

TO APPLY FOR **PERMANENT
RESIDENCE** FROM
WITHIN CANADA
ON HUMANITARIAN
AND COMPASSIONATE
GROUNDS

(H&C Application)



Project funded by

Department of Justice
Canada



Acknowledgements

This toolkit is the fruit of a collective effort. Several organisations and partners have contributed. The Migrant Justice Clinic would like to thank:

- Afrique au féminin
- AGIR (LGBTQIA+ Migrant and Refugee Support in Montreal)
- Doctors Of The World
- IWC (Immigrant Workers Center)
- Just Solutions Legal Clinic
- Solidarity Across Borders
- Welcome Collective

Why create the H&C Application toolbox?

This working tool aims to fill a significant gap with regard to access to justice. Indeed, individuals who need to submit an Application for permanent residence for humanitarian considerations (Humanitarian Application and/or H&C Application) in order to regularize their immigration status regularly contact the Migrant Justice Clinic (CJM). These individuals are unable to find representation to submit their Application and the CJM is also unable to offer legal services to everyone. In this context, we hope that this toolbox will enable you to submit your H&C Application.

Despite the above, the CJM strongly encourages you to find representation even after filing your Application. Among other things, a representative may submit written arguments for your Application. In this toolbox, we do not suggest that you submit “arguments” because we believe that this would be too complex. We therefore offer you another option: a detailed Declaration/Statement written by you (we refer you to Schedule 7: Example/template of a Declaration).

As for the content of this toolbox, please note that it is current as of March 2025, and that some information may be subject to change. As much as possible, we plan to update it from time to time.

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WHAT IS THE H&C APPLICATION?

The H&C Application is an immigration recourse that could allow you to obtain a permanent resident status in Canada.

Generally, this is a so-called last resort recourse: a final attempt to regularize one's immigration status in Canada. The people who apply are often individuals who had their Refugee Claim rejected or have remained in Canada following the expiry of their visas (tourism, work, studies).

The H&C Application is submitted to Immigration, Refugees and Citizenship Canada (Immigration Canada).

Immigration Canada has also created a guide available online – Guide 5291 – Humanitarian and Compassionate Considerations¹. This guide can also be used as a tool for completing your H&C Application.



THE PARTICULARITIES OF THE H&C APPLICATION

This Application involves a long process: one can wait several years before receiving a decision. The average time for an H&C Application is published online². It is important to note that these times are averages – your file could take more or less time than indicated.

The immigration officer who takes the decision in your file has **discretionary power**, which means that the officer is free to make whatever decision they want (hence you should not compare your file to that of another person).

When you submit your H&C Application, you must produce **all documents** that may be relevant to the decision.



Your H&C Application - when under review - does not prevent the enforcement of a removal order. However, it is possible to argue, to stop your deportation, that you have submitted an H&C Application and that it is being processed. Sometime this argument makes a difference!

TOPICS TO BE COVERED IN YOUR H&C APPLICATION

There are three main topics that can be addressed. Only those that apply to you should be addressed.

1 Integration in Canada/Quebec and/or degree of Settlement

Examples of “topics” you might cover (if applicable). *This list is not exhaustive.*

- Family in Canada
- Friendly relationships, romantic relationships, etc.
- Community involvement
- Religious community
- Health
- Work
- Volunteering

2 Difficulties to return to your country

Examples of difficulties you can address (if applicable). *This list is not exhaustive.*

- Difficulty related to separation from family members (for example: your children and spouse (wife, husband or your conjugal partner) are Canadian and you would be in another country)
- Difficulties with regard to a war raging in your country
- Difficulties with regard to natural disasters affecting your country
- Difficulties with regard to your political involvement/activism/militancy
- Difficulties related to being from a specific ethnicity
- Difficulties related to being from a certain religious group
- Difficulties related to being a woman
 - If, in your case, the man makes the decisions for the women (school, work, religion, etc.)
 - If, in your case, the woman is the target of multiple forms of violence simply because she is a woman (femicide, rape, domestic violence, etc.).
 - If, in your case, working conditions for women are more difficult
 - If, in your case, you cannot access services without the presence of a man (housing, healthcare, etc.)

- Difficulties related to a disability
- Difficulties related to a diagnosis (physical health and/or mental health)
- Difficulties related to belonging to the LGBTQI+ community
- Difficulties related to having albinism
- Difficulties related to lack of connection (isolation)
- Difficulties to access the job market
- Lack of income security and social safety net
- Little connection to your country

3 The best interest of the child(ren)

You can address the best interest of a child, whether included or not in the Application. Example of topics that can be addressed. *This list is not exhaustive.*

- If a possible scenario is that one parent has to leave Canada and leave the other parent and child behind, it is important to address the consequences of family separation:
 - Effects on the child's development (with expertise and/or scientific research)
 - Effects on the family's economic situation
- If a child will return to a country for which he has no attachment (anchoring), explain the following:
 - Does the child know the language
 - Does the child know the habits and customs
 - Consequences of being perceived as a foreigner
 - Effects on the child's development (academic delay, adjustment difficulties, risk of dropping out of school, etc.)
- Children's rights – e.g. education, fulfilment, access to healthcare, access to specialized services, etc.
- Protection from hardship should the child have to leave Canada – e.g. fear that your child will undergo female genital mutilation/excision³ (FGM/E).



Although you may have a child born in Canada, this does not mean that your H&C Application will be accepted.

- Integration – e.g. the child has not lived in another country
- Stability – e.g. the child needs to settle down for his or her well-being

- Health – e.g. the child needs to remain in Canada for medical, developmental and/or psychological reasons e.g.:
 - The child receives the services of a psycho-educator.
 - The child receives regular follow-ups with a psychologist or professional



“Included child” means the child on file would obtain permanent residence with you if the Application was granted.

In the case of a “non-included child”, note that the H&C Application may mention all the children for whom the decision will have an impact, for example: your children who are Canadians, your children who have remained in the country, the children to whom you have obligations - for whom, for example, you send money so that they can go to school, and so on.

WHO CAN APPLY FOR H&C?

Anyone **physically in Canada** can submit an H&C Application.

If you are removed from Canada before a decision is made, the process may take longer, but your file will be studied. Therefore, it is very relevant to continue updating your H&C Application if removed.



