking System can be updated, the Matching Centre will maintain an Excel spreadsheet to keep a record of all DMR transactions including information on all refugees for whom they were not able to accommodate the requested destination.

Note: For Quebec-destined refugees, the MRCI replies directly to the originating visa office with a copy to the MC.

For an example of a DMR, please refer to OP 5, Section 19.1 – Prepare a DMR.

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8 Refugee travel

8.1 Processing a Notification of Arrival Transmission (NAT)

Please refer to the definition of a NAT at Section 6.27. For an example of a NAT please refer to OP 5, Section 21.3.

The following seven steps occur in the processing of a NAT:

Step	Description
1	The visa office sends the NAT to the Matching Centre.
2	<p>The Matching Centre:</p> <ul style="list-style-type: none"> • Receives the NAT; and • Acknowledges receipt of the NAT to the originating visa office. <hr/> <p>Note: If an acknowledgment is not received by next business day, the NAT must be sent again to the Matching Centre immediately. This process is repeated until an acknowledgment is received.</p> <hr/> <p>Note: The NAT should be received at least 10 working days in advance of the refugees' arrival date.</p> <hr/>
3	The Matching Centre immediately forwards the information to the local CIC and POE.
4	The local CIC sends the NAT to the sponsor and SPO.
5	<p>IF an amendment to the NAT is necessary (i.e., change of final destination, change of flight itinerary, cancellation, etc.)</p> <p>THEN the Matching Centre must be advised immediately by the originating visa office.</p>
6	Information is forwarded immediately to the local CIC in the city of final destination and POE.

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7	<p>The following incidents are to be conveyed by the region or local CIC to the Matching Centre and the visa office:</p> <ul style="list-style-type: none"> • unannounced arrivals; • no shows; • changes in schedule; • other pertinent information, such as: <ul style="list-style-type: none"> • a refugee requiring a wheelchair upon arrival and this requirement was not indicated on NAT; • any other unmet requirements.
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8.2 Travel documents

For procedures regarding single journey travel documents, please refer to: <http://cicintranet/cicexplore/1976archive/english/guides/om-nso/2002/op/op02-41.htm>

8.3 Role of the Matching Centre and service provider at the POE

The following table shows the role and responsibilities of the Matching Centre and officer or service provider at the POE.

The role of the	Responsibilities
Matching Centre	<ul style="list-style-type: none"> • review all Notification or Arrival Transmissions (NATs) to ensure flight arrangements to the final destination are included; • provide NAT details to local CIC office and POE; and • contact the destining visa office when arrangements for onward destining are not included. <hr/> <p>Note: Passengers need a minimum of four hours at the POE to allow for landing procedures, clearing customs, distribution of winter clothing between October and April, and ground transportation to a connecting flight.</p> <hr/>

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<p>Officer or service provider at the POE</p>	<ul style="list-style-type: none">• advise sponsor of travel details;• report to the Matching Centre when:<ul style="list-style-type: none">• travel arrangements to the final destination were not included in the original travel plan; or• overnight accommodation and ground transportation were required, but not previously arranged at the time travel arrangements were made. <hr/> <p>Note: Reporting information should include the NAT number, name of the originating Visa Office and the B number assigned to the case.</p> <hr/>
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9 One-Year Window of Opportunity Program

The intent is to process refugee families concurrently and, when this is not possible, to reunite separated family members as quickly as possible without the need for a sponsorship. Separated family members will be referred to as non-accompanying family members.

9.1 Conditions for eligibility

To be processed as non-accompanying family members, individuals must meet the definition of “family member” and:

- must have been identified on the PA's permanent resident visa application (IMM 0008EGEN);
- must have been included in the application prior to the PA's departure for Canada;
- must have submitted an application at a visa office within one year of the date of arrival of the PA in Canada; and
- if privately sponsored, the sponsor was notified and settlement arrangements were found to be adequate.

9.2 Changes in CAIPS and FOSS

Coding: For this special program “OYW” will be used on the visas of the non-accompanying family members.

PA's CAIPS file: Non-accompanying family members will be listed in the PA's CAIPS file. The PA's file will be closed when the permanent resident visa is issued and will be cross-referenced with the non-accompanying family member's file when processing is initiated.

