

Update to Members on Our Advocacy Regarding the Situation in Gaza

May 1, 2024

As a result of Israel's military campaign in Gaza, the Canadian Association of Refugee Lawyers (CARL) has been actively urging the Canadian government to adopt viable immigration measures to permit Palestinians to find safety in this country. The pressing need for ongoing advocacy on this issue has only increased over time. Several organizations and institutions have raised serious concerns about a genocide in Gaza.

CARL's work on this issue is rooted in our core mandate to fight for the rights of refugees and migrants to Canada. CARL's advocacy efforts have included the following:

- On November 24, 2023, CARL wrote a letter to Prime Minister Justin Trudeau and Minister Marc Miller of Immigration, Refugees, Citizenship Canada (IRCC), urging the implementation of a broad range of urgent immigration measures for Gaza. This included special measures for those with ties to Canada but also broader public policy pathways, emphasizing that the broad measures adopted for Ukrainians ought to be the norm and not the exception.
- On December 1, 2023, CARL held a meeting with team members of the Deputy Minister of IRCC and members of the International Crisis Response team. During this meeting, CARL again highlighted the urgent need for Canada to enact measures for Gazans.
- On December 5, 2023, CARL met with Minister Miller and an Associate Deputy Minister (ADM) of IRCC to underscore the increasingly pressing need for Canada to implement measures for Gaza.
- On December 21, 2023, as a result of persistent advocacy by organizations including CARL, as well as mounting public pressure, the Canadian government announced temporary immigration measures for family members of Canadian citizens and permanent residents displaced in Gaza ("Special Measures"); the details of implementation for the Special Measures was to follow in early 2024.
- On December 22, 2023, CARL issued a letter to its membership expressing concerns about reports of suppression of political expression on this issue of Israel/Palestine. We encouraged our members to resist speech that dehumanizes Palestinians, Israelis, Muslims, and Jews, consistent with our professional commitment as refugee lawyers to the shared value and dignity of all people and peoples.
- On January 14, 2024, CARL met with another ADM of IRCC and her team at a briefing on the public policy for extended family affected by the crisis in Gaza alongside several other organizations.
- Between January 2024 to April 2024, it became clear that there were serious problems with the effectiveness of the Special Measures program. CARL publicly

called out these problems and urged action by Canada to address them. Some of the commentary can be accessed [here](#) and [here](#).

- On April 4, 2024, CARL met once more with an IRCC ADM and her team to address the serious failure of the Special Measures, which had, as of April 4, 2024, not resulted in the arrival of even a single individual to Canada.
- On April 19 and 29, 2024, CARL requested further information and updates from the ADM's office; however, there are no updates at this time.

As a result of our meetings with Canadian officials, we can share the following information:

- The major “chokepoint” inhibiting the processing of applicants for the Special Measures is Israeli restrictions on exit from Gaza.
- IRCC reports that it created the “enhanced biographic form” as a result of the inability to perform biometrics on the ground in Gaza. This was deemed necessary because Canada was trying to facilitate exit from Gaza and had to “vouch” to the Israeli and Egyptian authorities that those allowed to travel to Egypt for final processing would have a pathway to Canada. This is similar to the enhanced screening put in place for Afghan measures.
- As of April 4, 2024, Canada had processed the “enhanced biographic form” for over 300 individuals. Canada had provided those names to the governments of Israel and Egypt as having been vetted for the Canadian pathway and had requested they be permitted to leave Gaza. As of April 4, 2024, Canada had not received approval from Israel for any of those listed individuals to exit through Rafah.
- As of April 4, 2024, when CARL last met with IRCC, Canada had not contacted any applicants to let them know where their application stands (i.e. whether their names have been provided to Israel, whether they are within the first 1000 applications under the cap, etc.).
- Canada is aware that some individuals are crossing into Egypt by paying “facilitators” but does not receive any information from Egyptian authorities that individuals with Special Measures applications have crossed.
- If you have clients who have applied under the Special Measures and who have made it to Egypt, you should advise them to inform the Canadian Embassy in Cairo, who will process their biometrics.

We remain steadfast in our commitment to advocate for effective and meaningful Special Measures. CARL will continue to advocate for the safety and dignity of Palestinians in urgent need of assistance from the Government of Canada.

To learn more about the Gaza Special Measures program, please join CARL for a free webinar on Thursday May 16, 2024 from 3:00 to 5:00 PM EDT. The webinar will include tips from counsel on how to troubleshoot existing applications, possible litigation strategies, the latest updates from IRCC, and how/why the program requirements differ from those imposed for Ukraine and Afghanistan.

Sincerely,
CARL Executive