

Plan to Facilitate Immigration of Vietnamese in the Philippines

Effective immediately, Citizenship and Immigration Canada (CIC) will implement the following plan to facilitate the immigration of applicants from the group of Vietnamese living in the Philippines. The plan outlines how Humanitarian and Compassionate consideration (H&C) can be utilized by this group, together with applications for permanent residence, allowing the challenges that this particular group has faced to be taken into account.

H&C is a mechanism through which people who do not meet the criteria of the *Immigration and Refugee Protection Act* can apply for permanent residence. An immigration officer will assess the case and decide, on a case by case basis, if it merits an exemption from the requirements of the Act and Regulations.

We have attached a document which will provide further information on this provision, as well as specific information on how members of this group can utilize the H&C measure according to their specific circumstances. While applications will be reviewed by officers on a case by case basis, consideration will be given to factors such as having relatives in Canada and the unique situation of being a member of this group. Simply being a member, however, will not mean that the application will be approved. Additional H&C considerations must be demonstrated. The decision lies with the visa officer. The strongest cases for H&C consideration will be those in which settlement ability is demonstrated, as well as a support network in Canada.

An example of where these elements will be demonstrated is where the applicant has a relative in Canada who will sponsor the individual within the Family Class. For those applying in the Federal Skilled Worker class, settlement ability and support networks in Canada may be demonstrated with arranged employment or a community member or members otherwise committing to assisting the applicant in the integration process. Further information is outlined in the attached document on these and other factors which may be relevant to an H&C request.

In further recognition of the circumstances of this group, expedited processing will be afforded to all applications submitted by members who have been identified by the Vietnamese Canadian Federation (VCF). To ensure that CIC can identify members of this group, it will be necessary for the VCF to provide a list of the remaining Vietnamese living in the Philippines without status, before applications are made. Information required includes the name and date of birth of the prospective principal applicant and accompanying family members, and the province of intended destination. If applicable, the names of relatives in Canada, their province of residence, and their relationships to the applicant should also be included.

To ensure that this process is completed in a timely manner, expedited processing will be afforded to complete applications received by CIC before December 31, 2007. CIC will make best efforts to finalize cases within a 12 month period. It should be noted, however, that all applicants will be subject to inadmissibility provisions concerning

health, safety, and security, and where there are concerns in this regard, longer processing periods may apply.

A complete application includes all fees and, if applicable, a completed sponsorship application. “Vietnamese in the Philippines” should also be written on the outside of the envelope, as an additional means of identifying the application for expedited processing.

Applicants must disclose all of their family members on their applications for permanent residence, regardless of whether or not the family member has also applied or may be accompanying them to Canada. Pursuant to the *Immigration and Refugee Protection Regulations*, any family member who is not disclosed cannot later be sponsored as a member of the family class. **Therefore, failure to disclose a family member, even a spouse or a child, may result in permanent separation from that family member.**