Access to FOSS: The existing CAIPS-FOSS integration will be enhanced to allow CAIPS users to view the date of confirmation of permanent residence or entry.

NCB 12 FOSS code: The NCB 12 expiry date defaults to a date that is six months greater than the NCB creation date. However, users can overwrite the default date with one that is up to five (5) years greater than the NCB creation date.

9.3 Processing non-accompanying family members

For government-assisted refugees (GAR), please refer to IP 3, Part 4, Section 28.

For privately sponsored refugees (PSR), please refer to IP 3, Part 4, Section 41.

For joint assistance sponsorships (JAS), please refer to IP 3, Part 4, Section 50.

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10 Interim Federal Health Program (IFH) and health coverage

10.1 The Interim Federal Health Program (IFH): Eligibility

IFH is available to all refugees including CR, RA and RS classes, and provides:

- health service benefits for the gap between date of arrival and eligibility for provincial health benefits; and
- limited additional benefits once provincial plans commence benefits for up to 12 months after arrival, or up to 24 months for JAS cases.

The IFH is not available to refugees who are:

- able to pay for their own health care services; or
- covered by a private or public health care plan.

10.2 Informing clients

A client information sheet is given to the refugee. The information sheet:

- lists medical service providers;
- outlines how the program works; and
- provides toll free numbers for service providers.

Clients must be cautioned:

- about the limitations on IFH benefits;
- not to incur any costs until they are certain that IFH will provide benefits for them; and
- that medical treatments and procedures that are not covered must be paid for by the client.

10.3 IFH related forms

The forms related to this program are FOSS generated on the generic form IMM 1442B, and will confer IFH eligibility as determined by the officer for 12 months, or a lesser period.

The form "Interim Federal Health Certificate" (also FOSS generated and printed on IMM 1442B) contains the following information:

- basic identification;
- the paragraphs noted in the Information on IFH form (IMM 1442B), Section 10.4;
- the client's photograph;
- signature; and
- access to IFH.

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10.4 Information on IFH Form (IMM 1442B)

It is understood that refugees must renounce benefits under IFH once other medical benefits, such as provincial medical coverage, commence. This is why the IFH forms (IMM 1442B) are valid for up to 12 months after the date of arrival, and contain an eligibility paragraph under “Remarks” which states the following:

“The above mentioned person is eligible for benefits under the Interim Federal Health (IFH) program as described on the attached list. Eligibility will continue until...(day/month/year)...but may be revoked before, should the holder qualify for private or public health insurance or otherwise ceases to be eligible.”

“I, the undersigned, declare that I require assistance for medical care and that should my circumstance change or should I qualify for any other form of medical benefits, I will no longer seek to obtain benefits under the IFH program.”

10.5 Issuing IFH documents

In order to ensure that refugees have timely access to health care, officers should issue IFH documents during their first contact with clients, or as soon as possible after their arrival.

These documents are to be used for all eligible medical needs with procedures dependent upon the client's status in Canada and province of residence.

These forms provide the option to add the two paragraphs that:

- confirm the refugee's eligibility for IFH access for one year or less; and
- specify the commitment to cease benefits as agreed upon once other benefit options become available.
- The following table specifies what appendices are to be issued to GARs and privately sponsored refugees regarding medical and dental benefits.

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If client is a GAR or Privately Sponsored Refugee who...	Then...
<ul style="list-style-type: none"> • resides in a province that has a waiting period for provincial health care eligibility, and • is already resettled from abroad (permanent resident), or • entered Canada on a Temporary Resident Permit for early admission 	<p>For full health benefits, issue a copy of:</p> <p style="padding-left: 20px;">Appendix I, Annex 1 (Interim Federal Health Program (IFH)) - Information for Health Care Providers for Eligible Clients Who Do Not Benefit From a Basic Provincial Health Insurance Plan; and</p> <p style="padding-left: 20px;">Appendix I, Annex 2 (Interim Federal Health Program (IFH)) - Information for Health Care Providers for Eligible Clients Who Do Not Benefit From a Basic Provincial Health Insurance Plan (Dental).</p>
<ul style="list-style-type: none"> • resides in a province that has no waiting period for provincial health care eligibility, and • is already resettled from abroad (permanent resident), or • entered Canada on a Temporary Resident Permit for early admission 	<p>For limited health benefits to those fully eligible for provincial benefits, issue a copy of:</p> <p style="padding-left: 20px;">Appendix I, Annex 3 (Interim Federal Health Program (IFH)) - Information for Health Care Providers for Clients Eligible for a Basic Provincial Health Insurance Plan; and</p> <p style="padding-left: 20px;">Appendix I, Annex 4 (Interim Federal Health Program (IFH)) - Information for Health Care Providers for Clients Eligible for a Basic Provincial Health Insurance Plan (Dental).</p>

Note: The “eligibility until” date will be up to 12 months or until the anticipated end date for payments under RAP.

