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Ukraine: Special Measures and Guidance Regarding Ukrainian Nationals Wishing to Visit or to Remain in Canada

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****** PLEASE NOTE THE FOLLOWING IS PROVIDED AS INFORMATION ONLY. WE HAVE TRIED TO BE CURRENT AND ACCURATE. THE RESPONSE TO THE CRISIS IN UKRAINE REQUIRES THAT THE GOVERNMENT OF CANADA MODIFIES AND MAKES CHANGES TO IMMIGRATION PROGRAM REQUIREMENTS, WHICH CHANGES ARE OCCURRING QUICKLY AND FREQUENTLY. THIS IS NOT A LEGAL OPINION ABOUT ANY PARTICULAR CASE OR CIRCUMSTANCES ******

Current Situation: in order to visit Canada, all nationals of Ukraine require a visitor visa (also called a “temporary resident visa” - TRV).

An application for a TRV can be filed online via the **Immigration, Refugees and Citizenship Canada (IRCC)** portal: <https://www.canada.ca/en/immigration-refugees-citizenship/services/application/account.html>.

As part of the Government of Canada’s response to the current crisis in Ukraine, **IRCC** has implemented measures to prioritize the processing of **permanent residence and temporary residence** applications for people with a primary residence in Ukraine who want to travel to Canada (travelling alone or with other family members), and to reunite with family members in Canada.

There are standard documents and application forms required for a TRV application. Beyond the standard list of forms and supporting documents, it is possible to customize any application with additional documents in order to make such application stronger, particularly in circumstances where it is anticipated that there will be a large volume of applications. The stronger applications are the ones most likely to be successful.

In support of the TRV application, we recommend including documents that show financial support to the Ukrainian national visitors during their stay in Canada which may be provided by relatives or friends residing in Canada (e.g: a detailed affidavit or letter of support, together with banking information/statements).

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All applications for visitor visas (TRV) to Canada also require biometrics (ie. iris scans and digital fingerprints). The biometrics requirement has not been lifted. **IRCC** has stated that they have taken steps to increase operational readiness in the region, which includes providing additional supplies and equipment, such as mobile biometric collection kits, due to the large increase in the volume of applications. The biometrics fee (\$85 per applicant) must be included along with the TRV application processing fee (\$100 per applicant) when submitting the online application.

However, **IRCC** has stated that the processing fees for certain applications (e.g: visitor visas, work and study permits) will be waived, retroactive to February 22, 2022. Further details are expected in the coming weeks.

As a temporary policy, **IRCC** will also issue open work permits to Ukrainian visitors, workers and students who are currently in Canada and who cannot go back to Ukraine, so they can stay in Canada longer if they wish.

Ukrainian nationals may also be eligible to apply to immigrate to Canada through other existing immigration programs. Please visit **IRCC**'s [website](#) for the most up-to-date information.

IRCC has also established two channels dedicated to Ukraine enquiries for persons both in Canada and abroad: via phone 613-321-4243 and at the [IRCC Webform](#), by adding the keyword "Ukraine2022".

It is also worthy to note that some nationals of Ukraine in Canada (or who arrive in Canada in the coming days and weeks) may be eligible to and may wish to make refugee claims. These persons must be able to demonstrate that they have a reasonable fear of harm if returned to Ukraine based upon one or more grounds contained in the **1951 Convention on the Status of Refugees**, or are persons in need of protection.

Planned situation: on 3 March 2022, the Government of Canada gave notice that significant changes can be expected to existing program requirements.

There will be a "*Canada-Ukraine Authorization for Emergency Travel*". It is expected that this will be the "fastest, safest, and most efficient way for Ukrainians to come to Canada and will eliminate many of the usual visa requirements". There will be no limit on the number of people who are eligible. Stays in Canada can be extended for up to 2 years. The Government is stating that it will take them 2 weeks to develop the protocols for this program. Pending the details, applications for visitor visas (described above under "current situation") will be received and prioritized.

Unvaccinated and only partially vaccinated Ukrainian nationals who currently hold visas or permits will be allowed entry to Canada.

There will also be a "*special family reunification sponsorship pathway for permanent residence*", which the Government of Canada will unveil in the coming weeks.

The Government of Canada has stated that we "stand ready to welcome more Ukrainians to Canada". The **Minister of Immigration, Refugees and Citizenship Canada** has stated that "we will welcome Ukrainians with open arms".



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For customized professional assistance on any particular case or situation, please consult qualified legal representation, which we are authorized and specialized to provide.

Please contact **Warren Creates**, head of immigration at Perley-Robertson, Hill & McDougall LLP/srl at **(613)238-2022** and/or **wcreates@perlaw.ca**.

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