

The Right Honourable Justin Trudeau, Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street Ottawa, ON K1A 0A2
pm@pm.gc.ca

The Honourable Marc Miller, Minister of Immigration, Refugees and Citizenship
365 Laurier Ave W Ottawa, ON K1A 1L1
Minister@cic.gc.ca

April 12, 2024

Dear Prime Minister and Minister Miller,

Re: Immigration Status Regularization - Permanent Residence For All

OCASI – Ontario Council of Agencies Serving Immigrants calls on you to act urgently on your government’s longstanding, and often-repeated commitment to introduce an immigration status regularization program, that would allow those living precariously in Canada to become permanent residents.

OCASI is the umbrella organization and collective voice of the Ontario immigrant and refugee serving sector, directed by our more than 240 member agencies across the province. OCASI works to achieve equality, access and full participation for immigrants and refugees in every aspect of Canadian life. We have consistently advocated for and worked to advance equity and fairness for refugees and migrants in Canada. OCASI has long advocated for an open and inclusive immigration status regularization program.

Many people in Canada have no immigration status or only precarious status. The reasons are many, including systemic barriers and delays in Canada’s immigration system itself which causes people to become out of status. There is growing evidence of the impacts of systemic racism, anti-Black racism and gender discrimination within the immigration and refugee system that continue to disadvantage racialized refugees and migrants, women and people who are 2SLGBTQ. Our member agencies have shared these concerns with you and your cabinet colleagues in letters and meetings, as well at Minister Miller’s keynote address at our frontline worker conference in October 2023.

Lack of permanent resident status leaves refugees and migrants in a precarious state, vulnerable to abuse and exploitation. They are often unable to access even the few basic rights they have or even the limited services available to them for fear of reprisals, termination, eviction and deportation.

We urge your government to make the most of a historic opportunity to introduce a long overdue permanent, comprehensive, inclusive and accessible regularization program – a program that

will extend permanent residence to an estimated 1.7 million refugees and migrants, including over 500,000 undocumented migrants – thus giving equal rights to all, rather than a small and restrictive program that will give permanent residence for just a few.

We ask that the status regularization program include the following foundational elements:

1. Ensure broad and inclusive coverage

The program must offer a comprehensive solution that responds to the many people who are in Canada without status. There must be no restrictive caps or other restrictive and inequitable conditions such as high educational levels or high levels of official language ability.

2. Guarantee access to permanent status

Applicants must have a direct pathway to permanent residence, rather than a phased or graduated system of temporary work permits. Previous such programs (eg. Temporary Foreign Worker visa) have left many in the same state of limbo of precarious immigration status and continued vulnerability to exploitation and abuse. While applications are in process, applicants should be issued a work permit, or their current work permit renewed, a practice that would be consistent with spousal sponsorship and humanitarian and compassionate applicants.

3. Avoid a narrow (and costly) sector-specific approach

A regularization program must not be tied solely to employment-related factors or limited only to certain sectors. Previous sector-specific pilot programs have shown us they are too narrow and restrictive. The many people without status who are employed outside those sectors will not qualify, and even those within the selected sectors are often excluded because of narrow criteria. Sector-specific programs also tend to fail because undocumented workers often cannot provide documentation to prove they are working in the sector (and they may be exposed to exploitation by unscrupulous employers if they request proof). A sector-specific approach will bypass some of the most vulnerable including those unable to work, and also risks inequitable gender impacts, largely benefiting men for example if focused on sectors like construction or agriculture.

4. Ensure a simple, accessible and safe process for applicants

Past experience from Canada and other countries shows that successful regularization programs use processes that are easily accessible to the applicants, are responsive to their lived reality and does not expose them to put them at risk of criminalization or removal. A regularization program must:

- Use simple and clear criteria that can allow anyone to apply without needing costly and complex interventions through an immigration lawyer or consultant. This can also make processing cost-effective for government, and affordable and time-efficient for applicants.
- Recognize that people without status would face barriers in obtaining and providing documentation, and therefore be flexible and provide alternatives that are reasonable for applicants;
- Allow applications to be submitted through trusted third parties such as community organizations and grassroots refugee and migrant groups;
- Guarantee that people can apply to the program without fear of reprisals or enforcement action. This includes clear communication, training and pro-active engagement with Canada Border Services Agency (CBSA) to ensure applicants without status will not be subject to removal.

5. Immediate moratorium on deportations

Introduce an immediate moratorium on deportations of those without immigration status while a status regularization program is under development, and for the duration of the program once it is launched.

It is also essential that your government is not working to undermine prospects for the initiative's success while it is under development. We are concerned with the acceleration of deportations by CBSA, which have doubled over the past year even as the government continues to work on developing a regularization program.

6. Public education

There is once again a growing backlash against refugee claimants, migrants and immigrants in general, particularly those who are racialized. This has created a climate of fear and tension among these individuals and communities as well as created an atmosphere where actions against people without status might seem permissible, putting them at greater risk. We encourage you to conduct widespread public education to counter these sentiments and make clear your public commitment to support people without immigration status while a regularization program is under development, and after it is launched.

We also urge you to consider proposals from the [Canadian Council for Refugees](#) and [Migrant Rights Network](#), which provide details on what a comprehensive and inclusive status regularization program must include. OCASI is a member of both networks and wholeheartedly supports both proposals.

People without immigration status are part of our communities and Canada. Their situation is urgent and critical and must be remedied immediately. We urge you to act without delay,

consider the proposals referenced above and implement a comprehensive program that will let people without immigration status become full participants in society and lead a life of visibility and human dignity.

Yours Truly,



Debbie Douglas
Executive Director