**GOVERNMENT RESPONSE TO THE EIGHTH REPORT OF THE HOUSE OF COMMONS STANDING COMMITTEE ON CITIZENSHIP AND IMMIGRATION ENTITLED,**
*"Differential Treatment in Recruitment and Acceptance Rates of Foreign Students in Quebec and in the Rest of Canada"*

**INTRODUCTION**

The Government of Canada thanks the Standing Committee on Citizenship and Immigration for its report, entitled *Differential Treatment in Recruitment and Acceptance Rates of Foreign Students in Quebec and in the Rest of Canada* (Report), which was tabled in the House of Commons on May 31, 2022. The Government of Canada also extends its appreciation to the witnesses who shared their time and expertise on attraction, recruitment and retention of international students in support of the Committee's study. Immigration, Refugees and Citizenship Canada (IRCC/the Department) benefits from the opportunity to hear and learn from the Report on the challenges that have been brought forward on international students, especially recruitment and acceptance rates of international students in Quebec and in the rest of Canada, including French-speaking students from African countries.

Our immigration system has helped shape Canada into a diverse and welcoming society with immigration being an integral part of our country's cultural, social and economic foundation. With respect to the international education sector, it has expanded tremendously in the last decade. Canada's global market share of international students was less than 1% in 2001, but it has grown to become among the top four destinations of choice for international education, with more than 600,000 foreign nationals holding study permits in 2021.

International students are also transitioning to permanent residence in greater numbers. In 2021, over 157,000 international student graduates transitioned to permanent residence, an increase of nearly 400% since 2016. This increase is a result of the Government's commitment to creating pathways for immigration.

The program responsible for international students is demand driven. To study in Canada, applicants must first be accepted to a Canadian designated learning institution (DLI) before applying to IRCC for a study permit. Officers assess applications against eligibility criteria, including a letter of acceptance from a DLI, ability to support oneself while in Canada, and the intent to leave at the end of authorized stay. The application is also assessed based on admissibility to Canada on health, criminality and security grounds. All applications are assessed individually, based on the documentation included in the application. Refusals are based on an applicant's inability to meet these requirements. The most common reasons for refusal are that the applicant is unable to demonstrate that they will be able to support themselves while in Canada and that they will leave Canada at the end of their authorized stay. In particular, the applicant may not be able to demonstrate that they have the financial resources to support themselves and their family during their studies.

Although Canada has welcomed significant growth in the number of students coming to Canada, this growth also highlights program integrity issues. IRCC is concerned that some international students may be placed in situations of vulnerability, through unethical recruitment practices abroad and precarious work in Canada. IRCC is working to identify the root causes of these vulnerability issues and work with our stakeholders to bolster protections for international students. This will ensure that Canada's international reputation remains strong and international students continue to view Canada as a destination of choice for their studies.

The Department has prioritized the creation of a clearer pathway to permanent residence for international students, which is a key commitment in the Minister of IRCC's mandate letter. The Department is in the early stages of this work, but a central component to any pathway will be to identify those students who are best placed to transition to permanent residence because they have skills, experience and language levels that will help them succeed in Canada's labour market. In addition, IRCC is exploring options to promote and facilitate meaningful work experience during studies (through co-op and work integrated learning) and post-graduation.

IRCC will also ensure that clients benefit from new technologies by ensuring that these are developed with the required transparency and oversight to ensure responsible use and ethical management.

In order to take advantage of any levers that could be adjusted to help students during studies and in the labour market, we will need to work with our partners to identify next steps on how to attract, select and retain top talent, how we support students and bolster program integrity.

The Government of Canada agrees, either partially or in full, with all recommendations in the Report and is taking action in several areas. The Committee's recommendations are addressed under the three themes below:

- Attracting International Students
- Ensuring Equity in the International Student Program; and
- Improving Client Service and Communication

## 1. ATTRACTING INTERNATIONAL STUDENTS

The Committee highlighted a number of areas where IRCC could improve its efforts to attract, select, and retain international students and better align such efforts with departmental objectives, such as Francophone immigration outside Quebec. The Government agrees, either partially or in full, with all of the recommendations grouped in this theme.

Over recent years, the International Student Program has grown considerably in both the number of study permit applications the Department receives and the number of study permits it issues per year. From 2022 to 2023, the number of study permit holders is forecasted to grow by 17% to approximately 753,000 international students. However, there is concern from the Committee that despite increases in overall demand, applications from certain countries and populations are not given adequate consideration by the Department and, as a consequence, IRCC is at risk of falling short of its objectives.

The Committee argued that given the large number of French-speaking countries in Africa, IRCC could be doing more to attract international students from this region and suggested expanding the eligibility of specific programs, such as the Student Direct Stream (SDS), to specific African and French-speaking countries. Work is ongoing to establish clear and objective criteria that will govern the expansion of the SDS in the future. Similarly, the Committee recommended that the Government of Canada and the Government of Quebec work together to understand the rate of study permit refusals for Francophone African students destined for Quebec. In response, IRCC and the *Ministère de l'Immigration, de la Francisation et de l'Intégration* (MIFI) have already begun discussions to organize a working group on study permit applications that will launch in fall 2022. With respect to the Committee's recommendations around work facilitation measures, the Department is looking at the number of off-campus work hours permitted for full-time international students. The Department has also modified the COVID-19 distance learning facilitation measures for the Post-Graduation Work Permit (PGWP) program, providing interim measures until August 31, 2023, when the facilitations will come to an end. This will create a gradual transition period for students to return to in-person learning. The Committee proposed regulatory changes to eliminate the work permit requirement for international students enrolled in co-op programs or work-integrated learning. IRCC is currently assessing the effects of these potential changes and seeks to balance facilitative measures with program integrity considerations to ensure that Canada remains a top study destination.

In this section, the Government highlights its ongoing efforts to promote Canada abroad as a study destination, support the vitality of Francophone minority communities, strengthen and streamline study permit applications, and improve work and settlement opportunities for international students.

**Attraction of International Students (Including Francophone Regions)** *(Responds to Recommendations 2, 3, 4, 5, 6, 7, 8, 10)*

The Government agrees, either partially or in full, with all recommendations in this sub-theme. This section will speak to IRCC's work with provincial and territorial governments and designated learning institutions to promote Canada as a study destination with special consideration for retaining French-speaking students outside of Quebec. This section will also highlight work to review the Student Direct Stream and explore alternative mechanisms to validate financial information for country-specific streams, such as the Nigeria Student Express initiative.

To promote Canada as a study destination, IRCC supports GAC and ESDC on the delivery of commitments made in the *2019-2024 International Education Strategy* (IES). One of the main objectives of the IES is to "diversify the countries from which international students come to Canada", and as part of the strategy, the Government of Canada committed to developing a targeted digital marketing strategy to raise the profile of regions that traditionally attract fewer international students. To this end, IRCC supports GAC who, in consultation with provinces and territories, as well as other stakeholders, leads Canada's marketing campaigns to attract international students from select target markets, including the EduCanada campaigns and other promotional activities. In particular, IRCC's role is to ensure that the regions selected align with the Department's immigration objectives, such as Francophone immigration. GAC ran a targeted "Francophone Minority Communities" digital ad campaign in 2021-2022. The campaign targeted students (16 to 34 years old) from France, Ivory Coast, Morocco and Senegal. IRCC has also made strides to improve client services and immigration-related processing by expanding the SDS to 14 countries, including two in French-speaking African countries: Morocco and Senegal. Both countries have seen an increase in applications since the launch of the program. The Department will continue to provide guidance to officers about IRCC's commitments to welcoming a diverse array of international students in line with the objectives of the IES.

