October 3, 2019

Via email: catrina.tapley@cic.gc.ca

Catrina Tapley
Deputy Minister
Immigration, Refugees and Citizenship Canada
365 Laurier Avenue West
Ottawa, ON K1A 1L1

Dear Ms. Tapley:

Re: Landing Process

I write on behalf of the Immigration Law Section of the Canadian Bar Association (CBA Section) to recommend changes to the landing process. Our primary recommendation is to eliminate the landing process as it is unnecessary. If IRCC decides to keep this process, we suggest improvements.

The CBA is a national association of 36,000 members, including lawyers, notaries, academics and law students, with a mandate to seek improvements in the law and the administration of justice. The CBA Section has approximately 1,000 members practising all areas of immigration law. Our members deliver professional advice and representation to thousands of clients in Canada and abroad.

The landing process involves multiple steps following approval of an application for permanent residence. Applicants are asked to submit photographs, their passport or a copy of the passport identification page, confirmation of their mailing address, and a return prepaid tracked envelope. After submitting these documents, applicants wait several weeks for a Confirmation of Permanent Residence (COPR) form. The form must then be validated at an appointment with an Immigration Officer that may need to be scheduled weeks in advance, or at an appointment with a Border Services Officer upon entry to Canada where service maybe refused particularly for applicants who travelled from within Canada. All family members landing must appear in person and principal applicants must land before or at the same time as their dependents.

Currently, applicants from outside Canada complete the landing process by presenting their documents to border service officers at an international airport or land border and sign papers after a brief meeting. Applicants inside Canada either travel by car to nearest land border and flagpole or attend a local IRCC office at their nearest city.

Primary Recommendation: Eliminate the Landing Requirement

The landing requirement is an unnecessary and inconvenient process where issues in an application are rarely detected. We suggest instead that IRCC synchronize photo requirements for biometrics with permanent resident cards. With this change, IRCC would request a photograph only once, and permanent residence cards could be distributed by mail. If there are any problems in the application, a letter could instruct the applicant on how to contact IRCC in a timely manner to provide necessary clarifications or corrections.

Alternative Changes to Landing Process for Applicants Outside Canada

If IRCC keeps the landing process, we recommend using its airport and land border kiosks and adding the questions from the COPR form to the questions on the computer screens at the kiosks. Applicants from outside Canada would answer all questions then and use their fingerprints and iris scan to verify their identity.

If a problem arises, such as a technical issue or a problem verifying identity, the person would be directed to a secondary inspection at the airport or land border. To keep lines manageable, kiosks at land borders would only be available to people landing from outside Canada, not those who are flagpoling.

Alternative Changes to Landing Process for Applicants Inside Canada

If the landing process is preserved, we propose that applicants already in Canada go to their nearest Service Canada (SC) outlet or SC outreach site. SC locations, like airports, have kiosks where applicants can complete the steps on a computer screen. In the case of mechanical problems or other issues, applicants should be advised to contact their nearest IRCC office to arrange an in-person meeting.

Another option for those far away from a SC location would be to allow the applicants to phone an IRCC office to complete the landing process. IRCC could also consider developing a mobile app that could give access to the IRCC portal and let applicants confirm their status through voice recognition software or similar technologies. These would be good options in spousal sponsorship cases and simple, straightforward applications for permanent residence where there is no need to confirm employment or address a legal issue.

Our proposed landing process requires that equipment to collect biometrics be available inside Canada.

Special Considerations

The regular processes outlined above may need to be modified in certain situations:

- If an applicant does not have a readable fingerprint, we recommend confirming the applicant's identity using an iris scan and machine-readable passport, which has barcode information.

- Since American citizens do not currently need to submit biometrics, they will have to submit to biometrics for this landing process to work.

- Some applicants do not have enough knowledge of English or French to complete their landing process at a kiosk. SC staff should be on hand to assist these applicants.

These suggestions are made in the spirit of improving immigration processes. We would be pleased to clarify our recommendation or discuss them in more detail.

Yours truly,

(original letter signed by Nadia Sayed for Ravi Jain)

Ravi Jain
Chair, CBA Immigration Law Section