



CANADIAN
BAR ASSOCIATION
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BARREAU CANADIEN

March 31, 2026

Via email: Fawad.Popalyar@cic.gc.ca

Dear Fawad Popalyar:

Re: Urgent need to revise temporary special measures for Iranian nationals in response to the war in Iran

The Canadian Bar Association Immigration Law Section (the “CBA Section”) writes to raise urgent and systemic concerns regarding the current temporary special measures program for Iranian nationals in Canada as of March 1, 2026 (the “Iranian Special Measures”) and related immigration pathways available to persons affected by the war in Iran, which began on February 28, 2026. The conflict has continued to evolve and has created serious immigration, status, and access-to-justice consequences for affected individuals, including those already in Canada and those whose ability to maintain legal status is now in jeopardy.

The CBA is a national association representing over 40,000 lawyers, notaries, law teachers, and law students across Canada. The CBA Section comprises over 1,000 practitioners advising individuals, families, and employers in all areas of immigration, refugee, and citizenship law. Members of the CBA Section work daily within the immigration system and are uniquely positioned to observe how legal and administrative frameworks operate in practice.

Issue

The Iranian Special Measures have been narrowed and now apply only to a limited class of Iranian work permit holders in Canada. Under the current framework, an applicant must be an Iranian national with a valid passport, be in Canada with a valid work permit both at the time of application and at the time of decision, hold a work permit issued no later than February 28, 2025, and not have already received a work permit under the Iranian Special Measures. Eligible applicants may seek a work permit extension of up to two years, and the measures remain in place until March 31, 2027. At the same time, Immigration, Refugees and Citizenship Canada (“IRCC”) has expressly stated that no other temporary measures are in place for Iranian applicants, and that visitors and study permit holders must proceed through the regular process. We submit that this is an inadequate response to the current circumstances and that urgent action by IRCC is required.

The revised temporary public policy underlying these measures was signed by the Minister of Immigration, Refugees and Citizenship Canada (the “Minister”) on February 25, 2026, three days before the war in Iran began, on February 28, 2026. Its stated background information refers to continuing instability in Iran arising from the protests that followed the killing of Mahsa Amini in 2022 and related unrest. It confirms that the purpose of the policy is to facilitate continued access

to work permit extensions for Iranian nationals already relying on earlier special measures. Clearly, the current framework was developed prior to the onset of the war in Iran and not in response to the distinct and ongoing conditions created by the current conflict.

These limitations create a systemic gap for affected Iranian nationals whose circumstances fall outside the narrow scope of the current measures. Individuals who are in Canada as visitors, students, or work permit holders outside the narrow scope of eligibility must rely on ordinary processing streams, notwithstanding their unwitting inability to return due to the ongoing instability and violence in Iran. The result is a foreseeable risk that a significant number of affected persons will face hardship, uncertainty, loss of status, and inconsistent outcomes.

The CBA Section recognizes that IRCC is developing these measures within broader operational constraints, including security and economic considerations, as well as fixed immigration targets, but submits that those constraints do not negate the need for targeted relief where a broad class of affected persons face common hardships arising from the war in Iran. Reliance on ordinary case-by-case processing in this context imposes undue hardship on applicants, creates unnecessary administrative burden, delay, and inconsistent results. In practical terms, the current framework is insufficiently adapted to present conditions and no longer reflects a proportionate response to the immigration consequences arising from the war in Iran.

The Immigration and Refugee Protection Act (the "IRPA") provides a mechanism to address systemic barriers of this nature. Section 25.2(1) permits the Minister, where justified by public policy considerations, to exempt a foreign national from applicable criteria or obligations of the IRPA, subject to any conditions imposed by the Minister. Section 6 of the IRPA permits the Minister to designate officers and authorize in writing a person to do anything the Minister may do under the IRPA, subject to section 6(3). In our view, this regulatory authority enables a targeted public-policy response that is more responsive and practically workable than relying solely on ordinary processes.

Recommendation

The CBA Section recommends that the Minister and/or their delegate make the following amendments to bring the Iranian Special Measures in line with other humanitarian programs::

- Exercise their authority under section 25.2(1) of the IRPA to revise the current Iranian Special Measure in response to the war in Iran by:
 - a) granting all Iranian nationals in Canada a blanket extension of visitor status for at least one year, renewable based on conditions in Iran, to protect against loss of status and removal;
 - b) making all Iranian nationals physically present in Canada, regardless of current or prior immigration status, eligible for first-time open work permits, extensions of existing work permits for up to three years, and study permits, to ensure lawful status and access to work and education;
 - c) approving Temporary Resident Permit applications by Iranian nationals where the sole barrier is loss of status or ineligibility under earlier versions of the Iranian Special Measures;
 - d) granting any necessary exemptions from statutory and/or procedural requirements, including requirements to demonstrate intent to leave Canada and sufficient financial resources, where those requirements would undermine the humanitarian and public policy objectives of these measures;

- e) granting stage one approval of applications for permanent residence on humanitarian and compassionate grounds by Iranians in Canada with an anchor first-degree Canadian citizen or permanent resident family member;
- f) expediting Permanent Resident Travel Document applications for Canadian-Iranian permanent residents abroad;
- g) expediting applications for permanent residence by Iranian nationals in the family sponsorship and protected person inventories;
- h) providing a pathway for Iranian nationals with first-degree relatives who are Canadian citizens or permanent residents to reunite with their relatives in Canada (the “Revised Special Measures”); and
- i) exercise their authority under section 25.2(2) of the IRPA to exempt Iranian nationals in Canada and Canadian-Iranian permanent residents abroad from any applicable fees in respect of the examination of their circumstances under the Revised Special Measures.

The CBA Section further recommends that IRCC:

- Update the public policy guidelines following the outbreak of the war on February 28, 2026; and
- Commit to ongoing review and timely extension of the Revised Special Measures in response to evolving conditions in Iran, ensuring a practical, timely and consistent humanitarian response.

Conclusion

The extraordinary circumstances arising from the war in Iran require proportionate and system-wide responses. Canada’s immigration system has, in recent crises, adopted broader measures than those now available to affected Iranian nationals under the current Iranian Special Measures. This includes relief for visitors, students, workers, fee exemptions, document flexibility, and, in some cases, permanent residence pathways for affected persons abroad with family in Canada. In contrast, the current Iranian Special Measures are limited to a very narrow scope of Iranian work permit holders, excludes visitors and study permit holders, excludes measures for Canadian-Iranians abroad, excludes any options for family members of Canadian-Iranians, and applies standard fees. These provisions were drafted before the onset of the present war; the situation has rapidly deteriorated and materially changed. Without immediate expansion to the Iranian Special Measures, the principles of fairness, consistency, and confidence in the immigration system will be eroded. A more responsive and coordinated policy approach is required to address the present consequences of the war in Iran and to bring the Iranian Special Measures into closer alignment with Canada’s established practice in comparable humanitarian responses to recent crises.

The CBA Section would welcome the opportunity to discuss these issues further and assist the Department in developing responsive, legally sound measures.

Yours truly,

(original letter signed by Noel Corriveau for Jatin Shory)

Jatin Shory
Chair, Immigration Law Section