

Who is a Refugee?

All kinds of people can become refugees; rich or poor; male or female; doctor or farmer. No one is a refugee by choice. Individuals are refugees because they are persecuted based on their ethnic background, faith, opinions or because they flee an armed conflict.

The 1951 Geneva Convention relating to the Status of Refugees defines a refugee as any person who has a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or political opinion. To date, close to three- states have signed the 1951 Convention and its Protocol.

Over the years, the concept of a refugee has been broadened. Many states accept people who flee armed conflict as refugees or persons in refugee-like circumstances. Legal definitions have been influenced by human rights treaties, such as the UN Convention against Torture (CAT) and the International Covenant on Civil and Political Rights (ICCPR). The 1951 Convention and these treaties are the basis of our refugee laws in Canada: The Immigration and Refugee Protection Act (IRPA) and the Immigration and Refugee Protection Regulations (IRPR).

A refugee is, first and foremost, a human being, a person with rights and dignity. Despite their differences, refugees throughout the world have one thing in common: they cannot live peacefully, in safety and dignity, in their home country.

Refugees Worldwide

Some refugees are able to flee to a safe country where they are provided protection and status a long-term solution which will permit them to live in their asylum country and perhaps even become a citizen. When these refugees apply for asylum, they are referred to as inland claimants or asylum seekers.

For most of the world's refugees there is no immediate solution, and in some cases, individuals remain in camp situations for years, decades or even generations. Most refugees seek asylum in countries neighboring areas of conflict. Often these are developing countries with limited resources. These countries play an important role by temporarily providing protection to large populations. Unfortunately, they are not able to offer more permanent solutions to the refugee populations in their country. Many refugees remain in camps or live in urban settings without access to basic rights. They are often not allowed to work or go to school and start a new life.

Each year, UNHCR publishes statistics about refugees around the world. According to UNHCR's 2021 Global Trends Report, at the end of 2022 89.3 million individuals worldwide were forcibly displaced as a result of persecution, conflict, violence, human rights violations or events seriously disturbing public order.

In the past, large numbers of refugees returned home, many after decades in asylum countries, and others after only a few months. After falling steadily since 2004, the number of refugees returning home voluntarily in 2016 increased to 552,2200, often in less than ideal circumstances. More than half of the world's refugees have been in their situation for over five years and for most of them the possibility of returning home seems doubtful.

(Excerpt from RSTP's sponsorship handbook)

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In 2016 , 125,835 refugees were resettled with or without UNHCR assistance in more than 37 countries worldwide. The UNHCR encourages countries to introduce and increase resettlement programs to extend assistance to the millions of refugees worldwide.

Durable Solutions for Refugees

States are obligated to protect refugees who are in their territory. This follows from the Refugee Convention. The Refugee Convention also stresses the importance of international solidarity with states which host large numbers of refugees. Internationally, the office of the United Nations High Commissioner for Refugees (UNHCR) is mandated to protect the rights and well-being of refugees. The UNHCR has identified three durable solutions for refugees: voluntary repatriation local integration resettlement in another country The UNHCR works with governments internationally to offer a durable solution to refugees.

Voluntary repatriation

Voluntary repatriation is only a durable solution when conditions in the refugees' home country have improved in a lasting and meaningful way, and refugees are able to return to their home country in safety and with dignity. It is important to take the individual s circumstances into consideration when determining whether voluntary repatriation is an option. When the situation in the home country improves, some groups may be able to return home while it may not be safe for members of other groups.

Local integration in country of asylum

When voluntary repatriation is not feasible local integration is a second solution for refugees. This means that the refugees have the ability and right to stay in their current country of asylum. Refugees are considered locally integrated when they have rights similar to those of citizens in the country where they sought refuge. These include that: they can move around that country freely; they are allowed to earn a living; their children are allowed to attend school; and there is no threat of forcible return to their country of origin.

Resettlement in a third country

When refugees are not able to voluntarily return to their own country and have no prospects to locally integrate in their current country of asylum, resettlement in another country is a third possible durable solution. Resettlement provides a durable solution for refugees and offers protection to those who are particularly vulnerable and whose life, liberty, safety, health or fundamental human rights are at risk in the country where they sought refuge. Resettlement is also used as a means of sharing responsibility with a country that hosts large groups of refugees. Resettlement or sponsorship can reunite families who were separated while fleeing their homes.

Most often resettlement offers refugee the right to remain in the resettlement country permanently.

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What does Canada do for Refugees?

The Immigration and Refugee Protection Act (IRPA) and the Immigration and Refugee Protection Regulations (IRPR) outline the law and regulations for immigration and refugee protection in Canada. The introduction of the IRPA clarified and widened the humanitarian goals of Canada's immigration program and modernized the protection mechanisms and durable solutions available to refugees in need of resettlement.