Regarding other work underway to promote Canada abroad, IRCC is planning to undertake a review of the International Student Program with consideration towards attracting a more diversified pool of international students.

The promotion and retention of French-speaking students to Francophone minority communities is a departmental priority for IRCC. Through section 3(1)(b.1) of the *Immigration and Refugee Protection Act*, the Department is mandated to "support and assist the development of minority official language communities in Canada." IRCC's promotion of Francophone immigration also supports the broader Government of Canada commitment in the *Official Languages Act* to enhance the vitality of Francophone minority communities. Furthermore, Minister Fraser's mandate letter calls on the Department to "continue to implement an ambitious national strategy to support Francophone immigration across the country."

While international students are a temporary resident population, many will go on to become permanent residents and should therefore be considered a key contributor to IRCC's Francophone immigration commitments due to their experience in Canada and their high human capital characteristics. As such, in collaboration with provincial and territorial governments and other stakeholders, work is underway within the Department through the *Federal-Provincial-Territorial Action Plan for Increasing Francophone Immigration Outside of Quebec*. As outlined in the action plan, IRCC engages provinces and territories to enhance their promotional activities overseas and spread awareness of opportunities for French-speaking applicants, including prospective international students, to immigrate to Canada outside of Quebec. The Department also engages with French-speaking immigrants and temporary residents, such as international students, to promote opportunities to settle outside of Quebec. GAC has indicated their intention to engage more proactively with *L'Association des Colleges et Universites de la Francophonie Canadienne* (ACUFC) on promoting studying in French outside Quebec to prospective international students.

With respect to the Student Direct Stream (SDS), the Committee recommended that IRCC review the SDS and assess its fairness across countries as well as consider expanding the program to other countries, specifically in Africa (Nigeria, Ghana and Francophone nations), Asia (Bangladesh), and other Francophone nations. Introduced in 2018 and initially available to four countries – China, India, the Philippines and Vietnam – the SDS has since expanded to a total of 14 countries, including Pakistan, Morocco, Senegal, Antigua and Barbuda, Brazil, Colombia, Costa Rica, Peru, St. Vincent and the Grenadines, and Trinidad and Tobago. The program has successfully strengthened applications by providing clients with a method to demonstrate a verified proof of funds, which is helping to increase the approval rates for study permits for eligible countries. SDS differs from the regular study permit application stream by offering a 20-day application processing timeline and the requirement that applicants provide all documents, including up-front medical examination, proof of funds in the form of a $10,000 CAD Guaranteed Investment Certificate (GIC), and proof of tuition paid for the first year of study. The Department can explore alternative tools and mechanisms related to the proof of tuition paid for validating the financial information in study permit applications. Participating countries were selected for SDS based on an assessment of study permit volumes, approval rates, processing times, key study permit metrics. Guaranteed Investment Certificates and language testing availability, as well as assessment of risk factors by local processing officers.

The expansion of SDS to other countries will be dependent on a number of factors, including consideration of the selection criteria listed above, country market evaluations, and stakeholder consultations.

Work is underway within IRCC to establish clear and objective criteria that will govern the expansion of the SDS, and any future expansion of the list of eligible countries will be examined through various risk assessment tools in order to align with program integrity concerns. Under Canada's International Education Strategy (IES), IRCC will explore expanding the SDS to new countries in order to attract international students. The expansion and growth of the Student Direct Stream has been a key part of the International Education Canada strategy, in partnership with Global Affairs Canada and Employment and Social Development Canada, with the strategic objective to maintain and enhance Canada's competitiveness in attracting international students, and it is expected that this will continue to expand and grow over the next several years.

The Nigeria Student Express (NSE) is a country-specific expedited stream that includes additional criteria that provide more assurance in the study permit application to facilitate processing. It was not included in the 2019 expansion of the SDS because of the lack of presence of a financial institution able to provide a suitable GIC product. In the absence of SDS as an option, the Department recognized the needs for a similar program that would benefit Nigerian clients, and therefore launched a pilot in January 2020 that was tailored to local conditions in Nigeria. Similar to the SDS, prospective students from Nigeria have the option to apply for a study permit either through the NSE or through the regular International Student Program stream. The Department will assess the outcomes of the NSE pilot with a view to applying the lessons learned to improving processing efficiencies in other countries.

When applying through the Nigeria Student Express, applicants must demonstrate that they have a bank balance of at least $30,000, however, they are not required to provide proof of tuition paid for the first year of study. The Student Direct Stream, on the other hand, requires that applicants purchase a Guaranteed Investment Certificate in the amount of $10,000 and provide proof of full up-front payment of tuition for the applicant's first year of study. With the average cost of international undergraduate tuition fees at $33,623 for 2021-22, the average financial commitment for SDS was approximately $43,623.

With respect to language requirements, applicants to the NSE and SDS must submit a valid language test result (either International Education Language Testing System or *Test d'Evaluation de Français*) to IRCC, regardless of language requirements from the designated learning institutions. There is no regulatory requirement to have a certain level of language proficiency in order to obtain a study permit, although the IRCC officer has the discretion to request proof of language proficiency on a case by case basis to help the officer assess whether

the applicant is a bona fide student. The Department will continue to look into the language requirements for permanent and temporary resident programs as well as the testing organizations that administer the language tests, and determine whether the requirements can be better aligned.

**Increasing Dialogue between Canada and Quebec** *(Responds to Recommendation 1)*

The Government agrees to increase dialogue between Canada and Quebec and IRCC will launch a working group with Quebec on study permit applications beginning fall 2022.

The Department has a long standing relationship on immigration with Quebec governed by the *Canada–Quebec Accord Relating to Immigration and Temporary Admission of Aliens* (Canada-Quebec Accord). For international students destined to Quebec, other than those under a federal assistance program for developing countries, the *Ministère de l'Immigration, de la Francisation et de l'Intégration* (MIFI) must consent to their arrival by issuing a Quebec Acceptance Certificate (CAQ), if the laws of that province require that the foreign national hold a CAQ.

In recent months, Quebec has engaged IRCC bilaterally on the issue of approval rates for study permits from Francophone African students destined to Quebec. The Government agrees that there is room to increase dialogue with MIFI so that both governments can better understand trends in study permit applications and approval rates and take joint action. As such, MIFI and IRCC have committed to launching a working group that will meet regularly to examine study permit applications to Quebec. Details of the working group continue to be discussed and the inaugural meeting will take place in fall 2022.

**Reducing Administrative Requirements for Work Opportunities**
*(Responds to Recommendations 32, 33)*

The Government agrees with this recommendation and has work ongoing to assess the reduction of administrative requirements for work opportunities for international students against the requirements to receive a co-op work permit.

Research has shown that work experience is a strong predictor of settlement success and IRCC recognizes that Canadian work experience can augment the benefits of study. For this reason, the *Immigration and Refugee Protection Regulations* provide eligible international students with a number of options to pursue work integrated learning and other types of employment. However, the Department also recognizes the need to balance these benefits with the requirement that international students actively pursue their education while in Canada.

In light of labour market shortages and post-pandemic recovery needs, IRCC is looking at the number of off-campus work hours permitted for full-time international students.

The Minister also announced a temporary extension of COVID-19 facilitation measures for the PGWP that, until August 31, 2022 allowed international students to complete 100% of their studies online from outside Canada while remaining eligible for a PGWP. To facilitate a transition period, a temporary extension of these measures will be implemented from September 1, 2022 until August 31, 2023. During this period, 50% of credits earned from a PGWP-eligible DLI must be obtained from within Canada. Moreover, studies completed online from outside Canada will not be deducted from the length of a future PGWP as long as they comprise less than 50% of the program. These changes encourage international students to come to Canada and ensure that those whose study permits were not processed in time for September 2022 are not penalized.