You are eligible to submit an H&C Application if you are ineligible to apply for Refugee Status in Canada and if you come from a moratorium country⁴ and your Application request for a pre-removal risk assessment (PRRA Application) has been suspended.

The H&C Application can be submitted by only one person (adult or minor).



A child of another parent for whom you were responsible in your country, cannot be identified as one of your children if no adoption procedure has been carried out.

The H&C Application may, as well, include:

- A principal applicant in Canada.
 - His/her spouse in Canada (spouse, common-law partner)
- One or more dependent children in Canada.

How do I know if Immigration Canada will conclude that my child is a “dependent”?⁵

It depends on their age and civil status. To be considered as a dependent the child must:

- Be under 22 years of age (except for children who are unable to support themselves financially due to a physical or mental condition)
- Not be married (or common-law partner)

A child who is no longer under the care of another person must submit his/her own H&C Application.

All other extended family members must submit their own H&C Application (e.g. uncles, aunts, grandparents, etc.).

CERTAIN INDIVIDUALS IN CANADA CANNOT SUBMIT AN H&C APPLICATION

- If you are waiting for the decision on your Refugee Claim (Asylum) or on the appeal of your Refugee Claim;
- If your Refugee Claim, your appeal and/or your review before the Federal Court has been rejected for a period of less than one year, with some exceptions (exceptions detailed after);
- If your Refugee Claim or appeal has been abandoned or withdrawn for a period of less than one year, with some exceptions (exceptions detailed after);
- You are inadmissible to Canada for reasons of national security, human rights violations or organized crime (without exception);
- You are a 'designated foreign national' and the decision on your refugee claim or PRRA Application was made within the last five years;
- You have already submitted an H&C Application and you have not yet received a decision on that Application;
- You are a "designated foreigner"⁶ and the decision on your Refugee Claim or your PRRA Application was made within the last five years;
- You have already submitted an H&C Application and have not yet received a decision on this Application.

Two exceptions to the one-year waiting period

1 You would be deported to a country where you would be at risk of not being able to receive the health care adapted to your particular needs

2 Your removal from Canada would have direct and harmful impacts on one or more children (under 18 years of age) - whether or not that child is included in the H&C Application

When one of the exceptions apply, you can submit your H&C Application as soon as you receive your last negative decision on your refugee claim.



CONTENT OF THE H&C APPLICATION

The H&C Application should be submitted to Immigration Canada through the portal or by Post. We suggest, in this toolbox, that you submit it through the portal.



IMPORTANT: keep a copy of ALL sent documents.



MANDATORY CONTENT FOR ALL H&C APPLICATIONS

All documents submitted must be in English or French (translations must be joined to the copy of the original document, in its original language).

An H&C Application must include the following elements:

Identity document⁷

- Birth certificate for each person included in the H&C Application or an explanation if the document is unavailable (a copy is sufficient).
- If you adopted a child, add the adoption documents. Adoption procedures vary from country to country, so it's important to seek legal advice if you have any doubts about the recognition of procedures carried out abroad.
- Travel document – usually an expired or valid passport (if unavailable, give an explanation – see Schedule 2).
- Document that refers to your immigration status in Canada (even if it has expired). Examples: brown paper (IMM-1442), work permit, student visa, etc.
- Also, you can submit a copy of your national identity card (not mandatory and only if applicable).
- Several forms to fill out (these will be presented in the next section).

- A “Canadian passport” format photo (see Schedule 9 for photo specifications)



The photo must have been taken within the last twelve months.

- Copy of the receipt following **payment of immigration fees**

To pay the fees for your H&C Application, you must go to the [following page on Immigration Canada website](#).

For some people, payment is a complicated step. We refer you to Schedule 6 for detailed explanations on how to pay.

FEES TO BE PAID

Fees for the treatment of your Application:

You must pay for the treatment Application for each person included in the H&C Application.

As of March 2025, the costs are as follows (these amounts are subject to change):

- Principal applicant and spouse included in the application: **\$635/ea.**
- Each dependent child: **\$175.**

Biometrics fee

- As of March 2025, the biometrics fee is **\$85/person to a maximum of \$170 for two or more adults** on the same Application (these amounts are subject to change).

Fees for permanent residence (not compulsory):

- **\$575** for the main applicant
- **\$575** for the spouse (if applicable)

HOW TO SEND YOUR H&C APPLICATION

We suggest that you open an account at the following portal at: <https://prson-srpel.apps.cic.gc.ca/en/login>.

Here are the steps to open the H&C Application on the portal:

1. Go to “Create an account”.
2. A page will appear asking you the following:
 - Email address;
 - Password;
 - Confirm password.
3. A verification code is then sent to your email address.
4. Get your code and copy it where requested.
5. A message «congratulating» you will appear, you must enter your email address and password and click on «Log in».
6. You will get to “Create a new Application”.
 - Choose the program: Permanent residence, including resettlement
 - Select program: “Other”
 - Choose the category: “In Canada, humanitarian circumstances”
 - Choose a personalised title for your Application: select your own, for example, your name
 - Finally, you must click on “continue”
7. Now you are at YOUR PROFILE. You have to answer the questions and then click on “Save and continue”.
8. The Application forms are here. You can start your Application process. You must complete **all forms** for you and all persons included in the Application.
9. Then you need to upload the following documents to the portal:
 - Copy of your **birth certificate** as well as that of all persons included in the Application (you must write a letter if unavailable – see Schedule 2 for a template to help you with this process).
 - Copy of your **passport** and that of each member of your family included in the Application.
 - Copy of your **brown paper** (as a Refugee Claimant) and copy of those of your family members included in the Application, whether expired or valid. If you are not a Refugee Claimant, you can also submit a copy: student, visitor or worker visa, etc. or an explanatory letter).
 - **Passport size photo** for you and all persons included in your Application
 - **Proof of payment** of the Application (see Schedule 8 on how to pay the fees).

