

Request for Committee Consideration		
<input checked="" type="checkbox"/> Agenda Item (Submitted to Municipal Clerk's Office by Noon at least 5 working days prior to the meeting)	<input type="checkbox"/> Added Item (Submitted to Municipal Clerk's Office by Noon at least one day prior to meeting)	<input type="checkbox"/> Request from the Floor
Date of Meeting: Thursday, March 23, 2017		
Subject: Changes to Welcomed in Halifax program criteria.		
Motion for Council to Consider: That Community Planning Economic Development request a staff report regarding possible extension of the "Welcomed in Halifax" program for refugees to individuals with Refugee Protection Claimant Documents and other refugee claimants as outlined in the letter from North Star Law and Halifax Refugee Clinic dated March 16, 2017.		
Reason: HRM Council launched a "Welcomed in Halifax" program during the influx of Syrian refugees that extended free recreation, transit and museum access for a year to new refugees. Recently it has become evident that in Halifax, as in the rest of Canada, there are many migrants who are here legally and awaiting adjudication of their refugee claim. This process can take years and during that time the applicants live and work in this community. The goal of the "Welcomed in Halifax" program is to help people who are newly arrived and most vulnerable. As structured now, a small subset of potential applicants may only gain access to the program years after they have started their life in Halifax, when that help is not as needed or meaningful. Ultimately many of the people who this program could be extended to while still applicants would later access the program as refugees.		
Outcome Sought: Options for possible amendment of user fee by-law and application process for Welcomed In Halifax program.		
<i>Councillor Wayne Mason</i>		<i>District 7</i>

March 16, 2017

VIA EMAIL

Waye Mason
Councillor, District 7 Halifax South Downtown
P.O. Box 1749, Halifax NS B3J 3A5

Dear Councillor Mason:

Re: Request to include refugee claimants and other vulnerable newcomers in the resources available from the City of Halifax

First and foremost, we would like to thank you for meeting with North Star Immigration Law and the Halifax Refugee Clinic yesterday and for your interest in expanding eligibility of resources available from the City of Halifax to refugee claimants and other vulnerable newcomers. North Star Immigration Law and the Halifax Refugee Clinic (HRC) are keenly interested in ensuring that these groups have access to adequate resources especially in the early days of their arrival in Halifax. As you know, the Halifax Refugee Clinic is an NGO assisting refugees with legal representation and settlement. North Star Immigration Law is a private law firm handling a variety of immigration and refugee matters.

As we discussed in our meeting, the refugee system in Canada is made up of two programs:

- 1) The Refugee and Humanitarian Resettlement Program, for people seeking protection from outside Canada; and
- 2) The In-Canada Asylum Program for people making refugee protection claims from within Canada.

The first group includes government assisted and privately sponsored refugees who are usually selected from refugee camps overseas and enter Canada as permanent residents. Because they are permanent residents upon arrival, they have access to numerous resources such as language classes, settlement and schooling supports, employment readiness and job placement programs, among others.

The second group are inland refugee claimants who do not have access to many (or in some cases, any) resources*. Refugee claimants undergo a demanding eligibility process, security and medical screening, and a rigorous refugee determination process. A person convicted of a serious criminal offence is not eligible to make a claim, nor is a person who has made a refugee claim in Canada in the past, or has refugee status or permanent status in a safe country. Eligibility involves verification and seizure of the claimant's identity documents, and a thorough background check with complete family information and education, employment, and address history. Any military or government service and any previous refusals of applications to Canada must also be disclosed.

Once a person is determined to be eligible to make a refugee claim, the claimant must go through the refugee determination process inside Canada. Their claim is referred to the Refugee Protection Division (RPD) of the Immigration and Refugee Board of Canada (IRB). Refugee claimants wait on average two months for their hearing but there have been recent delays meaning that some wait six months or longer. If a claimant wins their refugee determination hearing, they become a Protected Person, and can apply for permanent residence which takes about 2 years to finalize. There may be a significant delay in a protected person's ability to apply for permanent residence due to the upfront costs, including hefty application fees (\$550 per adult, \$150 per child), fees for translation of documents, and for photographs.