In addition to these facilitations that have been implemented by the Department, the Committee specifically recommended that IRCC automatically issue a work permit to all students enrolled in a co-op program to avoid situations of international students not receiving their co-op work permit in time for the start of their placement. As it currently stands, all co-op work permits are fee exempt. However, work permits are not always issued automatically due to regulations in the *Immigration and Refugee Protection Regulations* (IRPR) - specifically sub-

paragraph 205(c)(i.1) - that require foreign co-op students to provide a letter from their institution explaining that the placement is an essential part of their study program. The same is true for work-integrated learning, where an international student must provide a letter from their institution explaining that the work-integrated learning opportunity, such as an internship, is an essential part of their study program.

IRCC is examining how international students obtain meaningful work experiences during their studies, and whether it can leverage any mechanisms to help these students participate in the labour market. Currently, the Department is assessing the tradeoffs between reducing administrative requirements on co-op and work-integrated learning with any potential integrity risks that could arise as a result. As with any regulatory changes, IRCC must balance facilitative measures with program integrity checks to ensure that Canada remains a top study destination of choice and that international students benefit from a positive and quality academic experience while in Canada.

**Expanding Settlement Services to International Students** *(Responds to Recommendation 35)*

The Government agrees in part with this recommendation. While the IRCC Settlement Program is only available to permanent residents and refugees and protected persons, work is ongoing within IRCC to better understand the needs of temporary residents and the supports currently available to them, as well as to promote transition to permanent residence for students.

The Committee recommended that IRCC partially fund settlement services to international students on a path to permanent residence. Currently, the IRCC Settlement Program is only available to permanent residents and refugees and protected persons, which aligns with the objective in paragraph 3.(1)(e) of the *Immigration and Refugee Protections Act*, "to promote the successful integration of permanent residents into Canada, while recognizing that integration involves mutual obligations for new immigrants and Canadian society." While there are exceptions related to participants in regional economic initiatives, temporary residents are not eligible for federally-funded settlement services. International students can access the settlement services made available to them by the institution in which they are enrolled, and in some cases, through provincially or territorially-funded settlement programs.

Tens of thousands of international student graduates become permanent residents each year mainly through the Canadian Experience Class. However, students must obtain temporary status (i.e. a study permit) before being eligible for an economic class to obtain permanent resident status, and as such, there is currently no direct federal pathway to permanent residence for international students in Canada. Consequently, and in keeping with the Settlement Program's authorities and objectives to support the long-term settlement and integration of permanent residents, IRCC does not provide settlement services to international students or graduates.

IRCC has been working with provinces and territories to better understand the current landscape of settlement services as well as the needs of temporary residents, including international students and post-graduation work permit holders. The Federal-Provincial-Territorial Settlement Working Group under the *Forum of Ministers Responsible for Immigration* (FMRI) has undertaken an analysis of settlement services available to temporary residents across jurisdictions that demonstrated there were a wide range of existing services. Moving forward, IRCC will continue to monitor the needs of temporary residents and their experiences across jurisdictions.

The Minister of Immigration, Refugees and Citizenship has a mandate letter commitment to expand "pathways to permanent residence for international students and temporary foreign workers through the Express Entry system." As such, IRCC is exploring how to best promote the transition to permanent residence for international students, particularly those with the skills, experience, and language levels necessary to succeed in Canada.

## 2. ENSURING EQUITY IN THE INTERNATIONAL STUDENT PROGRAM

The Committee highlighted a number of areas where equity in study permit applications and approval rates have come into question and identified a number of recommendations around anti-racism initiatives, especially for French-speaking students from African countries. IRCC recognizes the presence of racism in Canada and within our own organization. The Government agrees that more can be done with respect to racial bias and discrimination within the organization and its policies, programs, and operational processing functions. As part of the Government of Canada's commitment to anti-racism, IRCC is actively working to ensure racial equity for our employees, clients, and Canadians. The Government agrees, either partially or in full, with all the recommendations under this theme.

The significant growth in the number of international students coming to Canada has highlighted the vulnerability faced by some students, which can be amplified by their gender, race, age, financial status, and whether they have a disability. This also raises program integrity concerns for this program. The Committee has called into question the fairness of some program requirements and selection criteria, which may inadvertently lead to higher refusal rates for students from Africa. The Department recognizes that the immigration process may be difficult for some clients to navigate, and establishing clearer communication products for our clients would improve outcomes. In particular, the Department is taking steps to clarify criteria for the Nigeria Student Express initiative and is exploring ways to improve the International Student Program to optimize the selection and retention of genuine international students from Africa. Some of this review involves clarifying how provisions in the *Immigration and Refugee Protection Act* and its *Regulations* are applied, such as how a study permit application is assessed when the person applying for temporary residence as an international student also wished to become a permanent resident in Canada.

In this section, the Government highlights many initiatives introduced in response to the unique challenges around equity and anti-racism in programs and policies, followed by criteria changes in the programs responsible for students.

**Responding to Anti-Racism Priorities** *(Responds to recommendations 19, 20, 21, 24)*

The Government agrees with all recommendations in this sub-theme. IRCC is targeting March 2023 to launch disaggregated data standards  by April 2023 and will explore the possibility of soliciting further research with external stakeholders on the issue of racial discrimination of Black immigrants as it relates to their immigration journey. The Department has also committed to conducting a GBA Plus as part of Chinook's re-platforming roadmap.

A key priority area for IRCC is actively engaging in anti-racism efforts to prevent discrimination not only in the administration of our policies and programs, but within our workforce as well. To begin with, IRCC proceeded with data collection initiatives to baseline its current state. In November 2020, IRCC conducted its first anti-racism employee survey and discovered that the three main challenges of the Department's workforce are: barriers to career advancement, lack of trust in management, and systemic biases. It also revealed a significant difference in perception between racialized and white employees with regard to race-based discrimination. In the first half of 2023, IRCC will be proceeding with a second round of employee focus group discussions in a similar format to the one used to produce the Pollara Report referenced by the Committee. IRCC plans to compare the results with those collected two years ago to assess cultural change, and to once again, share these results publicly. These data initiatives will continue on a regular basis in order to produce valuable information that can assist in transparently addressing systemic racism, through public accountability. In addition, as part of IRCC's 2022 annual voluntary client experience survey, IRCC included questions aimed at improving IRCC's data collection as it relates to issues of accessibility, gender, and race for the first time. This will allow IRCC to look at clients' service experience by demographic group to see if the outcomes differ by gender, ability and race, and ultimately address inconsistencies in a systematic way.

Another way that IRCC is addressing potential racism is by ensuring the availability of disaggregated data, including for international students. IRCC will be developing a Disaggregated Data and Analytics Framework (DDAF) to support evidence-based policymaking and enhance service delivery. Disaggregated data will allow IRCC to better reveal and address the systemic biases, inequities and differential outcomes experienced by diverse populations (e.g. Indigenous persons, racialized groups, women, persons with a disability, members of the 2SLGBTQIA+ community, official language minorities, children and youth, seniors, etc.), while continuing to protect privacy as required by the *Privacy Act*. IRCC will be working alongside data partners, including Statistics Canada, to ensure consistency with the Government of Canada's approach. The objective will be to leverage new and existing internal and external data sources to better understand permanent and temporary resident populations' differential attributes and outcomes and possible IRCC institutional biases. IRCC already holds disaggregated data that can be used to analyze the processing and application bias for foreign students including source country, age, gender, education level, country of birth, and country of citizenship. Going forward, the IRCC's DDAF, in alignment with Statistics Canada, will provide departmental guidelines for the design, implementation, and use of disaggregated data survey questions. IRCC is targeting March 2023 for the launch of guidelines for disaggregated data standards for diverse populations.

