



REFUGEE CLAIMANTS IN ALBERTA

FALL 2018

BACKGROUND

In Alberta, between the years of 2011 and 2015, there was an average of 725 refugee claimant arrivals annually. In 2016, 1205 individuals sought asylum in Alberta and in 2017, this trend continued upward as 1730 individuals sought asylum in the province, marking a sharp increase from historical baselines. As of September 2018, Alberta has already received 1230 refugee asylum claims ([Government of Canada](#)), putting the province on track to receive an unprecedented number of individuals. While these figures demonstrate a significant increase in refugee claimants in Alberta, they fail to comprehensively capture the complexities of migration within Alberta and Canada at large, as many Service Provider Organizations (SPOs) have reported receiving an influx of secondary migrants who are refugee claimants.

Once individuals file a claim, they must wait for a hearing with the Immigration and Refugee Board (IRB) to determine whether they are granted official refugee status. The IRB's recent policy change to process claims on a "first-come, first-serve" basis has created immeasurable hardship and uncertainty for refugee claimants in Canada. Recent reports indicate that the average wait time is 20 months, but many cases have extended across several years ([The Canadian Press](#)).

While a claim is being processed, refugee claimants have limited access to services such as education, social assistance, emergency housing, health, and legal aid. This inability to access essential services violates basic human rights and hinders effective integration into broader Canadian society, but also imparts irrevocable trauma and needless hardship. This interim period leaves refugee claimants in an especially vulnerable position that is exacerbated by the current lack of systemic support available during this time.

Immigration, Refugees and Citizenship Canada (IRCC) acts as the primary funder for the settlement and integration sector in Alberta, however, refugee claimants are ineligible to receive IRCC-funded services. Despite this restriction, according to the *Alberta Settlement and Integration Sector Survey* conducted by AAISA at the beginning of 2018, 46% of SPOs across the province are serving refugee claimants. Currently, Alberta Labour provides limited funding for refugee claimants to five organizations across five municipalities ([Government of Alberta](#)). Moreover,



while Family and Community Support Services (FCSS) funding guidelines technically list refugee claimants as eligible beneficiaries, these programs are typically not settlement specific.

The persistent lack of funding has placed both SPOs and refugee claimants in a precarious position and has created unnecessary hardship and burden to both. Ultimately, these current policies are antithetical to Canadian multiculturalism, and systemically disadvantage refugee claimants compared to other newcomers to Canada. Furthermore, it is in the interest of the Canadian economy, and broader society, to seek to amend these policies to achieve a more equitable and mutually beneficial settlement and integration pathway for refugee claimants.

AAISA'S POSITION AND RECOMMENDATIONS

PURPOSE

This statement is intended to outline the positioning of AAISA on issues related to the arrival, processing, and integration of refugee claimants in Alberta, and Canadian society at large. It is intended to inform public opinion, influence policy, and advocate for comprehensive improvements for refugee claimants across the Canadian immigration and settlement system.

POSITION STATEMENT

AAISA considers refugee claimants to be newcomers to Canada, regardless of whether they have had their refugee hearing yet, as many will soon become permanent residents. As claimants are accepted as refugees in Canada, they will require immediate support that could be better delivered with initial contact and assistance upon arrival in Alberta. By receiving immediate support, accepted refugee claimants will be better equipped to settle and integrate in Alberta, and begin positively contributing to the province's economy and richly diverse social landscape.

In alignment with AAISA's mandate to act as an influential policy voice, AAISA maintains that refugee claimants should receive consistent services and treatment across Canadian provinces and settlement organizations. As refugee claimants are placed in precarious situations leading up to and during their hearing, they should have access to housing support and legal aid for their claim. Furthermore, due to the unprecedented influx of refugee claimants within Alberta, there is a



demonstrated need to provision funding for these services at the federal, provincial (or territorial), and municipal levels.

Overall, top-down reform of funding policies will positively reverberate through all facets of SPOs' operation, both organizationally and on the front-lines, while concurrently ensuring a more rightful settlement experience for refugee claimants. It is AAISA's firm belief that these actions will contribute to more inclusive, welcoming, and diverse communities across Alberta and Canada at large.

POLICY GUIDANCE AND RECOMMENDATIONS

FEDERAL GOVERNMENT

- Release disaggregated data (upon request) that allows for decomposition and provides information on the distribution of refugee claimants by municipality. This would enable better support for funders and agencies to effectively distribute resources
- Implement improvements to the IRB's claims review process to ensure wait times are reduced through increased funding and staff capacity
- Implement changes in IRCC's eligibility requirements to allot funding for programs and services for refugee claimants
- Raise awareness on the national stage regarding the importance of supporting Canada's humanitarian obligations and multicultural fabric through effective settlement and integration of refugee claimants
- Remove restrictions that prohibit refugee claimants from obtaining a student visa before they attain status as permanent residents
- Automatically grant permanent residency status to refugee claimants who have a successful hearing before the IRB

PROVINCIAL GOVERNMENT

- **Ministry of Justice**
 - Currently, Legal Aid Alberta only has two lawyers in charge of immigration matters. As such, it is recommended that the staff capacity of Legal Aid Alberta is increased to be better aligned with the growing population of refugee claimants in the province



- Improve information on and accessibility to Legal Aid for refugee claimants and the organizations that serve this population
- Look to the settlement sector for collaborative opportunities to provide support with claims outside of Legal Aid, through funding and training
- Provision funding for legal recourse for rejected refugee claimants to support the appeal process

- **Ministry of Labour**
 - Update the Ministry's strategic framework "*Supporting Immigrants and Immigration to Alberta*" (2005) to reflect the changing context of immigration to the province
 - Expand eligible beneficiaries to include refugee claimants across all programs and services
 - Provide funding and informative resources to agencies to ensure that they can support refugee claimants in filling out work permit applications

- **Ministry of Health**
 - Communicate with Alberta healthcare providers on the process to register for the Interim Federal Health (IFH) program to ensure refugee claimants have broad access to healthcare
 - Provide immediate provincial healthcare coverage to accepted refugee claimants, without requiring that they must first apply for permanent residency

- **Ministry of Seniors and Housing**
 - Allocate increased resources for affordable housing across the province
 - Promote the best service guidelines in the area of housing as developed by the United Nations High Commissioner for Refugees (UNHCR) and ensure that these guidelines are maintained through provision of resources and appropriate supports
 - Consider the implementation of successful temporary housing models for refugee claimants as evinced in Quebec, Ontario, Manitoba, and British Columbia

- **Ministry of Advanced Education**
 - Allow claimants to be eligible for community-based English language programming



MUNICIPAL GOVERNMENTS

- Ensure Family and Community Support Services (FCSS) funding guidelines around claimants being eligible for funded services is widely known among staff and funded agencies
- Develop a coordinated municipal system which engages key community supports, the municipality, settlement service providers, and other key stakeholders to better address emergent challenges and needs for refugee claimants at a municipal level
- Implementation of the *Access Without Fear*, akin to the policy in Edmonton, across Albertan municipalities, to ensure access to essential services for refugee claimants who may have become undocumented as well as other undocumented peoples

MEDIA

- Ensure reporting on claimants maintains truth on the nuances of the immigration and legal systems, specifically around maintaining that those who cross irregularly are not illegal as per Canada's commitments under the Universal Declaration of Human Rights

AAISA

- Re-establish the Refugee Claimant Response Committee to discuss the issues experienced by refugee claimants, and to identify and act on solutions

Work with agencies to gather data on claimants as well as information on claimant experiences and service needs