10. After downloading the documents, at the very end, there is the “Declaration” that you need only to write your name as your signature.
11. You click on “Confirm and submit your Application”. You will be allowed to download a complete copy of everything that has been provided on the portal.
Keep everything very carefully.
12. You will receive, via email (if this applies to you) a letter requesting that you do your biometrics.
13. Finally, once the above documents have been sent and you have received confirmation, you should continue the process of your H&C Application via email at the following address:
**IRCC.DNHM-Vexternal-RNMH-Vexterne.
IRCC@cic.gc.ca**



Failure to provide biometrics when required may result in rejection of your H&C Application.



As well, it may be important to review information you provided in forms previously completed for Immigration Canada (Examples: when you applied for Refugee Status, for a visa, etc.)

Fill out the forms (all are mandatory).

There are six but you may only need to complete five, depending on the number of dependents included in your application.

1 IMM-5280 (Checklist)

<https://www.canada.ca/content/dam/ircc/documents/pdf/english/kits/forms/imm5280/01-08-2024/imm5280e.pdf>

2 IMM-0008 (Generic Application Form for Canada)

Only filled out by the principal applicant (E.g. if a family, one of the parents)

<https://www.canada.ca/en/immigration-refugees-citizenship/services/Application/Application-forms-guides/imm0008.html>

**3 FILL AS NEEDED:
IMM-0008DEP (Additional
Dependants/Declaration Form)**

If the principal applicant has more than five dependants (whether or not included in the application), he or she must complete the IMM-0008DEP form for each of the additional dependants.

<https://www.canada.ca/en/immigration-refugees-citizenship/services/Application/Application-forms-guides/imm0008-dep.html>



A child of another parent, for whom you have been responsible in the country, cannot be identified as one of your children if no adoption procedure has been carried out.



4 IMM-5669 (Schedule A – Background/Declaration)

<https://www.canada.ca/en/immigration-refugees-citizenship/services/Application/Application-forms-guides/imm5669.html>

To be completed for each person over 18 years old (dependent child or not) included in the application.

This form regularly causes problems. Below we indicate the questions that seem to cause those problems and try to explain the mistakes to avoid.

About QUESTION 4

Have you, or, if you are the principal applicant, any of your family members listed in your Application for permanent residence in Canada, ever:

[...]

c) made previous claims for refugee protection in Canada or at a Canadian visa office abroad, in any other country(ies) or territory(ies), or with the United Nations High Commissioner for Refugees (UNHCR)? *(If yes, it must be indicated and dates provided if known)*

d) been refused refugee status, an immigrant or permanent resident visa (including a Certificat de sélection du Québec (CSQ) or Application to the Provincial Nominee Program) or visitor or temporary resident visa, to Canada or any other country or territory? *(If yes, it must be indicated and dates provided if known)*

e) been refused admission to, or ordered to leave, Canada or any other country or territory? *E.g.: you have applied for a visa, which has been rejected, it must be indicated*

j) been detained, incarcerated or put in jail? *This includes police custody, detention, illegal (arbitrary) detention, and imprisonment and immigration detention in Canada or elsewhere.*

k) had any serious disease of physical or mental disorder? *You may be afraid to mention that you have a medical condition, but it's important and compulsory to share information. You should therefore mention any physical and/or psychological illnesses you suffer from. If your Application progresses favourably, you will be required to undergo a medical examination.*



Diagnoses can be a central argument justifying a positive decision on an H&C Application.

E.g.: you have AIDS, you receive appropriate care in Canada, but in your country, care is non-existent and/or there is a great deal of discrimination against people with AIDS.



About QUESTION 8: PERSONAL BACKGROUND

They ask what you have done in the last 10 years (Or since you turned 18 for a maximum of 10 years). You must start with your current occupation and then work backwards. **No period can be omitted.**

Even if you have worked without a valid permit, or have worked while out of status in Canada, you should provide information on the type of work performed, but not necessarily identify the employer.

Personal background

Example: if the H&C Application is submitted in December 2024

<i>From (year-month)</i>	<i>To (year-month)</i>	<i>Activity</i>	<i>City or village</i>	<i>Status in your country or territory</i>	<i>Company name</i>
2023-11	Today	Cleaning	Montreal, QC	Non-status	Different individual's houses
2022-03	2023-11	Packaging	Montreal, QC	Refugee Status rejected	Super C
2019-01	2022-03	At home	Montreal, QC	Refugee Claimant	Not applicable
2014-11	2018-09	Professor	City X Country Y	Citizen	School of life

About QUESTION 12: ADDRESSES

List all addresses where you have lived since your 18th birthday or the past 10 years, whichever is most recent.

Do not use P.O. box addresses.

- An address, even incomplete is sufficient. You simply need to indicate «I don't know» when the information is unknown
- The dates must be consecutive (you cannot omit a period)
- If you have been in hiding, you must indicate it
- If you have gone through a long journey (transit through several countries) between your country and Canada, you can put the information in bulk except for the countries where you have remained for a period of at least one month)
- If you have been detained, you must also indicate it as it was a place of residency for a period of time
- Do not list your family's home⁸ as your "address" if you never resided there

Address

Example: if the H&C Application is submitted in December 2024

From	To	Street and civic number	City	Province	Postal code	Country or territory
2023-10	Today	1406, Beaudry Street	Montreal	Quebec	H2L 3E5	Canada
2023-01	2023-10	4, 12th Avenue	New York	New York	Unknown	United States
2022-09	2023-01	Traveling from Brazil Multiple addresses	Several cities	Several provinces	Several	Several
2018-02	2022-09	12, Savana Street	Salvador	Bahia	Unknown	Brazil
2017-06	2018-02	Hidden in different people's homes	Several	Several	Unknown	Country X
2017-01	2017-06	Detention/ prison	City A	State B	Unknown	Country X
2014-11	2017-01	District 8	City A	State B	P213	Country X



If you are in hiding, you are most likely afraid to share your REAL address. This is your decision.

However, if you are in hiding in Canada and you submit an H&C Application, you should be aware that, for the application to be accepted, you will have to share your address and the warrant for your arrest 'lifted'. This means that Immigration Canada sees that you have not reported yourself for removal, they can see that an arrest warrant has been issued for you. Before your application can be accepted, you will need to resolve this situation. At this stage, it is VERY important to consult a representative.

5 IMM-5283 (Supplementary Information – Humanitarian & Compassionate Considerations)

<https://www.canada.ca/en/immigration-refugees-citizenship/services/request/formulaires-request-guides/imm5283.html>

As a rule, there is only one form to complete for the family. However, it is indicated that a form must be completed by each of the persons making the request if considerations are different.