The Committee has also recommended a study of the Anti-Black and Anti-Francophone African racism in Canadian immigration history. Prior to the Committee's study, IRCC developed and published a report, entitled, "*Racism, Discrimination and Migrant Workers in Canada: Evidence from the Literature*". This report examines racism and discrimination in immigration history, with a particular focus on migrant workers. When feasible, IRCC also continues to consider the economic and social outcomes of immigrants based on racial identity and/or official language. In 2020, IRCC published three studies on the integration of French-speaking immigrant professionals outside of Quebec in education, health, and entrepreneurship. In all three studies, perceptions of discrimination based on race were raised as factors that may have contributed to weaker employment outcomes. Going forward, IRCC will be exploring the patterns and determinants of social well-being on immigration generational cohorts with a focus on different racial groups. IRCC will also explore the possibility of soliciting further research with external stakeholders on the issue of racial discrimination of Black immigrants as it related to their immigration journey.

Gender-Based Analysis Plus (GBA Plus) is an essential requirement in all of IRCC's immigration programs. GBA Plus assesses systemic inequities that account for the different intersecting identity factors affected by policies and programs. IRCC has committed to conducting a GBA Plus as part of Chinook's re-platforming roadmap and all of its policy and operational priorities. This comprehensive review of Chinook using GBA Plus will inherently include a race equity review aimed at assessing the possibility of discriminatory factors.

**Establish an Ombudsperson Office** (*Responds to recommendations 30, 31*)

The Government partially agrees with the recommendations in this sub-theme. The Department will explore the feasibility of establishing an ombudsperson office by conducting a thorough review of the issues raised by the Committee and the potential scope of the office. Should a decision be made to establish an ombudsperson office, IRCC will seek the appropriate authorities and resources.

IRCC has taken a number of steps to address the issues raised in the Report to make real and lasting changes within the Department to ensure that systemic inequities and disparities are eliminated from its operations and policies. Some of the initiatives taken, include:

- establishing a dedicated team to provide anti-racism guidance to senior management and employees through IRCC's Anti-Racism Task Force (ARTF) in July 2020. IRCC was among the first organizations in Canada to set up an ARTF, which identified a three-year iterative strategy in 2021 and released *Anti-Racism Strategy 2.0 (2021-2024)* to launch the Department on the path to building the foundations for the generational work

required to eradicate racism in its policies, operations, and people management practices;

- publishing an Anti-Racism Value Statement in May 2021, which makes it clear that IRCC is committed to being accountable and transparent through the collection, use, and dissemination of disaggregated and race-based data, and reporting on progress and outcomes;

- committing to uphold transparency and accountability in the design and implementation of its digital tools through rigorous impact assessments, including privacy assessments, Gender Based Analysis Plus, and the publishing of Algorithmic Impact Assessments in accordance with the Treasury Board Directive on Automated Decision-Making;

- developing an internal governance framework to oversee and approve projects using advanced analytics, artificial intelligence, or automation for the processing of client applications, in order to ensure that measures are in place to mitigate risks, including risks related to bias and discrimination, privacy, transparency, accountability, or procedural fairness;

- obtaining feedback regarding client experience, complaints, unmet expectations related to services, performance, or processes through the online IRCC to Client Feedback Mechanism;

- working on revising the refusal letters sent to clients, since fall 2021, which includes usability testing with clients, to ensure that the language used is clear and easy to understand. In addition, there is a tremendous amount of work underway to modernize and simplify the suite of immigration programs and services to better meet the needs of clients, including international students in the long-run; and

- exploring ways that the Department can provide additional information on the reasons for refusals.

IRCC recognizes the Committee's rationale in recommending the creation of an ombudsperson office. However, the concept of an ombudsperson office needs to be considered in light of existing complaint mechanisms, such as IRCC's online client feedback mechanism, the option for any client with a negative immigration decision to request reconsideration, as well as initiatives currently underway at IRCC to identify and address systemic inequities that can lead to unequal outcomes. Subject to any implications related to Machinery of Government, IRCC will explore the feasibility of establishing an ombudsperson office by first conducting a thorough review of the issues raised by the Committee and the potential scope of the office. The review will seek to identify gaps within the Department's existing measures and structures that a prospective office might be able to address. In addition to consulting internally, IRCC will engage with other government departments and jurisdictions who already have an ombudsperson to learn from their experiences. Undertaking a review will ensure that IRCC conducts its due diligence to inform an appropriate model for the Department. Should a decision be made to establish an ombudsperson office, after the completion of the review, IRCC will seek the appropriate authorities and resources.

**Review of Program Requirements** *(Responds to recommendations 13, 15, 16, 34)*

The Government agrees, either partially or in full, with all recommendations grouped in this sub-theme. The Government agrees to review the selection process on international students, and work is already underway to evaluate students on criteria more linked to their potential and value. The Department is examining how to optimize the selection and retention of students to select applicants that better support Canada's economic goals.

In response to the recommendation to review and clarify the dual intent provision, IRCC underscores that the intention to eventually seek permanent residence cannot lead to the refusal of a study permit application.  IRCC agrees to clarify guidance to officers on how to assess temporary residence requirements, to promote consistency and fairness amongst

decision makers.

The Government of Canada is working to ensure a fair and non-discriminatory application of immigration legislation, regulation, and policies. While all applications are assessed against the same criteria, regardless of an applicant's country of origin, the Department recognizes that the impacts of historical racism and discrimination extend to Canada's immigration system. While approval rates for study permit applications for those intending to study in Quebec are similar to those destined to other provinces, more work is required within the Department to understand the differences in study permit approval rates between Africa and other regions.

With respect to supporting French-speaking students and Francophone immigration more broadly, IRCC has taken significant steps, such as strengthening the Francophone Immigration Strategy through targeted initiatives during the COVID-19 pandemic; creating streams for French-speaking and bilingual essential workers and recent international students graduates as part of the temporary resident to permanent resident pathway; and continuing to focus the Department's training efforts on anti-biased decision making to ensure all applications are assessed fairly.

Currently, IRCC is undertaking an analysis of how to best optimize the selection and retention of international students, while improving client service, program integrity, and maintaining public confidence. As part of this review, IRCC will conduct a comprehensive Gender-Based Analysis Plus (GBA Plus) of the International Student Program and apply a Racial Impact Assessment Tool (RIAT) prototype to look for systemic racism and racial inequity within the program.

Throughout the pandemic, IRCC prioritized processing for those with the greatest need or greatest benefit to Canada, such as vulnerable people, family members seeking to reunite, those in essential services, and international students. IRCC recognizes that it must keep improving operations and services so that Canada can attract more immigrants and visitors and remain globally competitive. Application inventories grew during the pandemic and as a result of departmental resources having shifted to support those affected by global crises. In response, IRCC has hired more than 500 new processing staff and announced plans to hire an additional 1,250 employees to increase capacity and reduce backlogs. Furthermore, the Department made changes to integrate its processing network and enable caseloads to be shared between offices. IRCC will continue to focus on ways to modernize how it delivers programs and services, so that Canada can continue to be a destination of choice for people all over the world.

Throughout the Report, the Committee requested that IRCC evaluate students on factors other than ties to their home country/intention to return their home country as it relates to the assessment of the study permit applicant. This is particularly relevant as the Department continues to support the Minister's mandate commitment to develop temporary to permanent residence pathways. The *Immigration and Refugee Protection Act* (IRPA) and its regulations outline the legal requirements that must be met before a positive decision on a temporary student application can be made. It is important to note that, in assessing all applications for temporary residence, IRCC examines the entire set of circumstances provided, including, but not limited to, ties to home country and whether an applicant would leave following a period of authorized stay.