For further information on IFH, refer to the following Web site: <http://www.fasadmin.com>

10.6 IFH - Privately Sponsored Refugees

These benefits commence with the refugee’s arrival in Canada and remain active until provincial health care benefits come into effect. The maximum number of days allotted for coverage is 90 days after their arrival in their home province.

Privately sponsored refugees continue to be eligible for limited benefits for up to 12 months after their arrival in Canada.

10.7 Issuing extensions

Extensions may be issued to eligible individuals while their landings are being processed for the estimated time required to finalize the case, and not more than 12 months at a time. Extensions result in the issuance of an IFH certificate of eligibility and the attachment of the applicable annex from Appendix I.

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10.8 Covering gaps

Gaps in medical benefits may be covered by backdating the eligibility period to the day after the last day of eligibility on the previous IFH certificate.

10.9 Replacing lost certificates

Replacement of lost certificates may be subject to a small fee set by the local CIC offices.

10.10 Billing information

Medical bills will be forwarded for payment by the health care provider to:

FAS Benefit Administrators Ltd.

9707 – 110 Street, 9th Floor

Edmonton, Alberta

T5K 3T4

Medical bills received at CIC will be returned to sender and accompanied by a note advising them of this address.

Claims submitted by the clients will *not* be honoured.

For more information regarding IFH billing, please refer to Operations Memoranda IP 98-16.

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11 Immigration loans and contributions

The Immigration Loans Program provides financial assistance in the form of loans or contributions to eligible applicants. The officer is generally the person who issues the loan. SRE approves the contributions.

For more information, please refer to:

OP 17 – Immigration Loans

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12 Voluntary repatriation

12.1 Travel documents

When persons wishing to voluntarily repatriate are ineligible for a refugee travel document, the country of repatriation must:

- issue a travel document; or
- authorize their return.

12.2 Travel costs

Information to follow.

12.3 Counselling repatriation clients who are involved with requests for repatriation

All requests for voluntary repatriation should be referred to a local CIC Office and involve the sponsoring group where appropriate.

When assisting the refugee, the local officer should determine the reason for the repatriation request. When the request is due to refugee discouragement, the officer should inform the refugee of available help to overcome present difficulties.

Factors that could cause discouragement include:

- unemployment;
- under-employment;
- housing;
- health; or
- marital problems.

Counselling and assistance provided at this stage must be extensive and include:

- referrals to professional counselling by outside social agencies for the head of the family; and
- guidance for the partner and dependent children.

When the refugee has received all the needed counselling, yet still wishes to repatriate, the local officer should initiate the repatriation process.

Note: Everything possible must be done through CIC resources and the facilities of other agencies to help the refugee to resettle.

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12.4 Repatriation process

See the following table for references to the appropriate sections about the repatriation process.

For information about	See
Dealing with a repatriation request	Section 12.5
Approved repatriation	Section 12.6
Outstanding debts on immigration loans	Section 12.7
Notifying the visa office responsible for the country of repatriation	Section 12.8

12.5 Dealing with a repatriation request

The voluntary repatriation process requires close co-operation and communication between:

- local CIC offices;
- the UNHCR representative in Canada;
- regional CIC offices;
- Refugees Branch (SRE) at NHQ; and
- IOM.

Each repatriation request should be:

- dealt with on its own merits; and
- considered as a *last resort* when concerted efforts by the individual and the local CIC office to resolve the pressures causing a repatriation request have failed.

When the refugee has received all the needed counselling and still wishes to repatriate, the local officer performs the following process.

