



## Who is Raphaelswerk?

Raphaelswerk e.V. is a specialist organisation within the German Caritas Association. We give expert advice on: emigration, working abroad, bi-national partnerships and families, returning to **one's** home country and resettlement.

Our counselling is confidential and non-directive. We are bound by discretion and provide advice irrespective of nationality, religious affiliation and legal status.

This information sheet offers initial guidance. It does not offer a substitute to personal counselling. Our counselling services can provide you with detailed information, advice and support with application procedures.

## What is resettlement?

The term resettlement generally refers to when refugees, who are outside of their home country without a permanent right to remain, are accepted under the refugee programme of another country. Refugees can also immigrate to third countries through job-related and family-related immigration programmes – as long as they meet the relevant criteria.

Below, we will outline three possibilities for immigration to Canada:

1. **The Asylum Country Class**
2. **Special programs for Afghan nationals**
3. **Family-related immigration / family reunification**
4. **Skilled-worker immigration**

Visa applications need to be submitted to the relevant Canadian authority. A lawful visa decision is made by the Canadian immigration authority only.

### 1. The Asylum Country Class

What requirements do you need to meet for the asylum country class?

- You must be outside your country of origin.
- You must have no possibility of a right to remain in Germany. Your asylum claim has been refused and you are obliged to leave the country (hold a waiver of deportation status or Duldung).
- You must be in possession of an approved sponsorship from Canada. We provide you with information on how to apply for a sponsorship. It is expected that you apply for it yourself.
- You must not represent a danger for the public order and national security due to previous professional and personal activities. As proof, you will be asked to provide a police certificate from all countries in which you have lived for longer periods.

# Resettlement and Immigration to Canada

As of September 2021

- You must be able to put forward personal and credible grounds for having suffered from persecution in your country of origin and/or grounds why you would likely suffer from persecution upon return.

## 2. Special programs for Afghan nationals

Effective 22 July 2021 the Canadian government has set up special programs for Afghan nationals in need for resettlement. Currently, there are two eligible groups under these programs:

**Group 1)** „A special humanitarian program focused on resettling Afghan nationals who are outside of Afghanistan and who **don't** have a durable solution in a third country, which will include people such as

- women leaders
- human rights advocates
- persecuted religious minorities
- LGBTI individuals
- journalists and people who assisted Canadian journalists
- immediate family members of one of the above
- extended family members of previously resettled interpreters who assisted the Government of Canada.“

Source: <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/afghanistan/special-measures.html>

**Group 2)** „A special immigration program for Afghan nationals, and their families, who assisted the Government of Canada.

You **don't** need to currently be in Afghanistan or return to Afghanistan to be eligible or to have your application processed once **you're** able to **apply**.“

Source: <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/afghanistan/special-measures.html>

Detailed information about these two special programs for Afghan nationals is provided by the Immigration, Refugees and Citizenship Canada (IRCC), the Canadian immigration authority:

<https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/afghanistan/special-measures.html>

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### 3. Family-related immigration / family reunification

The possibility of family reunification to Canada exists if one of the following family members is legally resident there, i.e. with a permanent residence status:

- Spouse or Partner in a marriage-like relationship (this includes same-sex relationships)
- Parent(s) of a child under the age of 22 who is unmarried and not living in a common-law-relationship. (Exceptions to this age limit are possible in special cases of family dependency.)
- Adult child
- Brother, Sister, Uncle, Aunt or Grandparents – provided that the applicant is an orphan, under 18 years of age and unmarried or not in a common-law-partnership.

If the relative in Canada has neither family members in Canada nor closer family members abroad, the possibility of family reunification exists even for more distant relatives.

#### What do I need to know about the application procedure?

The application procedure is initiated by the sponsoring relative in Canada. This involves the payment of a processing fee. The settlement services for new immigrants in Canada provide information to family members about the requirements and procedures. These settlement service centres can be found in all larger towns and cities.

#### Special cases within family reunification

If your spouse or common-law partner made an asylum claim in Canada and was recognized as a refugee, the possibility of a simplified family reunification procedure exists. The condition for this is that you (and your joint children) were already listed in your **spouse's** or **common-law partner's** application. If this is the case, your spouse or common-law partner should contact a settlement service centre in Canada for information about the necessary steps.

This possibility also applies if your spouse or common-law partner immigrated to Canada from a different third country under **Canada's** resettlement programme. Again, the condition here is that you were listed in your **spouse's** or **common-law partner's** application. The same applies to your children. In addition, you must submit your application within 12 months of your **family member's** entry to Canada.

This category is called: the One Year Window of Opportunity.

### 4. Skilled immigrant migration

#### What is a skilled immigrant?

A skilled immigrant has completed the educational and vocational training requirements for a skilled profession in which he has gained experience. If there is a demand for this profession in Canada – for example, in one of the Canadian provinces – this increases the chances of being able to immigrate. Successful completion of post-secondary studies in Canada and corresponding Canadian work experience are also rated positively, as are having close relatives in Canada, the **spouse's** or **partner's** level of education or a confirmed job offer in Canada.

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Excellent language skills in English and/or French (in the areas listening comprehension, reading, writing and speaking) are required and must be proven through recognized test results.

Do any other requirements need to be met?

- Applicants must hold a valid passport.
- You must not represent a danger for the public order and national security due to previous professional functions and personal activities. As proof, you will be asked to provide a police certificate from all countries in which you have lived for a longer period of time.
- You must not represent a high demand for the health system due to serious chronic medical conditions or acute illnesses. Therefore a medical examination will be carried out in Germany.
- A processing fee needs to be paid with the application. A further fee must be paid in order to enter Canada if an applicant is accepted.

Work permits / working temporarily

What is a work permit?

A work permit allows a temporary stay in Canada together with a pre-determined employment position with a particular employer. Due to the temporary nature of this permit, refugees who do not have a right to remain in Germany will not generally be granted a work permit.

Information and Counselling

Where can I seek advice?

The Raphaelswerk emigrant and refugee counselling services are competent contact persons **for all topics to do with: resettlement, emigration, working abroad, returning to one's home country**, as well as bi-national partnerships and families. You can find out the addresses of our counselling services by phoning +49 40 248442-0 or online at: [www.Raphaelswerk.de](http://www.Raphaelswerk.de)

The Canadian immigration authority, Immigration, Refugees and Citizenship Canada (CIC), provides information about the various immigration and visa regulations in both English and French on its website: [www.cic.gc.ca](http://www.cic.gc.ca)