Paragraph 20(1)(b) of IRPA, which was specifically referenced in the Report, places an obligation upon temporary resident applicants to satisfy an officer, at entry, that they will not remain in Canada beyond the period of authorized stay. Prior to entry, foreign nationals are obligated to satisfy the officer that they will follow immigration rules, including that they will not remain in Canada without the authorization to do so. Whether they intend to seek permanent residence or not, an individual applying for a study permit must first satisfy an officer that they will comply with the conditions of their stay as a temporary resident.

Dual intent is outlined in subsection 22(2) of IRPA and is a fundamentally facilitative provision in that it forbids officers to refuse a temporary resident application on the basis that the applicant has submitted or may submit an application for permanent residence. Subsection 22(2) imposes no additional requirements on temporary residents, including international students

that are not imposed elsewhere under IRPA and its regulations. Instead, it ensures that there is no greater eligibility bar for the applicant to meet to become a temporary resident. Regarding testimony made to the Committee that study permit applicants are advised to avoid mentioning dual intent to an immigration officer, IRCC advises applicants to fully disclose their purpose for travel and intent to stay. The failure to disclose, in full, the reasons for the applicant's travel to Canada could jeopardize an application by leading an officer to suspect that the applicant is not being truthful.

IRCC underscores that the intention to eventually seek permanent residence cannot lead to the refusal of a study permit application due to subsection 22(2). Study permit holders must nonetheless first meet the applicable legislative and regulatory requirements to become a temporary resident, including satisfying an officer that they will only stay in Canada so long as they remain authorized to do so. This means an intent to leave Canada if their temporary resident status expires before they obtain any subsequent status, such as permanent residence. IRCC agrees to clarify the guidance to officers on how to assess this temporary residence requirement, including the relevant criteria to be considered, to promote consistency and fairness amongst decision makers.

The Committee recommended that IRCC no longer assess students' ties to their home country and instead introduce new criteria to evaluate students on their potential value to Canadian institutions and communities. This recommendation aligns with Departmental initiatives to review the International Student Program and consider a broader range of factors to select students for both the International Student Program and Federal Economic Permanent Resident Programs. The Minister of Immigration, Refugees and Citizenship has committed to exploring pathways to permanent residence for international students, that could take economic factors into greater consideration. Similarly, IRCC is working to implement new legislative authorities that will provide the Minister with additional flexibilities to select, through Express Entry applicants that better support Canada's economic goals. The Department will engage in broad consultations to seek input from provincial and territorial partners and stakeholders, including designated learning institutions, to help inform the approach to selecting applicants, on the basis of economic goals.

The Government agrees with the principle of removing barriers to help ensure students have an equal opportunity to successfully apply under the International Student Program. As such, the Government partially agrees with the recommendation that IRCC introduce measures for students with limited financial means. Further analysis will be undertaken to ensure any new measure developed to support students with limited financial means reflects the objectives of the ISP, which includes protecting international students, some of whom may be vulnerable to exploitation, fraud and/or abuse, due to age, income, migration status, gender, sexual orientation, race, ability or other factors.

## 3.  IMPROVING CLIENT SERVICE AND COMMUNICATION

Many of the Committee's recommendations underscored the importance of providing clear, transparent and consistent communication with clients and stakeholders, including around processing times and reasons for refusals. The recommendations also highlighted the need for sufficient oversight when developing technologies designed to streamline processing and improve client service. The Government agrees, either partially or in full, with all the recommendations related to client service and communication.

The Department is actively engaged with provincial-territorial governments, as well as with a variety of stakeholders in immigration and education, to ensure that mutually beneficial perspectives are considered in IRCC's policy and programs. The Department chairs many working groups in education, anti-fraud, settlement, and has regular and ongoing communication with all of these actors. While IRCC has been proactively engaging with provinces and territories and stakeholders, it acknowledges that more can be done to improve communication with clients. Measures such as providing program guidance and information on application procedures would help clients to understand the application process.

The Department also recognizes that processing times are of great importance to our clients.

Through the 2021 Fall Economic Update, IRCC and CBSA received $85 million to begin work on addressing backlogs that had developed during the COVID-19 pandemic. The Department remains committed to addressing the backlog in an effort to return our business lines to our committed level of service. Recently, IRCC announced that it will hire 1,250 new processing staff by late fall 2022 to assist with processing capacity, as well as publish monthly data to keep Canadians up to date on progress toward reducing backlogs. Internally, IRCC has also taken action to monitor progress towards its commitment to return to normal service standards on a weekly basis. While the Department strives to process files within consistent timelines, IRCC must balance its efforts to ensure all applicants receive the same consistent service with the complexities of processing applications that can arise to an applicant's individual circumstances.

When requiring additional clarification on study permits, applicants are always welcome to reach out to IRCC for feedback and provide additional documents to support their application. Achieving predictable processing times and efficient communication with clients remains a top priority for the Department and work is underway to achieve this objective. For example, client facing websites have been updated to help manage client expectations amidst current delays in processing times due to factors such as the surge in intake volumes following the department's emergency response to the situation in Ukraine.

The Department is also committed to safeguarding the interest of international students and understanding that they may be in vulnerable situations during the study permit application process, throughout their studies, or while working in Canada. In November 2021, the Government of Canada established a self-regulatory body - the College of Immigration and Citizenship Consultants - whose main purpose is to regulate licensed consultants in the public interest and protect the public from unscrupulous and fraudulent consultants. These consultants (which include licensed student advisors and consultants who also provide student recruitment services) are required to follow the *Code of Professional Conduct for College of Immigration and Citizenship Consultants Licensees*, which helps to ensure that licensees provide quality immigration and citizenship advice in a professional and ethical manner. As well, the Department continues to look for ways to ensure that students are not influenced by false or misleading information from unscrupulous recruiters and organizations.

Finally, the Committee drew attention to technologies designed to streamline processing and highlighted stakeholders' concerns particularly related to the use of the Excel-based Chinook tool. IRCC is in agreement with the necessity for transparency, independent oversight, and consultations to ensure the responsible use and ethical management of IRCC's digital technologies. With respect to tools that contain artificial intelligence, IRCC conducts required consultations and reviews, including Algorithmic Impact Assessments.

**Communication** *(Responds to recommendation 18)*

In response to the recommendation to create direct lines of communication between visa offices and institutions, IRCC underscores that the Department already has a dedicated group to oversee stakeholder engagement and that these channels are already being used to obtain information on student processing.

To ensure that simple and accurate information is always available, IRCC continues to liaise with partners and key stakeholders to improve communication and tools to respond and support clients' desire to study or immigrate, including guidance for officers and website materials for the public.

IRCC regularly engages with provincial and territorial governments in immigration and education to share information and best practices on anti-fraud issues, integrity concerns, attraction and recruitment of students, including francophone students and available tools and resources helpful for clients. IRCC will be working in close collaboration with DLIs to implement a collection of enrolment and status information data about international students, whereby Designated Learning Institutions will be submitting data elements directly to IRCC systems in real-time for processing. The information will be used to verify acceptance and uphold program integrity in its communication to stakeholders. While these changes are expected to improve compliance across the International Student Program, Quebec is not currently participating in

the DLI compliance regime and therefore IRCC is unable to monitor and assess program integrity issues within that province.