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Stage	Description
1	<p>The local officer contacts the UNHCR representative in Canada to:</p> <ul style="list-style-type: none"> • advise them of the request for voluntary repatriation; • provide information on the: <ul style="list-style-type: none"> • country of origin; • city of normal residence in the country of origin; and • ethnic or religious background of the applicant; • request that the UNHCR provide a risk assessment. <p>The UNHCR can be contacted at: UNHCR Suite 401 280 Albert. Street Ottawa, Ontario K1P 5G8</p> <p>Phone 613-232-0909 Fax 613-230-1855 E-mail: canot@unhcr.ch.</p>
2	<p>The local officer:</p> <ul style="list-style-type: none"> • informs the applicant that a risk assessment must be undertaken; and • obtains the applicant's approval to conduct the assessment.

Note: The performance of a risk assessment does not mean that the request for repatriation will be approved.

12.6 Approved repatriation

When prospects for successful integration seem impossible, and the local officer is of the opinion that repatriation seems to be the only solution, then the refugee must:

- be advised that once the request for repatriation is approved, they will no longer be able to claim Canadian residency in the event of subsequent returns to Canada;
- make a formal application for future readmission to Canada and comply fully with the *Immigration and Refugee Protection Act and Regulations* in effect at that time.

The CIC Manager has the authority to determine if a request for repatriation may be approved. When making the decision, the local CIC Manager should consider the following:

- reasons for the repatriation request;
- current circumstances of the refugee, as outlined in the local officer's report;

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- future potential for the person to establish themselves in Canada;
- circumstances in the person's home country, as outlined by the UNHCR risk assessment;
- length of time that the person has been in Canada; and
- possibility of obtaining travel documents from the country of repatriation.

If the refugee still wishes to proceed with their request for repatriation, the following process will occur.

Stage	Description
1	The refugee must sign a statement prepared and witnessed by the local officer providing: <ul style="list-style-type: none"> • a report on the interventions taken to assist the person to establish in Canada; • an assessment of the results of these interventions; and • an assessment of the future potential for the person to establish in Canada.
2	The refugee may be requested to sign a statement provided by the UNHCR indicating that they have been briefed on the conditions in the country to which they are returning.
3	The local officer submits the statements and reports to the local CIC office manager and includes a summary of the: <ul style="list-style-type: none"> • UNHCR risk assessment; • all costs incurred; and • any potential future considerations such as: <ul style="list-style-type: none"> • unpaid immigration loans; • RAP contributions; or • current social assistance benefit rates.

When the UNHCR's risk assessment indicates legitimate concerns for the refugee's safety, and the person still wishes to proceed with the repatriation request, a signed statement should be obtained from the refugee acknowledging the risk involved in being assisted to return to the country of origin.

12.7 Outstanding debts

When a request for repatriation is approved, the following steps should be performed by the local CIC office regarding immigration loans.

Step	Action
1	Verify with Collection Services, Financial Operations Branch if there is a balance owing on an immigration loan.

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2	<p>Is there a balance owing?</p> <p>If so, inform the person:</p> <ul style="list-style-type: none">• that the balance will remain listed as a debt owed to the Crown if left unpaid; and• should they wish to return to Canada at a future date, no additional financial assistance will be provided.
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12.8 Notifying the visa office responsible for the country of repatriation

The visa office responsible for the country of repatriation should be provided the following details for the file:

- name of person being repatriated;
- date of birth;
- reasons given for requesting repatriation;
- name of destination city and country for repatriation;
- original visa office file number from the Confirmation of Permanent Residence (IMM 5292B);
- planned date of repatriation; and
- any information on outstanding loan balances.

A copy of this information should also be sent to:

- Refugees Branch (SRE) at NHQ; and
- the Chief of Collection Services, Financial Operations.

A copy of this information should also be put into FOSS as a non-computer based entry (NCB).

12.9 Reasons for refusal to assist with a voluntary repatriation request

A request for government assistance may be refused when *any* one of these three circumstances exists:

- the repatriation would lead to the separation of a family, such as the partner, spouse, or dependent children not leaving Canada with the applicant;
- a medical report indicates that the person seeking assistance with repatriation is not capable of making an informed decision; or
- the person had previously demonstrated the ability to establish themselves in Canada by:
 - holding steady employment for three months or more and voluntarily leaving the job;
 - holding a steady job for six months prior to being released by the employer for any reason; and
 - residing in Canada for more than three years.