To complete this form, we suggest the following:

For QUESTIONS 3 and 5: use additional sheets to write the information requested for each of the people included in your Application, but also those for whom the decision would have an impact, even if they reside outside of Canada.

For QUESTION 6 (“Are you subject to a removal order?”), do not be afraid to answer “yes” if this is your situation. Example of people who are in this situation:

- If your Refugee Claim has been rejected and you were given a departure date from Canada and did not show up for your removal.

For QUESTIONS 7 to 13, do not write anything except, for each question, indicate the following: “the explanations are on a separate document” or “the declaration and proofs will follow”. This way ensures that you have the space to present all the important and relevant elements for your H&C Application.

6 IMM5406

<https://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/imm5406.html>

PERSONALIZED CONTENT OF YOUR H&C APPLICATION

You are not represented at this stage hence we suggest that your Application be presented in a different way than what a representative would do.

Generally a representative would gather your proof, do some documentary research and produce written arguments. This is very complex if you are making your H&C Application on your own. Therefore, we suggest, instead:

- You collect some personal documents
- You collect some documentary evidence (objective evidence following online research)
- You provide a complete list of the collected documents
- You provide a written and detailed Declaration

It is necessary to gather as many documents as possible that will address the topics to be covered. However, you do not necessarily need to have all the documents suggested below. It is possible that several of the suggested documents are «not applicable» to you. Hence, the best advice **do your best to collect the most!**

If you have applied for Refugee Status and have been rejected, it is possible that the content of your refugee file remains relevant for your H&C Application. In this case, it is important not to simply repeat the content of your Refugee Claim.

As a reminder, here are the topics on which your documents should focus:

- Your integration as well as that of all the people included in your H&C Application
- The difficulties for you and the persons included in your Application, in the event of a removal from Canada (deportation)
- The best interest of any child affected by your Application (whether included in the Application or not)



It is important not to write that you have «fears of returning to your country», but rather that you would have «difficulties» if you returned there.

Also, it is important for you to know that the officer who decide the outcome of your H&C Application has access to the refusals (examples: a Refugee Claim that was rejected, the appeal following the refusal, etc.). Therefore, you should not simply repeat what you wrote in your “Basis of Claim Form” (BOC)– this is even truer if the denial of your Refugee Claim was based on a credibility issue(s).

DOCUMENTS YOU COULD SUBMIT

The following are suggestions of documents you may wish to submit. There is NO obligation to have all of them and therefore do not submit false or fabricated documents.

We suggest documents by category.

Proof of identity

As mentioned earlier, you need to have identity documents – they have been mentioned above. If you are unable to produce those listed, you may want to consider producing other documents. Here are some examples:

- School documents with your name (diploma, report cards, certificate, etc.)
- State documents with your name (voter's card, national identity card, etc.)
- Driver's license with your name
- Identity card from work

Documents must be from your country and not issued in Canada

It is also important to prepare:

- A copy of the birth certificate for each person included in the Application or even family members for whom you are requesting to take humanitarian considerations into account (e.g. children left behind in your country, parents, siblings)
- Document of adoption (if applicable)
- "Brown Paper" (or IMM1442) for each person included in the Application
- A copy of the passport – expired or not – for each person included in the Application
- A copy of a marriage certificate (if applicable)
- A copy of a divorce certificate (if applicable)
- A copy of a death certificate (if you are widowed)

If you have an "identity issue," this means that the Canada Border Services Agency (CBSA) does not know who you are and/or a Canadian court has concluded that your identity has not been established. It will be important to include, in your H&C Application, an explanation or argument on this subject in addition to being very creative in collecting documents to establish your identity.

Creative examples of documents to establish your identity:

- Sworn Declaration from a person or persons who know you from your country and can explain why they are able to confirm your identity
- Family document (registry, certificate)
- Sworn Declaration from your family members
- School documents



Personal Declaration

This “Personal Declaration” is an opportunity to introduce yourself to the immigration officer and explain why you should be granted permanent residency based on humanitarian and compassionate grounds. We strongly advise you to produce this Declaration and have it sworn⁹ if possible.

We refer you to Schedule 7 for a template.

Describe your integration

- Language(s) spoken: English or French
- Training course(s) taken in Canada
- Time spent in Canada
- Volunteering and/or employment in Canada
- Friendly, romantic and/or family relationships in Canada
- Health problems and care/services received
- Money sent to your country of origin (describe who receives it, how it is sent and why it is needed)
- If you have a child(ren), explain what they do, how things are going, the services/care they receive, what difficulties a return and/or a first trip to your country of origin would represent.

Describe the difficulties in the event of return to your country of origin

- Reasons why you don't want to return to your country
- Abuse experienced during childhood and during life while living outside of Canada
- Lack of connection to your country of origin
- Lack of work/employment opportunities
- Difficulties related to what you have already presented before the courts (e.g. for your Refugee Claim)

Proof of employment

- Letter from your employer indicating the number of hours per week, the hourly rate, your start date/seniority, the specific skills making you a good employee, etc.
- Letter from your colleagues indicating what you bring to the working team, etc.
- Proof of each job you had since your arrival in Canada (certification, service card, employment contract, etc.)
- Photos at work and/or of you with your colleagues
- Pay slips

If you work undeclared and/or without a work permit, you do not need to produce a letter from your employer or work colleagues. However, you can submit photos and explain in your personal declaration what you are doing and for how long.

Proof of financial support

- Copy of your work permit (submit even if expired)
- Federal and provincial notice of assessment for the last three years and/or since your arrival in Canada or T4 for each job since your arrival in Canada - It's not a question of submitting the completed tax forms, but rather the notice received afterwards from the federal and provincial governments (only if you do your taxes, of course)
- If you are not working and don't receive social assistance, provide a letter from the person(s) supporting you financially
- Proof of sending money (if money being sent through a person that travels, simply request a letter to that effect.)
- Letter(s) from the person(s) receiving money from you and/or the person(s) included in the Application
 - Date, location where the letter was written
 - Identification of the person
 - The frequency of the amounts received as well as the amount
 - The usefulness of sums
 - Consequences if the amounts can no longer be paid
 - Signature

Financial proof if you are not working

If you were unable to work and/or are still unable to work, it would be useful to produce documents to explain the periods of 'non-employment'.