With respect to direct lines of communication between visa offices and designated learning institutions, the Department already has a dedicated group to oversee stakeholder engagement on international students. These channels are used to obtain information on student processing as well. For example, IRCC keeps in regular contact with DLIs through the national associations responsible for education, namely Colleges and Institutes Canada and Universities Canada, who communicate with the department on behalf of their members on education and immigration issues related to the attraction of selection, attraction and retention of students and the role the Government plays in focusing on francophone students . IRCC also has formal communication with provincial and territorial ministries responsible for education and immigration through multilateral fora such as Council of Ministers of Education, Canada (CMEC) and the Federal-Provincial Consultative Committee on Education-related International Activities (FPCCERIA) and the FPT Forum of Ministers Responsible for Immigration (FMRI). IRCC also participates in conferences such as those hosted by the Canadian Bureau for International Education, Language Canada and Canadian Association of Public Schools – International.

The main role of visa offices is processing applications and conducting outreach abroad. While it is possible that some efficiencies might be gained for individual DLIs if they had direct access to visa offices, it is important to highlight that there are 1,227 DLIs in Canada. Devoting time to communicating with hundreds of DLIs would take away resources from processing study permit applications. Visa processing times and refusal rates are a bilateral irritant for the Government of Canada's relations. As such, and the Department consistently strives to mitigate these concerns through active engagement with bilateral counterparts.

The Department is subject to the federal *Privacy Act* and its provisions related to collection, use, disclosure and retention of personal information. This legislation informs IRCC's actions for any communications regarding individual immigration applications. Across provinces and territories, there are differences in privacy legislation that must be accounted for when sharing any sort of international student application information, since IRCC's partners for the International Student Programs are subject to these other privacy laws. Since 2014, IRCC has entered into Memoranda of Understanding (MOUs) with PTs specific to international students. These MOUs define jurisdictional roles and responsibilities, the reporting requirements for designated learning institutions, and the parameters for facilitating information sharing and other forms of communication. It is through those MOUs that IRCC is able to share some student information with PTs that can be publically disclosed.

**Processing Times and Reasons for Refusals** *(Responds to recommendations 12, 14, 17, 28, 29)*

The Government agrees, either partially or in full, with the recommendations related to processing times and reasons for refusals.

The Department is exploring the scope of information available related to study permit processing times and will continue to publish real-time application processing times to its website. IRCC has also made strides towards reducing processing times by hiring additional processing staff ensuring caseloads can be shared across its processing networks.

IRCC recognizes the importance of ensuring that clients receive a decision on their study permit application within a reasonable period of time. The Department has strived to maintain transparency and consistency in delivering on its processing time commitments.

The Department regularly publishes data, through annual parliamentary reports and on its website, on various factors. IRCC is exploring the scope of the information available in relation to the recommendation to provide more data on study permit processing times, by demographic variables, and where best to publish it. In the meantime, the Department will continue to publish updated information on its external website with real-time application processing times.

The Government of Canada is committed to the fair and robust application of immigration

procedures. While IRCC recognizes the importance of timely decisions, the time it takes to process an application varies according to a number of factors, such as the type of application being submitted, how well and how quickly applicants respond to requests from IRCC to provide biometrics (if applicable) and additional information (including medical examinations); how easily IRCC can verify the information provided; the complexity of an application; and capacity and resources at both visa application centres and visa offices.

Each study permit application is considered on a case-by-case basis and may be triaged to visa officers for a variety of reasons such as higher levels of complexity, whether the client needs to complete further assessments, such as an interview or background checks, or whether the Department has prioritized expedited processing or facilitative measures for certain cohorts (e.g. Ukraine, Afghanistan). In all situations, applicants may support their application with relevant information. IRCC continues to analyze data, refine criteria, and design tools to improve decision making and ensure that genuine admissible students are able to study in Canada.

IRCC has taken several measures to increase transparency in decision-making by its officers. A pilot was launched in February 2022 to proactively release officer decision notes to some temporary resident visa applicants at the time of an application decision. These notes provide clients with detailed reasoning as to why their application was refused, including a breakdown of the officer's rationale and criteria when finalizing the application. Once the pilot has concluded, IRCC will analyze the outcomes to determine whether this initiative should be implemented more widely. The Department also shares the application processing guidelines provided to officers with stakeholders and publishes them online for the general public. In addition, IRCC recently updated the study permit refusal letter for additional transparency and to include more transparent reasons for applicants regarding their refusals.

Further, IRCC is developing a methodology to identify where and how institutional biases may contribute to differential outcomes across different case cohorts. Part of this work involves an in-depth review of the available data in IRCC's Global Case Management System (GCMS), the Department's processing system and official system of record. To better understand and address how bias manifests itself in decision-making and risk management, the review will include integrity assurance exercises to examine case files (including supporting documents) and look at external factors that could contribute to differential outcomes. A renewed risk management framework is also being developed and will include a bias lens. Regularly scheduled integrity assurance exercises and analysis will also be an integral part of the new framework. These periodic reviews will provide a more objective, nuanced, and up-to-date view of case cohorts that will mitigate bias in decision-making while protecting program integrity.

With respect to resources and infrastructure for application processing in Africa and Asia, the Department continually reviews the need for additional resources in all regions. To deliver on this commitment and reduce application inventories, the Department has hired more than 500 new processing staff, announced plans to hire an additional 1,250 processing staff by late fall 2022, and developed additional tools leveraging automation and advanced analytics with the $85 million in funding provided to IRCC and CBSA through the Economic and Fiscal Update 2021. The pressures of the pandemic have led IRCC to operate an increasingly integrated and centralized processing network. This enables applications of all types to be transferred around IRCC's global network based on factors such as capacity (including language) and to ensure they are processed as efficiently as possible. Sharing caseloads between offices allows the department to respond to application surges, increasing or shifting priorities, and global events to minimize disruption and decrease regional disparities in processing times. With the exception of program-specific streams with accelerated processing timelines, all applications are reviewed consistently and according to the same criteria, regardless of country of origin. Decision makers in the Departmental network receive training in unconscious bias, as well as country-specific training. The implementation of electronic applications has allowed the Department to leverage expertise across the globe. For example, throughout the pandemic, local restrictions and lockdowns disrupted both visa office and Visa Application Centre operations, but digital caseloads could easily be moved.

The actions cited above have improved the efficiency of IRCC's processing networks. Other initiatives such as the modernization of the Department's application processing system will further streamline processing. However, IRCC continues to face large increases in study permit applications, that have stretched available resources. While the Government agrees that additional resources are needed to process the increasing number of study permit applications, these resources do not all need to be based in a specific region given the globally integrated network. Budget 2022 proposes to provide $385.7 million over 5 years and $86.5 million ongoing included in Budget 2022 for temporary residency to IRCC and federal partners to facilitate the timely and efficient entry of a growing number of visitors, workers, and students. At the same time, IRCC recognizes the need for local knowledge in certain contexts and aims to add new decision makers in Sub-Saharan Africa by expanding its geographic coverage in this region. The Department is opening a new office in Yaoundé, Cameroon in 2022. This office will be primarily focused on promotion activities that are meant to build on business and risk intelligence (providing IRCC with a better understanding of conditions in Cameroon and Central Africa), as well as enhanced engagement with partners and stakeholders. The office will also be responsible for visa printing for clients from Central Africa.

IRCC acknowledges the challenges faced by many clients in Africa and South Asia when accessing Visa Application Centre (VAC) services. While VAC coverage in Africa and South Asia matches global standards, some clients face disadvantages in accessing VAC services due to a number of factors that make travel to the nearest VAC difficult, such as travel distance, transportation infrastructure, visa requirements, the geopolitical situation, socio-cultural and/or economic impediments to travel. IRCC continually monitors its VAC network to ensure it meets the needs of applicants.