The conditional status of refugee claimants (and in some cases, even a protected person who has not yet applied for permanent residence) means they are excluded from federal/provincial immigration funded settlement services like ISANS programs and ESL classes through the libraries, along with many provincially funded services and programs like MSI, Pharmacare, and public housing. Such exclusion further marginalizes this vulnerable population. Extending resources to refugee claimants in Halifax would be a helpful and supportive gesture during this unstable and often traumatic time.

Refugee claimants and vulnerable newcomers require supports but they also contribute to the community through their skills, expertise, resilience, hard work, and desire to succeed in Canada. They come from around the world and enrich Halifax by making our city more diverse. They are the NGO director from Uganda, the civil servant from Kosovo, the engineer from Libya, the university student from Burundi, the baker and homemaker from Egypt, the scientist from Yemen. This is just a sample of some of those who came to Halifax last year. Providing more supports and opportunities to these newcomers is beneficial for all and may prevent some from leaving our Province. Over the years we have seen many bright, young, refugee claimants leave Nova Scotia to build their lives and grow their families elsewhere in Canada.

There were 16,900 new inland refugee claims in Canada 2015 and less than 200 of these were in Nova Scotia. Anecdotally, in 2016, over 80% of the refugee claims our two organizations were involved in were approved.

The city of Halifax would be wise to include this underserved population in its resources for refugees since more support at the beginning of the settlement process can mean improved well-being and integration long term. **We propose that individuals with a Refugee Protection Claimant Document be provided access to the same municipal programs and benefits as resettled refugees.**

Beyond refugee claimants, there are many other people who are afraid or unable to return home who may not meet the strict refugee definition, but who face a prolonged stay in Canada beyond their control**. For example, if they have new evidence of risk in their home country that was not available at the time of the refugee hearing, they may apply for a Pre-Removal Risk Assessment (PRRA). They may also be unable to be sent back to their home country because Canada Border Services Agency has suspended or deferred removal to that country due to risks to the civilian population as a result of armed conflict or humanitarian crisis. Currently that list includes Afghanistan, Iraq, Democratic Republic of the Congo, Syria, Yemen, Libya, parts of Somalia, South Sudan, Haiti, Mali, Burundi, and the Gaza Strip.

These individuals, and any individual in Canada without status who would face hardship if they were forced to leave Canada, are eventually eligible to apply for permanent residence on humanitarian and compassionate grounds. These applications can take 2-4 years to process without offering any access to federal, provincial or municipal services.

In addition to expanding available resources to refugee claimants, we suggest the city of Halifax also consider other vulnerable newcomers, such as:

- PRRA applicants;
- Individuals for whom removal to their country has been suspended by the Canadian government; and
- Other individuals without temporary status who have applied to stay in Canada permanently on humanitarian and compassionate grounds,

If it did so, the city will be serving a very vulnerable population currently in need.

We believe that providing more resources and support to refugee claimants and other vulnerable newcomers is beneficial for all and will contribute to long term growth and integration.

The Halifax Refugee Clinic and North Star Immigration Law would like to thank you for your time and attention and hope that our request is met with a favourable response!

Please feel free to contact us anytime should you have any questions or require any further information.

Sincerely,



Gillian Smith
Settlement Coordinator
Halifax Refugee Clinic



Lori A. Hill
Lawyer
North Star Immigration Law

* Canada has legal obligations towards inland refugee claimants under the Convention Relating to the Status of Refugees (article 33) and the Convention against Torture (article 3). The Supreme Court of Canada has also confirmed that the *Canadian Charter of Rights and Freedoms* guarantees the right of refugee claimants to fundamental justice, in a process where their claims for protection are heard and evaluated impartially. Not everyone who makes a claim in Canada will be determined to be a refugee, but every person needs to be heard to ensure that no one is sent back to face persecution or torture.

** Refugee determination inside Canada adheres to a narrow and strict definition of a refugee as a person facing an objective risk on specific grounds, for whom there is no state protection or alternative place to live within their home country.