- Documents from social assistance showing that you are receiving benefits for 'permanent or temporary severe constraints on employment'
 - The letter from social assistance
 - The medical report that led to this assistance
- Proof of benefits in connection with a work accident (the decision) and/or other benefits received in compensation
- Medical documents showing that you have received medical treatment making it impossible for you to work.
- Add in the personal declaration that you were and/or are helping a close carer for someone in need (photos, letter from the person if they are an adult, etc.)
- Add in the declaration that you have to take care of children (you have several, they have special needs, etc.)

Proof of residence

- Letter from your landlord
- Copy of the lease
- Proof of purchase of a property



If you have no status, you could be worried to produce these documents. However, as mentioned earlier, Immigration Canada will not accept your H&C Application without knowing where you live. So, eventually, you will have to share your real address.



Proof of the best interest of the child (for each child in Canada – included in the file or not)

- Birth certificate for any child not included
 - Proof of education: letter from school or daycare
 - Necessary information: school level of the child, the class, his/her level of integration, his/her ease in French and/or English, etc. (Example: «The child performs well at school, is liked by his/her classmates, is creative, etc.)
 - Letter from the educators
 - School reports
 - Certificates of Achievement
 - Letters from classmates
 - Photos with friends
 - Drawings about their life in Canada
 - If your child has special needs: proof (e.g. health or learning issues)
 - Family photos (two to five with dates and events identified)
 - If the child wishes and it is not a negative issue for them, have them write about the reason(s) why they would like to stay in Canada.
- If you are concerned about female genital mutilation/excision (FGM/E) for your daughter, it may be relevant to provide a medical document stating that this has not happened to her. Also, if she has undergone FGM/E, it would be relevant to have a medical document confirming this.



- **Anyone who has received health care can go to the hospital and/or CLSC archives to obtain notes from their file or their child's file.**
- **Although this may seem negative if the Department of Youth Protection (DYP) has received a report on you (and/or your partner), it may be relevant to include the documents that are produced in the process.**

Proof of the best interest of the child (for each child outside Canada - not included in the file)

- Birth certificate
- School documents, if relevant (e.g. if you are sending money to pay fees)
- Documents related to medical needs (also mention if you pay for the care received)
- Family photos (two to five with date and events identified)

Proof of settlement (integration) in Canada

It may be useful to add a copy of the author's identity document with each letter provided in your Application. This is optional.

- If you are in a meaningful relationship with a person who is a permanent resident of Canada or Canadian you should consider submitting:
 - Letter from the person you are in a relationship with (with a copy of an identity document)
 - Photos of the couple (maximum ten)
 - Proof of your communications (e.g. text messages, letters, greeting cards, letter(s) from friends and/or family members that emphasize the importance and seriousness of the relationship, etc.)

- Letters from your friends and/or acquaintances with permanent status in Canada
- Letters from your family members with permanent status in Canada
- Letters from community organizations you are involved with
- Letters from religious organizations you are involved with
- Photos with friends, family and/or community
- Proof that you have completed training and/or courses (e.g. certification successfully completed as an orderly)
- Proof that you have done sporting, collective, community and/or other activities (e.g. letters, photos, contract signature, etc.)
- Proof of volunteering



Proof related to a health issue

- Follow-up letter from a psychologist since your arrival in Canada

Suggested content:

- Identifying the diagnosis
- Identifying the possible consequences of leaving Canada
- Identifying the possible consequences of returning home

This letter generally supports the difficulties of returning to your country and the benefits of remaining in Canada.

- Follow-up letter from a social/health worker and/or doctor

Suggested content:

- Identify your diagnosis
- Identify your history of care and/or services received
- Identify needs
- Identify the possible consequences for you if you no longer have access to these services

This letter generally supports the difficulties of returning to your country and the benefits of remaining in Canada.

- Medical records (if possible, request them)

Sometimes it's difficult to get letters from professionals, so notes can be another option or a complement if letters have been written for you by professionals.

- Psychological report

This is not necessary if you have a letter from your therapist. However, if a report has been produced for your asylum Application, for example, you could add the report to your H&C Application.

- List of prescribed medicines you are taking and documents explaining what they are

Once the list has been produced, online research should be carried out on the accessibility of the same medicines (or in general on the accessibility of medicines) in the country to which Canada could send you back. This becomes a strong argument if they are not accessible and/or are too expensive.

- Documentation certifying that you have undergone female genital mutilation/excision (FGM/E) or possibly a document stating that you have not undergone FGM/E if you fear that this will happen in the event of deportation from Canada

Also, it might be relevant to have documentation showing whether other women/girls in the family have undergone any form of FGM/E.



Don't be afraid to mention all your medical conditions (psychological and/or physical).

If you have been a victim of domestic/family violence in Canada, and also in another country

- If you reported the violence to the police, provide proof to that effect
- If you received a document to appear in Court, submit a copy of this letter
- If you had problems with the Director of Youth Protection (DYP) in relation to domestic/family violence, attach the documents to this effect.
- Photos of injuries
- Text messages, emails, or others, from the abuser demonstrating violent and/or harassing behaviour
- If you stayed in a shelter, proof of residence, same thing if you had access to a “second step apartment”
- If you see professionals related to the domestic violence/family, a letter from these people to explain the services offered
- If you have applied to IVAC (compensation for victims of a criminal offence), provide a copy of your Application and the response
- If you have witnesses or people you have confided in, you can ask them to write a letter for your H&C Application

If you have been a victim of sexual violence OR any other violent act in Canada

- If you reported the violence to the police, provide proof to that effect
- If you received a document to appear in Court, submit a copy of this letter
- If you have applied to IVAC¹⁰ (compensation for victims of a criminal offence) provide a copy of it as well as a copy of the IVAC response
- Photos
- Testimonials from people who saw the event(s) and/or people with whom you may have shared the events after they took place If you received treatment: medical reports, medical notes, etc.
- If you received psychological help: follow-up letter
- If you have witnesses or people you have confided in, you can ask them to write a letter for your H&C Application

Objective proof and/or documentary evidence

Documentary evidence includes different types of documents, such as extracts from newspapers, books, websites, social media and magazines, etc.