**Regulations for Safeguarding Students** *(Responds to recommendations 9, 11)*

The Government agrees with the recommendations under this sub-theme. The Committee's recommendation to standardize tuition reimbursement in situations where a study permit is refused lies outside of IRCC's mandate, however IRCC has undertaken efforts to regulate the international student recruiter industry through multilateral engagement with provinces and territories as well as through the Code of Professional Conduct of the College of Immigration and Citizenship Consultants Licensees. IRCC will continue to work with its partners to discuss issues related to the vulnerability of students.

IRCC has recently implemented stronger regulations for international student recruiters in Canada. On June 10, 2022, the Department published the *Code of Professional Conduct for College of Immigration and Citizenship Consultants Licensees* (Code of Conduct) that outlines the standards of professional conduct and competence that must be met by licensees of the College. The Code of Conduct includes standards and conditions for consultants who also act as student recruiters. It outlines instances where there is a conflict of interest in providing both immigration consulting services and student recruitment services to a foreign national, unless the licensee is providing those services in their capacity as a salaried employee of an institution that provides education or training to international students. The Department also continues to work with provinces and territories on the federal-provincial/territorial (FPT) Anti-Fraud Sub-Working Group, which is a forum to share information and best practices on anti-fraud issues, integrity risk concerns and tools and resources. For the International Student Program, IRCC is examining the role of recruiters and exploring methods of increasing transparency in the recruiter-student relationship. However, neither federal nor provincial governments have jurisdiction to regulate the behaviour of recruiters outside Canada. IRCC recognizes the need to work collaboratively with PTs and educational institutions to develop solutions for this issue.

IRCC recognizes that the pandemic increased client anxiety and uncertainty related to the status of their applications and ability to travel. Some international students were impacted financially due to having paid tuition, while many were compelled to take courses online or withdraw from their program of study due to circumstances out of their control. The Committee's recommendation to standardize tuition reimbursement in situations where a study permit was refused lies outside the Department's mandate, however IRCC can work with provincial and territorial governments as education is under their jurisdiction to discuss impacts

of tuition reimbursements.

***Advancing Technologies*** *(Responds to recommendations 22, 23, 25, 26, 27)*

The Government agrees, either partially or in full, with the committee's recommendations related to the use of new technology. The Government agrees to undertake public consultations on new technologies, and to conduct and publish an Algorithmic Impact Assessment (AIA) of Chinook. Should the results of the AIA require a third party review of Chinook, IRCC will comply.

The Government agrees with the Committee's recommendation to include public consultations regarding the deployment of new technologies to process immigration applications, especially artificial intelligence, advanced analytics and automated decision support tools. The Department already adheres to the specifications for public consultations in accordance with the comprehensive requirements and standards set out in the Directive on Service and Digital (DSD). For example, section 4.2.1.7 of the DSD requires that the Department reviews each service once every five years with clients, partners and stakeholders to identify opportunities for improvement, including redesign for client-centricity, digital enablement, online availability and uptake, efficiency, partnership arrangements, and alignment with the Government of Canada Digital Standards.

The Department has engaged with external stakeholders, including through conference presentations, about the use of advanced analytics and automation to assist with the Department's processing of client applications. IRCC has established a comprehensive governance framework to ensure advanced technologies are leveraged in an ethical and responsible manner. IRCC will also look to proactively find opportunities to liaise with external stakeholders and subject matter experts about automated tools to gain insights that can be incorporated into the development of advanced analytics, as well as to increase transparency and public support. In addition, IRCC uses web content to convey information and updates to the public about the Department's use of advanced analytics, artificial intelligence, and automated decision support tools. IRCC is developing a communication strategy regarding advanced analytics, artificial intelligence, and automated decision support tools, with the goal of enhancing communication with clients and stakeholders. This strategy will involve more proactive, departmental communication about the systems and tools being used to process applications and assist in decision making processes.

The Report recommended specifically that Chinook undergo a review to ensure that decisions are made with greater transparency. It should be noted that Chinook is a tool designed to simplify the visual presentation of a client's information. It does not use advanced analytics or artificial intelligence. Chinook simply displays information stored in other IRCC systems, IRCC's processing system, in a more user-friendly way to support increased officer productivity. Although Chinook does not itself make decisions, IRCC will take the opportunity to complete an Algorithmic Impact Assessment (AIA) to ensure transparency and due diligence, and if the AIA results in the requirement for a peer review by a third party, IRCC will comply. As such, IRCC will be conducting and publishing an AIA as part of Chinook's re-platforming roadmap to increase public awareness about the tool and how it works, as per Treasury Board Secretariat's advice. This will also include clearer communication on Chinook and its functionalities.

IRCC has also made efforts to be in compliance with section 6.3.4 of Treasury Board Secretariat's Directive on Automated Decision Making (DADM), which requires third-party peer review of tools as determined by the AIA. Through this peer review requirement, new decision support tools undergo independent assessment by qualified experts and researchers from government institutions, post-secondary institutions, non-governmental organizations, vendors, and/or peer reviewed journals. Internally, IRCC's decision support tools undergo comprehensive privacy assessments and Gender Based Analysis Plus (GBA Plus) assessments prior to implementation. IRCC is continually working to improve its digital services and is committed to transparency regarding privacy assessments and GBA Plus assessments. The AIA tool is publicly available online and the questions and metrics governing the AIA are fully accessible and available for public review. IRCC complies with the DADM requirement to release the final results of AIAs for tools that are within scope on Government of Canada

websites, including the Open Government Portal. IRCC also understands that systematic external oversight may further assist in the design and usability of tools employing artificial intelligence, advanced analytics and automation tools. IRCC is thus exploring whether an external ethics body would help safeguard client rights beyond what is already ensured through existing mechanisms and requirements. Any decision to implement a new standing body for external oversight will need to weigh the potential benefits against the comprehensive Government of Canada and IRCC mechanisms and requirements already in place. Additional requirements would have an impact on IRCC's ability to be agile and responsive in addressing emerging operational pressures and evolving client expectations.

The Committee has raised important concerns around the attraction, selection and retention of international students from French-speaking countries; long processing times; and the use of technology in processing applications. The Department acknowledges the importance of equity throughout all its immigration programs and agrees with the need ensure appropriate data collection, reporting and the dissemination of information to the public. The issue of refusal rates, particularly amongst students from African countries remains top of mind for the Department as it continues to explore options to modernize the selection of students, improve access to work opportunities and a pathway to permanent residence, should they choose to stay in Canada.

As the Department continues to make improvements that touch on the areas identified by Committee, it will ensure that it works with its federal, provincial and territorial counterparts, as well as designated learning institutions, the national educational organizations and clients to ensure that a collaborative approach is taken as the Department makes changes to the International Student Program.

**DIFFERENTIAL TREATMENT IN RECRUITMENT AND ACCEPTANCE RATES OF FOREIGN STUDENTS IN QUEBEC AND IN THE REST OF CANADA**

*Increase Dialogue between the Governments of Quebec and Canada*

1. That IRCC increase the dialogue between the Governments of Quebec and Canada to ensure that the Canada–Quebec Accord is respected on both sides, including Quebec's selection of applicants.

*Review and Expand the Student Direct Stream*

2. That IRCC review the Student Direct Stream, its criteria and its fair applicability across different countries and expand the Student Direct Stream to other countries in Africa, such as Nigeria and Ghana, including Francophone nations, and Asia, such as Bangladesh.

*Explore Alternative Mechanisms for the Validation of Financial Information*

3. That IRCC, in light of the testimony highlighting the challenges surrounding the validation of financial information of prospective international students, explore alternative mechanisms to perform this validation; and that the Government of Canada encourage the expansion of partnerships between Canadian and international financial institutions.