Refugees are only a small part of all newcomers to Canada. The economic classes which include skilled workers, live-in caregivers and business immigrants account for about sixty percent of permanent residents who arrive in Canada each year. About twenty-four percent of all immigrants arrive in Canada under the family class in Canada. Eleven percent of all immigrants coming to Canada in 2015 consisted of refugees. Of these refugees more than half came as resettled refugees, either as privately sponsored refugees (PSR) or as government assisted refugees (GAR).

Canada's response to refugees is two-fold:

1. As a signatory to the Geneva Convention, Canada is obligated to offer protection to refugees who arrive on its shores and claim asylum. Refugees seeking asylum in Canada are known as refugee claimants. In order to be permanently accepted in Canada they must first be determined eligible as refugees by the Immigration and Refugee Board (IRB).
2. Canada also offers protection in the form of resettlement or sponsorship. In 2017 the goal was 16,000 refugees, but numbers vary annually. Overseas refugees can be referred for resettlement to Canada by the UNHCR or another referral agency, or by private refugee sponsors. Canadian visa officers establish whether the refugee is eligible for resettlement to Canada. Selected refugees have to undergo medical, criminal and security checks before being admitted to Canada. They arrive in Canada as permanent residents with all associated rights and responsibilities. Canada is the second largest country of resettlement, with some 46,702 refugees resettled in Canada as Government Assisted Refugees (GAR), Privately Sponsored Refugees (PSR) or Blended Visa Office Referred (BVOR) in 2016. There are currently 37 countries that have resettlement programs.

Types of Refugee Sponsorship

Refugees resettled to Canada may be sponsored by the government or a private sponsoring group. Special needs refugees may be jointly sponsored by the government and a private sponsor.

In Private Sponsorship, sponsoring groups are responsible for all material and financial support of the refugee(s) as well as for providing orientation, settlement and emotional support during the sponsorship period (usually the refugees' first year in Canada) or until the refugees become self-supporting. All government financed settlement services are usually available to the refugees as well. However, refugees may not access social assistance because of the sponsor's commitments. Sponsoring groups may choose to identify the refugees they wish to sponsor (sponsor-referred cases) or may request to be

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matched with refugees through Immigration, Refugees and Citizenship Canada (IRCC). The latter is for visa office-referred cases.

In sponsor-referred sponsorship, a group sponsors specific refugees or refugee families in need of resettlement which come to their attention through overseas contacts or through friends or relatives in Canada. The IRCC process begins with the submission of the Sponsorship Undertaking. By accepting a Visa Office-Referred (VOR) sponsorship the private group provides sponsorship for individuals or family members already identified and determined as in need of protection by Canadian visa officers abroad. Groups can specify certain criteria such as, for example, the ability to support a family of four. Resettlement Operations Canada – Ottawa (ROCO-O), part of IRCC, matches the group's offer of a sponsorship to a refugee family in need, VOR and BVOR cases have already been interviewed and approved for resettlement by a visa officer and therefore may arrive more quickly.

Special Programs

The Joint Assistance Sponsorship Program (JAS), enables sponsors, service providing organizations and the government to work together to resettle refugees who are identified as having special needs. Examples of persons in this category include refugees with physical handicaps or especially large or single-parent families. The government provides financial assistance to the refugees, while sponsoring groups provide orientation, settlement and emotional support. Service providing organizations provide appropriate settlement services. Typically sponsors commit 2 years of support to a JAS sponsorship.

The Blended VOR program (BVOR) is a cost-sharing initiative designed to resettle refugees selected by the UNHCR. Under the current Blended VOR program launched in 2013, IRCC provides 6 months of Refugee Assistance Program (RAP) income support to sponsored refugees while private sponsors are responsible for the remaining 6 months of settlement costs and assistance. The Women at Risk program, which is sometimes referred to as AWR, was set up to ensure that refugee women applicants are not unfairly disadvantaged when it comes to resettlement opportunities. The program is for women without the normal protection of a family unit who require immediate protection or are in permanently unstable circumstances with no other solution. AWR cases will often require Joint Assistance Sponsorship, but they may also resettle as a government assisted or privately sponsored refugee.

The Urgent Protection Program (UPP) allows Canada to respond to requests to provide urgent protection for refugees abroad. These include, but are not limited to, individuals who are under threat of being deported back to their country of origin and/or individuals who face a real threat to their physical safety in their current country of asylum. UPP cases are usually designated as government-assisted refugees. If the refugees in the UPP case are identified as having special needs, they are identified as Joint Assistance Sponsorship cases.

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