In addition to your personal documents, it is very relevant to submit:

- Research or documents that support settlement elements

Examples

- You work in construction, there is a labour shortage: you produce a document to this effect
- You work as an orderly: you can submit articles demonstrating the lack of resources in Quebec
- Your child goes to preschool in Quebec: you can produce documents on the importance of early education for the positive development of children

- Documents that relate to issues in the country you may be returned to

Examples

- Natural disaster
 - A war
 - Widespread violence
 - Health crisis
 - Lack of employment
 - Discrimination against certain groups to which you belong
- Documents that support the difficulties addressed in your H&C Application

Examples

- You have a diagnosis: you may submit documents to show that the country you are being sent back to does not offer services, or the services you need, etc.
- Documents that explain the effects and consequences of your diagnosis or that of a person included in the file

Basis of objective proof for all countries, the National Documentation Packages (NDPs)

The specific NDP for each country can be found at the following address: <https://www.irb-cisr.gc.ca/en/country-information/ndp/Pages/index.aspx>

On this page, you must choose your country or countries concerned (one at a time).

You are not required to produce a copy of the documents that you find relevant for your H&C Application. You can simply identify them and ask the deciding officer in your H&C Application to read them. We invite you to see our template for “List of Proof for my H&C Application” at Schedule 6.

The NDPs are produced by a research centre part of the Immigration and Refugee Board of Canada (IRB). The tribunal that hears Refugee Claims, among others, is part of this Board.

Things to know about NDPs

- They are updated at irregular frequencies (when a new «binder» is produced, it bears a new date)
- You need to refer to the latest version
- Generally, the agent who studies your H&C Application will also look at the NDPs applicable in your file
- All NDPs have the same sections: there are 16 of them. In each section, there may be several documents (or sometimes none)



Objective proof on the web or generated by general public sources

For documents found online, you must ensure they are:

- Reliable
- Relevant
- When it comes to documents to establish the situation in a country, it is preferable if they are recent (within the last five years unless there is a reason why it is not more recent)
- Favour recent posts except for topics where the date is less relevant (e.g. research on a disease, scientific writing on the origin of discrimination in a given country) or if it is impossible to find recent sources
- Avoid anecdotal or sensationalist newspaper articles
- When submitting your research by email, attach documents in PDF format

Examples of relevant sources:

- Academic publications
- Publications of Amnesty International
- Human Rights Watch publications
- Publication of the International Federation for Human Rights
- Publications of the United Nations
- Newspaper articles (La Presse, Le Devoir, The Gazette, and all other Canadian and international newspapers).
- Travel advice and warnings, by the Government of Canada, by destination
(https://travel.gc.ca/travelling/advisories?_ga=2.249471630.864290209.1740150633-216609968.1725986274.)

WHEN TO SUBMIT YOUR H&C APPLICATION?

The Application should be submitted as soon as possible. If you have to wait twelve months after a decision, submit your Application as soon as the time has elapsed.

For sending your H&C Application, we suggest a two-step process:

1 On the portal, send:

- Completed forms
- Copy of the brown paper (refugee claimant document) expired or any other document showing your status in Canada (expired or not)
- Copy of birth certificate
- Copy of travel document
- Your passport photos
- Copy of receipt (proof of payment of fees to Immigration Canada)

2

Then, by e-mail, once you have received acknowledgement of receipt of your request submitted via the portal, send this to:
IRCC.DNHM-Vexternal-RNMH-Vexterne.IRCC@cic.gc.ca

- Personal Declaration
- List of documents for your H&C Application
- Personal proofs
- Objective proofs



IMPORTANT: When submitting your H&C Application, you are offered to download a complete copy of all that was sent, it is important to do so.

AFTER SUBMITTING YOUR H&C APPLICATION

Once you've submitted your Application, the work isn't done yet.

MAKING ADDITIONS TO YOUR H&C APPLICATION (UPDATES)

The study of your H&C Application can take a very long time. Thus, after filing your Application, it is relevant and important to make regular updates, especially if:

There are changes in your life

Examples:

- Birth of a person
- Death of a person
- Graduation
- Diagnosis
- New job
- Large purchases (e.g. furniture, car, property, company, etc.)
- Volunteering
- New member of your family arriving in Canada

There are changes in the country to which you could be returned to

Examples:

- Change of political regime or re-election of the same regime
- Natural disaster
- Humanitarian situation deteriorates
- Change of situation for members of your family identified in your Application

Additions can be made every year or as frequently as your life changes. Additions can be sent by email to: **IRCC.DNHM-Vexternal-RNMH-Vexterne.IRCC@cic.gc.ca**



Keep a copy of all additions you make and proof of sending!



RESPONDING TO COMMUNICATIONS FROM IMMIGRATION CANADA

Generally, you have 30 days to respond to communication sent to you by Immigration Canada regarding your Application. If the deadline is impossible to meet, you must write to request additional time. It is important to keep proof of the request made and its receipt.

We suggest that all communications with Immigration Canada, in relation to your H&C Application, be made by email to the following address: **IRCC.DNHM-Vexternal-RNMH-Vexterne.IRCC@cic.gc.ca**

Following any email communication, you should receive an automatic acknowledgement of receipt. You must keep it. As well, keep a copy of your email sent as proof that you have taken an action.

TRACKING THE STATUS OF YOUR H&C APPLICATION

Here is the link below to check the status of your Application: <https://www.canada.ca/en/immigration-refugees-citizenship/services/Application/verify-status.html>



Do not be alarmed if you are told that your Application cannot be found. This is common and your file is being processed as it should be.

Follow these steps:

1. Answer the questions:
 - What type of Application did you submit?
Answer: Immigration
 - What kind of immigration Application?
Answer: *Applications submitted under a program other than Express Entry*
2. Click on "Go"
3. Click on "Check your Application Status". This takes you to the page "Verification of Status"
4. Check "I declare that I have read and understood the conditions above and I accept them and click on "Continue."
5. You must answer all the questions and then click "Continue"
6. If your file is there, you will be able to have generic information

Examples:

- Your Application was received on 12-12-2024
- An Application for biometrics was sent on 17-12-2024
- Application under review 18-12-2024

ONCE THE H&C APPLICATION IS SUBMITTED, WHAT ARE THE POSSIBLE OUTCOMES?