*Review the Criteria of the Nigeria Student Express Program*

4. That IRCC review the criteria for the Nigeria Student Express program, reconsider its financial requirements in light of other existing programs for international students, such as the Student Direct Stream, and remove the English language proficiency requirement for Nigerian students in order to ensure a fairness of requirements across programs.

*Publish Information about the Nigeria Student Express Program*

5. That IRCC publish on its website information about the Nigeria Student Express pilot program and its criteria to better inform prospective international students, Canadian educational institutions and other partners in the international education sector.

*Reduce High Refusal Rates for Student Visas to Meet Francophone Immigration Targets and Address the Labour Shortage*

6. That IRCC provide a comprehensive plan on how to reduce the high rates of refusal for student visas, in order to help meet Francophone immigration targets and address the labour shortage in Canada, including in Quebec.

*Issue Directive with Respect to Francophone Immigration*

7. That IRCC issue to all Canadian visa offices a directive reminding them of the federal government's obligations with respect to Francophone immigration.

*Promote Canada as a Study Destination*

8. That the Government of Canada, provinces and territories, and designated learning institutions work together to find new and innovative ways to better promote Canada as a study destination for international students, and for the purposes of retention put special consideration on how to better inform French-speaking prospective students about the opportunities to study in French outside of Quebec. (Page 31)

*Regulate the Educational Service Provider Industry*

9. That IRCC work with provincial and territorial counterparts, as well as Canadian designated learning institutions, to regulate recruiters in the international educational sector, and ensure that the information packages provided to these recruiters include information on how student applicants can safeguard themselves against fraud.

*Ensure Simple, Accurate and Coherent Information is Available*

10. That IRCC ensure that simple and accurate information about applications is always available, and that Global Affairs Canada and Immigration, Refugees and Citizenship Canada are always presenting consistent information.

**THE REALITY OF HIGH REFUSAL RATES**

*Standardize Tuition Reimbursement Policies*

11. That IRCC promote standardizing tuition reimbursement policies for Canadian and Quebec universities and institutions when an individual's study permit application is refused.

*Provide Data on Study Permit Processing Times*

12. That IRCC provide data on study permit processing times and reasons for refusal, broken down by applicants' country of origin and other available demographic variables, in the department's Annual Report to Parliament on Immigration.

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| **POTENTIAL REASONS FOR REFUSALS AND REFUSAL RATES** |
| *Review and Ease the International Student Selection Criteria and Processes* |
| 13. That IRCC review international student selection criteria and processes, make the study permit application process more transparent, reduce application processing times, and allow more flexibility for the evidence used to establish that an applicant meets the financial criteria. |
| *Provide Consistent Processing Times* |
| 14. That IRCC work to provide for consistent processing times for the same application categories across different visa offices. |
| *Review and Clarify Dual Intent Provision* |
| 15. That IRCC review and clarify the dual intent provision, sections 20(1)(b) and 22(2) of the *Immigration and Refugee Protection Act,* so that the intention of settling in Canada does not jeopardize an individual's chances of getting a study permit. |
| *Evaluate Students on Their Potential and Value to Canadian Institutions and Communities* |
| 16. That IRCC evaluate students on their potential and value to Canadian institutions and communities, not on their ties to their home countries. |
| *Provide More Transparency in Refusals* |
| 17. That IRCC publish the guidelines given to its officers, provide the acceptance criteria for study permits and visas, and further offer more fulsome justifications to applicants for the refusal of their applications. |
| *Create Direct Lines of Communications* |
| 18. That Immigration, Refugees and Citizenship Canada create direct lines of communication between visa offices and designated learning institutions so that they may share information on an on-going basis about student applications, provided that the institution is authorized by the student to do so. |
| *Conduct and Publish Regular Reports on the Results of Ant-Racist and Anti-Oppression Trainings* |
| 19. That IRCC conduct and publish regular reports similar to the Pollara Strategic Insights Report, and that Immigration, Refugees and Citizenship Canada provide regular metrics on the results of the anti-racist and anti-oppression trainings undertaken by the department. |
| *Collect Race-Based Data* |
| 20.  That IRCC collect race-based data and that offices with high refusal rates be automatically audited by a third party. |
| *Conduct a Study of the Anti-Black and Anti-Francophone African Racism in Canada's Immigration History* |
| 21. That IRCC conduct a detailed bilingual study of the social history of anti-Black and anti-Francophone African racism in Canadian immigration to ensure mistakes are not repeated. |
| *Publish Information about Chinook* |
| 22. That IRCC publish information on all artificial intelligence software programs and e-tools, including but not limited to Chinook, to ensure better transparency in the department's processing and use of automation. |
| *Undertake Public Consultations Regarding New Technologies* |
| 23. That IRCC undertake meaningful public consultations on the deployment of new technologies to process immigration applications, including automated technologies, Chinook and artificial intelligence. |
| *Conduct a Gender-Based Analysis Plus of Chinook* |
| 24. That Immigration, Refugees and Citizenship Canada conduct a Gender-Based Analysis Plus (GBA Plus) of the Chinook software program and its impact on the processing of temporary resident visas, and publish a report on the findings. |
| *Audit Chinook* |
| 25. That Immigration, Refugees and Citizenship Canada submit the Chinook software program to a third-party audit and publish the audit report. |
| *Conduct an Algorithmic Impact Assessment and Independent Race-Equity Review of Chinook* |
| 26. That IRCC ensure Chinook goes through a proper algorithmic impact assessment (AIA) and independent race-equity review. |
| *Require Independent Oversight for Chinook and Artificial Intelligence Tools* |
| 27. That IRCC require independent oversight for both Chinook and the expansion of artificial intelligence and offer greater transparency regarding the algorithmic impact assessments, privacy assessments and equity consultations that the processes undergo. |
| *Provide Additional Resources and Infrastructure for Processing in Africa and South Asia* |

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| 28. That IRCC provide additional resources for immigration processing in visa offices currently in Africa and South Asia, review its international network and add additional visa offices or visa application centres in Africa and South Asia. |
| *Conduct Blind Reviews of a Sample of Applications* |
| 29. That IRCC conduct regular blind reviews of a sample of applications from random visa offices in each region of the department's international network to verify consistency in decision-making. |
| *Establish an Ombudsperson Office at Immigration, Refugees and Citizenship Canada* |
| 30. That IRCC establish an ombudsperson office to oversee the department's immigration operations and policies. |
| *Provide Appropriate Resources for the Establishment of an Ombudsperson Office* |
| 31. That IRCC provide the appropriate resources for the establishment of an ombudsperson's office to review the department's policies, receive and review complaints, review regular reports on racism and training procedures; and that the office be empowered to take appropriate enforcement measures in relation to these activities. |
| **THEME 4: INTEGRATION AND RETENTION** |
| *Issue Work Permits to Students in Co-op Programs* |
| 32. That Immigration, Refugees and Citizenship Canada issue a work permit automatically and at no extra cost at the same time as study permits for students enrolled in a co-op program. |
| *Not Require Work Permits for Work-Integrated Learning* |
| 33. That IRCC recognize that students enrolling in specific learning programs will be doing work-integrated learning, such as internships, and that in the context of these studies no work permit is necessary. |
| *Develop a Special Program for International Students Without Financial Means* |
| 34. That IRCC develop a special program that would allow international students without financial means to come to Canada and work full-time on an open work permit while studying part-time, and that IRCC review the requirements to ensure that these students are not disqualified from the Post-Graduate Work Permit Program. |
| *Fund Tailored Settlement Services for International Students* |
| 35. That IRCC partially fund tailored settlement services for international students on their path to permanent residency, as well as parallel sponsorship measures for those who want to obtain permanent residency. |