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 WAR IN UKRAINE

How the Ukrainian refugee crisis has put a spotlight on Canada — and prompted calls that it do more

Despite Canada's speedy response to the Ukrainian refugee crisis, critics say those measures may not have gone far enough to remove the hurdles for the displaced people to arrive here quickly.

By **Nicholas Keung** Immigration Reporter

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Luc Chénier didn't see the Russian invasion coming even in the hours before the first bomb landed early in the morning near his home in Kyiv.

Chénier, a Canadian businessman and the CEO of the Kyiv Post, the oldest English newspaper in Ukraine, had just applied online the night before — it was Feb. 23 — for a visitor visa for his wife, Iryna, so they could travel to Canada with their two-year-old daughter, Milena, in case the tension between Russia and Ukraine escalated.

After they were awoken by the bombing, they called their driver and joined the massive exodus from the city, and the country, to arrive in Hungary four days later. The family has been staying in a cabin in Budapest since.

They are among some two million people who have fled Ukraine since the beginning of the war, a looming humanitarian catastrophe that has been called the “fastest growing refugee crisis in Europe since the Second World War” by the United Nations.

Canada is one of the countries that has made promises to help those leaving — vowing to welcome an “unlimited number” of Ukrainians — but the situation is putting a spotlight once again on this country's at-times troubled and strained immigration system and its workings.

“The only thing that's missing is my wife's visa to come to Canada,” said Chénier, who moved to Kyiv from Cornwall, Ont., 22 years ago.

“We clearly stated in our application that we were simply applying to come and spend time with family to actually see what the situation (is) with Russia. We had a lot to go back to Ukraine for because our whole life was there

For days, Chénier said, the family got “zero updates. Maybe they're overloaded and not prepared at all. But they could at least say, ‘Yes, the application's in the system. Everything is fine and it would be another week or two weeks.’ At least, we could plan around this, but there's no answers at all.”

Finally, on Tuesday, Chénier's wife only got a notification from immigration to travel to Vienna to give her biometrics — her next step toward getting her visa. "The Canadian government is doing a lot of lip service and fantastic speeches and they need to follow up with real actions. The bureaucracy has got to stop," said Chénier.

Last week, Immigration Minister Sean Fraser said Ottawa would introduce a [Canada-Ukraine Authorization for Emergency Travel](#) for those looking to come here from Ukraine temporarily. There will be no limit to the number of Ukrainians who can apply for the visitor visa, also known as the Temporary Resident Visa or TRV.

The new pathway, scheduled to open for applications later next week, will fast-track the process and prioritize Ukrainians over others, and offer them open work permits — a special measure already afforded to Ukrainian visitors, workers and students who are now in Canada and cannot go home.

The Immigration Department said its visa application centres in Kyiv and Lviv are closed, but Ukrainians looking to come to Canada can apply online or access one of Canada's 33 other centres in Europe. Officials have plans to introduce extended hours at its office in Poland, where a million Ukrainian refugees are staying, and additional mobile biometric enrolment kits are being sent to Warsaw, Vienna and Bucharest for backup.

"We will continue to monitor developments in the region, track application processing closely and take action where needed to support those affected by the situation in Ukraine," said department spokesperson Julie LaFortune.

Critics say Ottawa's response to Ukraine is different from its approach to previous humanitarian crises in Syria and most recently in Afghanistan, where migrants were resettled here as permanent residents, a process requiring more robust and lengthier vetting.

"Ukraine is a place where the Canadian government may have made the calculation that a lot of people are going to go home to as soon as they can," said Kyle Hyndman, president of the Canadian Bar Association immigration law division.

"Whereas many other humanitarian disasters, a lot of people would choose to come to Canada permanently, regardless of whether they could go home."

However, if Ottawa's plan is to get Ukrainian refugees — estimated at two million as of this week — out of the region as soon as possible, those announced measures simply have not gone far enough.

While Canada has committed to relocating staff and moving additional supplies and equipment, such as mobile biometric collection kits, in anticipation of an increased volume of requests, it has not renounced the visa requirement.

"There's been a lot of people pushing for that. My understanding is that they have not waived the TRV requirement. That would be a huge difference if they did that because that would eliminate a lot of the logistical challenges," said Hyndman, who spoke with the Star in his personal capacity.

"People would be able to apply online, get their electronic travel authorization in five minutes and get on a plane, and then they could do biometrics and medical exam upon arrival."

Chénier, whose 30 staff members are now running the Kyiv Post remotely, agrees: "I would say let the people in and then you can interview them at the airport on the Canadian soil."

Whatever the frustration among fleeing Ukrainians, Ottawa immigration lawyer Betsy Kane said that in her 30 years of practice, she has never seen measures by immigration officials that were "as broad, as fast and as responsive" to the needs of a community displaced in similar circumstances.

The Immigration Department's response in Ukraine may inform a new set of measures for future refugee crises, she said.

Compared to Canada's resettlement effort in Afghanistan, where officials have limited access to people stranded in the country, Ukrainians have been better able to move to neighbouring countries, which lets them await the processing of their applications in relative safety.

Kane believes few Ukrainians will seek asylum in Canada, since they would have to prove they are individually targeted and persecuted. What's more, they then couldn't return to Ukraine without risking the loss of their legal status here.

"It's a different paradigm because they are looking to help them temporarily and all the times before, it was permanent relocation," said Kane, a co-founder of the Canadian Immigration Lawyers Association.

"Refugee groups are delighted to see this" — the relatively quick and attentive response to the Ukraine crisis — "because it's the first time the government has responded to a refugee-producing situation with a temporary measure as opposed to lumping them into refugee resettlement," Kane added.

While Canada's "nimble" approach is welcomed, the Canadian Association of Refugee Lawyers says Ottawa should also issue temporary-resident permits to non-Ukrainian refugees in Ukraine, and make sure they have access to health care when they get

here.

“They (immigration staff) have to be funded adequately, so it stays nimble enough to respond to situations like the Ukrainian crisis. And we also need to continue to meet our immigration commitments to other groups,” Toronto immigration lawyer Warda Shazadi Meighen said on behalf of the refugee lawyer association.

It remains to be seen how Canada’s decisions will pan out, said Hyndman.

“Whenever you prioritize one group over another, you’re necessarily de-prioritizing others. It is a system of scarcity in terms of spaces in the immigration system and in terms of processing resources,” he said. “There are choices to be made and this is a choice the government is making.”



Nicholas Keung is a Toronto-based reporter covering immigration for the Star. Follow him on Twitter: [@nkeung](#)

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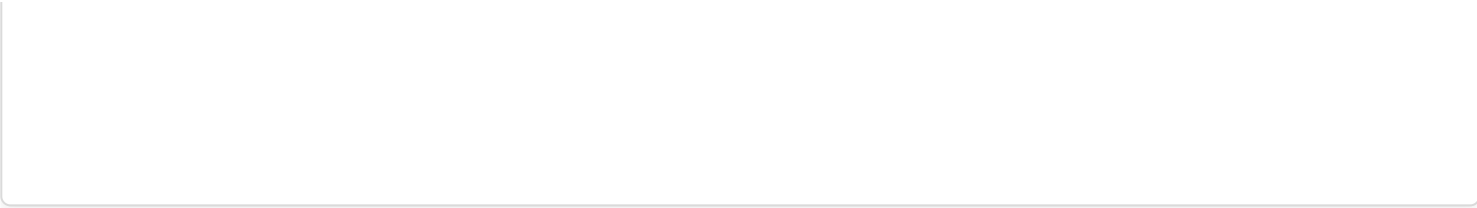
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