It is important to know that there is no mandatory interview before a decision is made on your H&C Application. However, an immigration officer may want to contact you to get additional explanations on certain topics addressed in your Application. This interview should not be seen as neither 'negative' nor 'positive', but a way of offering additional information for your Application so that a decision can be made based on all the relevant facts.

POSITIVE RESULT (ACCEPTANCE IN PRINCIPLE)

You will receive a letter by email or mail telling you that your H&C Application has been "approved".

A second stage begins. During the entire period of this second stage: you must renew your work permit if you had one when you submitted your Application. If you were not eligible for a work permit before, you can now apply for one.

To apply for an open work permit, see the steps on the following page: <https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/permit/temporary/extend.html>



You must pay the work permit fees at this point in the process

You must renew the Interim Federal Health Program (IFHP) document for those entitled to it (e.g. people who had submitted a Refugee Claim).

Please note that this step may also take a long time. However, your removal is suspended.

You must report any changes in your personal circumstances or that of a person included in your Application by sending an email with a letter attached to the address: **NiagaraFallsBRO-BRA@cic.gc.ca**

The types of changes to report are clearly identified on the letter (communication) you receive from Immigration Canada:

- Change in your marital status (married, divorced, widowed, etc.)
- Birth of a child
- Change of address

THE “SECOND STEP” OF YOUR H&C APPLICATION

If you are accepted in principle, please note that you are no longer at risk of being removed from Canada while this second stage of the process is being considered. You will receive a letter to this effect telling you the next steps to take.

You will have to pay the residence fee online, if this has not already been done (see Schedule 8 for how to do this) and submit your VALID passport and those of all the people included in your H&C Application.

If you are unable to obtain it, you will need to write to Immigration Canada stating that:

- You are unable to meet this obligation
- You must explain the reasons
- If you have taken steps, you must list them as well as the results obtained

You may have to undergo a medical examination (and/or any persons included in your H&C Application)

You may have to redo biometrics (photos and fingerprints)



All your communications with Immigration Canada must now be sent to the following email address: NiagaraFallsBRO-BRA@cic.gc.ca

If you need more time than the thirty (30) days given to obtain a valid passport, write to Immigration Canada the time needed to obtain it to: NiagaraFallsBRO-BRA@cic.gc.ca. The request can be repeated until the document is obtained.



If the Immigration officer reviewing your H&C Application believes that you are inadmissible, regardless of the “inadmissibility” under which a letter is sent to you, you can respond with proof and explanations, if necessary. We strongly encourage you to consult a representative as soon as you receive such a letter.

Inadmissibilities that will be assessed:

- **Criminal inadmissibility:** If you declared having committed a crime, inside or outside Canada, you may be asked for documents or other information before concluding on this inadmissibility
- **Medical inadmissibility:** For example, your medical condition requires a lot of services and these are expensive
- **Financial inadmissibility:** Immigration Canada will send your file to the Ministry of Immigration, Francization and Integration (Immigration Québec)

If you live in Québec, Immigration Quebec will send you a letter requesting several documents before agreeing to issue a Quebec Selection Certificate. This Certificate is required to advance your file before Immigration Canada. This step is important because Quebec can refuse to issue a Quebec Selection Certificate. In this case, you can think of alternatives, including moving to another Canadian province.

This process takes several months.

THE “SECOND STEP” CAN END WITH A LETTER STATING:

- **Positive result:** You will become a permanent resident (as will all persons included in your Application)

NEGATIVE RESULT

You may receive a letter stating that your H&C Application has been rejected.

This refusal can either be

- Sent by postal services and/or email
- Delivered to you in person following a summons to the offices of the Canada Border Services Agency (CBSA)

You can ask the Federal Court to review the refusal. However, it is strongly recommended that you seek legal counsel. You only have fifteen days to begin this process following reception of the refusal. This step before the Federal Court does not prevent your deportation.

It is also possible to submit a new Application.



Once a Quebec Selection Certificate is issued, a copy must be sent to Immigration Canada.

SCHEDULE 1: MIGRANT JUSTICE CLINIC CHECKLIST

All items marked with an asterisk () must be submitted (even if expired) if you have them in your possession (original or copy).*

- ☐ Passport size photos for each person included in the Application
- ☐ Fee receipt
- ☐ Brown paper*
- ☐ Birth certificate (for each person in the file)
- ☐ Passport* (for each person in the file). If identity was an issue in the file, it may be a good idea to include any other documents attesting to identity.
- ☐ Work permit* (for each person on file)
- ☐ Medical Proof (physical or psychological health) for you and/or each person for whom the health status is a relevant issue (e.g. medical letter, medical notes, medical report, psychological report, service follow-up letter)
- ☐ Certificates – including diplomas, qualifications, reports, honorary mentions, etc. (mainly those obtained in Canada, but it may be useful to produce those obtained in your country of origin)
- ☐ Proof of French and/or English courses
- ☐ Proof of volunteering
- ☐ Proof of employment (employer letter, letter(s) from colleague(s), pay stubs)
- ☐ Notice of Assessment of taxes in Canada and Quebec for the last three years
- ☐ Proof of sending money
- ☐ Letter from family members living in Canada with proof of family relationship, if possible (proof of identity and status in Canada)
- ☐ Letter(s) from friends in Canada, with permanent status (preferably with a copy of an ID)
- ☐ Letter attesting you are going to a place of worship (examples: temple, mosque, synagogue, church, Kingdom Hall, etc.)
- ☐ Lease/deed of purchase for your residence
- ☐ Photos of settlement (e.g. group activities, winter activities, work parties, school parties, etc.) – include an explanatory note on the back (about ten maximum).

