

# Immigration and Refugee Board of Canada

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## Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment, please email the [Knowledge and Information Management Unit](#).

5 October 2017

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Canada and Somalia: Information on Temporary Resident Visas (TRV) and Temporary Resident Permits (TRP) issued to Somali citizens, including whether visas and permits are affixed to the Single Journey Travel Document (SJTD) or in a passport; documents required for a Somali citizen to apply for a TRV and a TRP (2015-September 2017)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

### 1. Application for a Temporary Resident Visa

In its application package for applicants in Somalia applying for a (TRV) for Canada, Immigration, Refugees and Citizenship Canada (IRCC) has included on its website a guide entitled *Temporary Resident Visa. Nairobi Visa Office Instructions for the Following Countries: Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan* [IMM 5880 E (05-2016)] (Canada 15 Aug. 2017). The Guide, which includes a document checklist for applicants, is attached to this Response.

### 2. Entry to Canada

In its *Guide for Transporters*, which outlines Canadian immigration controls and documents required from visitors and immigrants who seek entry to Canada, the Canada Border Services Agency (CBSA) states that a foreign national who wishes to enter Canada as a temporary resident (visitor) must hold one of the travel documents prescribed in section 259 of the *Immigration and Refugee Protection Regulations* (IRPR), including, among others, "a passport that was issued by the country of which the foreign national is a citizen or national, that does not prohibit travel to Canada; and that the foreign national may use to enter the country of issue [IRPR Subsection 52(1) (Canada 2002)]" (Canada 9 Nov. 2016). According to the same source,

IRCC may issue a Single Journey Travel Document (SJTD) in limited circumstances to persons who are unable to obtain a prescribed travel document. The document, which is a paper form resembling the Single Journey Document for Resettlement to Canada, will always be endorsed with a Canadian visa counterfoil covered with an immigration protective seal and a photograph of the holder covered with a protective seal.

The SJTD is issued to individuals, not families. Children are not included in their parent's document, but receive their own. Individuals approved by a visa officer for temporary or permanent residence who are inadmissible due to the lack of a prescribed document and are therefore approved for temporary resident permit issuance may be issued a[n] SJTD. Because of the lack of a prescribed document under [IRPR] R259, a temporary resident permit counterfoil coded PA-1 must be affixed to the SJTD. The individual coming to Canada temporarily under a[n] SJTD must have documents valid for return to their country. (Canada 9 Nov. 2016)

In correspondence with the Research Directorate, the Director for Europe, Middle East and Africa, International Network, at IRCC explained that

[The IRCC does not] affix visa counterfoil to a Somalian passport as this is not a travel document recognized for purpose of traveling to Canada.

However, if an officer is satisfied as to *bona fide* of return of Somalian nationals who wish to travel to Canada, then, a TRP needs to be applied for in order to affix the same to an SJTD. The TRP is issued to enable a foreign national to travel despite a lack of a travel document as per IRP Regulations. Nonetheless however, the issuing visa office will ask to see that the person has a valid Somalia passport to cover the duration of stay in Canada and to ensure that the foreign national has a passport to return back to Somalia. Travel itinerary (flight booking) is needed for the issuance of SJTD. (Canada 12 Sept. 2017)

The Director further explained that

[t]here is no specific application kit for a TRP and no specific document required list. It is determined on a specific basis for each individual case.

To be eligible for a TRP, your need to enter or stay in Canada must outweigh the health or safety risks to Canadian society, as determined by an immigration or a border services officer. Even if the reason you are inadmissible seems minor, you must demonstrate that your visit is justified.

There is no application form to apply for an initial TRP. Applicants should submit an application for a TRV along with supporting documents to explain why they are inadmissible and why it would be justified for them to enter Canada. (Canada 12 Sept. 2017)

### 3. Somali Passports

According to the Director,

[a]ny passport purporting to have been issued by Somalia is not considered a travel document for the purposes of R50(1) or R52(1) of the *Immigration and Refugee Protection Regulations*. We don't affix visa counterfoil to a Somalian passport as this is not travel document recognized for purpose of traveling to Canada (Canada 12 Sept. 2017)

The Director also referred to the IRCC's Operational Bulletin 190 of 12 March 2010 on *Unreliable Travel Documents* (Canada 12 Sept. 2017). According to the Bulletin, which includes "[a]ny passport purporting to have been issued by Somalia" on a list of unreliable travel documents,

[i]f a temporary resident application or [i] permanent resident application is submitted with a travel document that has been designated as unreliable, the travel document requirements of R50(1) [documents required from permanent residents (Canada 2002)] or R52(1) [documents required from temporary residents (Canada 2002)] are not met and the application is not complete. The applicant should be advised to provide an acceptable travel document.

For greater clarity, unreliable travel documents must not be accepted for file creation or processing, and visa counterfoils must not be affixed to them. (Canada 12 March 2010)

The Director further added that "[u]ntil further notice, the new biometric Somali passport is not recognized for the purpose of traveling to Canada" (Canada 12 Sept. 2017).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

### References

Canada. 12 September 2017. Immigration, Refugees and Citizenship Canada (IRCC). Correspondence from a Director to the Research Directorate.

Canada. 15 August 2017. Immigration, Refugees and Citizenship Canada (IRCC). "[Application for Visitor Visa \(Temporary Resident Visa - TRV\) \[Somalia\]](#)." [Accessed 19 Sept. 2017]

Canada. 9 November 2016. Canada Border Services Agency (CBSA). [Guide for Transporters](#). [Accessed 19 Sept. 2017]

Canada. 12 March 2010. Immigration, Refugees and Citizenship Canada (IRCC). [Operational Bulletin 190 – March 12, 2010. Unreliable Travel Documents](#). [Accessed 19 Sept. 2017]

Canada. 2002 (amended on 27 June 2017). [Immigration and Refugee Protection Regulations \(SOR/2002-227\)](#). [Accessed 19 Sept. 2017]

## Additional Sources Consulted

**Internet sites, including:** Canada – High Commission in Kenya; Canadian Council for Refugees; VFS Global – Canada Visa Application Centre in Kenya.

## Attachment

Canada. May 2016. Immigration, Refugee and Citizenship Canada (IRCC). [Temporary Resident Visa. Nairobi Visa Office Instructions for the Following Countries: Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan](#). [Accessed 18 Sept. 2017]

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