- ☐ Letter of your participation in community activities (include photos if possible) – e.g. cooperative, community center, member of a board of directors, member of any group, etc.
- ☐ Proof of participation in sporting activities (letters and/or photos)
- ☐ Proof of violence you may have experienced in Canada
- ☐ Proof related to children included in the Application
- ☐ Proof related to children not included in the Application but for whom the decision will have an impact

If you are in a relationship but are not submitting a sponsorship Application

- ☐ Letter from the person you are in a relationship with (with a copy of an identity document)
- ☐ Photos of the couple (maximum ten and not explicit (!))
- ☐ Letters from friends and/or family members that emphasize the importance and seriousness of the relationship
- ☐ Objective proof

SCHEDULE 2: EXPLAINING THAT YOU DO NOT HAVE A DOCUMENT REQUESTED BY IMMIGRATION CANADA

If you have chosen to submit your H&C Application via the portal and do not have one of the documents required to send the file, we suggest this template. You will have to upload this letter onto the portal where the document is required.

You can do the same for any other missing mandatory documents: brown paper or proof of your status in Canada and birth certificate. The information should be given to your specific situation.

On one page (paper or via computer), please indicate the following information
(*this is an example*)

Reference: Full name (Surname in capital letters)
UCI (Unique Client Identifier)

MISSING PASSPORT

I hereby inform you that I do not have a passport. However, I still want my H&C Application to be studied.

I will try to obtain a passport and a copy will be issued if obtained.

Thank you

Signature
Full name
Date of signature

SCHEDULE 3: SUGGESTED CONTENT FOR A LETTER OF SUPPORT FROM FRIENDS, FAMILY MEMBERS, ETC.

Essential

- Date
- Home address of the person writing the letter
- Signature of the person

Highly suggested

- The letter should be personalized (avoid standard letters!) and multiple signatures on the same document

Header

- Where the letter (city) was written
- Date
- Full address
- Addressed to (multiple options such as: Immigration, Refugees and Citizenship Canada [IRCC], Immigration Canada, etc.)

Content

- Personal information about the author: name, status in Canada
- Relationship with the person submitting the H&C Application (is it a family member, a friend): explain the relationship, circumstances of meeting, nature of the relationship, etc.
- Explain how a break-up in this relationship would have consequences for you or those around you (namely the family)
- The person writing the letter must explain the reasons why they believe the individual should stay in Canada
- The person writing the letter can also describe the contributions to society, their community (family, friends, Quebec-Canadian society) of the person submitting the H&C Application.

Header (if applicable)

Address

Date

To whom it may concern,

Introductory paragraph. Identify yourself, explain how and for how long you have known the individual concerned by the Application

Paragraph(s) to develop

- Description of the relationship with the individual – proximity, circumstances, etc.
- How often you see each other
- Roles played in each other's lives (moral support, listening, helping with children, sharing custody, etc.)
- Shared activities
- Roles played by the individual with members of your family (friends, children, spouse)
- Explanation of prospective difficulties in the event of separation with the individual

Conclusion

How the person contributes to your life, your community and society in general and the reasons why he or she should remain in Canada

[Signature]

First name(s) and surname(s)

SCHEDULE 4: SUGGESTED CONTENT FOR A LETTER FROM AN EMPLOYER

Essential

- If Company standard letterhead is available, it must be visible
- Date
- Company address
- Signature of the individual writing the letter

Highly suggested

- Photocopy of a photo ID – preferably proof of permanent residency and/or Canadian citizenship
- The letter should be personalized (avoid standard letters!) and multiple signatures on the same document

Header

- Where the letter (city) was written
- Date
- Full address
- Addressed to (multiple options such as: Immigration, Refugees and Citizenship Canada [IRCC], Immigration Canada, etc.)

Content (body of the letter)

Details of the individual's employment

- Full time vs. part time
- Number of hours worked weekly
- Hiring date
- Hourly rate

If possible...

- Description of the individual's tasks and how performing these tasks helps the employer
- Ability to perform these tasks
- Performance level
- Reasons why the individual should stay in Canada
- Contribution to the company

Montreal, XX XX XXXX (location and date)

Workplace address and/or head office
Name of the entity
Address of the entity
(with city and postal code)

Content (body of the letter)

[Signature]
First name(s) and surname(s) with title
within the company

SCHEDULE 5: H&C APPLICATION FORMS

Forms in the following list will be added to the toolbox in PDF format.

1 [IMM-5280 \(Checklist\)](#)

2 [IMM-0008](#) (Generic Application Form for Canada) to be filled out only by the principal applicant (Example: if a family, one of the parents)

3 **FILL AS NEEDED** — [IMM-0008DEP](#) (Additional Dependants/Declaration Form), if the principal applicant has more than five (5) dependants (whether or not included in the Application), he or she must complete the IMM-0008DEP form for each of the additional dependants.

4 [IMM-5669](#) (Schedule A – Background/Declaration)

5 [IMM-5283](#) (Supplementary Information Form – Humanitarian & Compassionate Considerations)

6 [IMM-5406](#) Additional Family Information

SCHEDULE 6: TEMPLATE FOR A “LIST OF PROOF FOR MY H&C APPLICATION”

H&C Application form:

Pierre Va Bien (UCI: 1114444333)

Amani Heureuse (UCI: 11144443335)

Rose Va Bien Heureuse (UCI: 11144443337)

LIST OF EVIDENCE FOR MY H&C Application

Identity

1. Pierre Va Bien's passport
2. Amani Heureuse's passport
3. Birth certificate of Pierre Va Bien
4. Birth certificate of Amani Heureuse
5. Marriage certificate between Amani Heureuse and Pierre Va Bien
6. Birth certificate of Rose Va Bien Heureuse
7. Work permit for both adult applicants
8. IMM-1442 (brown paper (3x))
9. Death certificate of our parents (4x)

Custom documents

To establish that we are financially stable

10. Statement by Pierre Va Bien
11. Proof of orderly training (for both)
12. Letter from Pierre Va Bien's employer
13. Letter from Amani Heureuse's agency
14. Federal & provincial Notice of Assessment for Pierre Va Bien (years 2022 and 2023)
15. Federal & provincial Notice of Assessment for Amani Heureuse (years 2022 and 2023)
16. Proof that we are making donations (various donation receipts since our arrival in Canada)

Settlement – Meaningful Connections in Canada

17. Copy of lease
18. Letter from Ginette Souriante (landlord)
19. Letter from Rodrigue Sympa (friend)
20. Letter from Jules Généreux (friend)
21. Letter from the temple
22. Letter from Voix Vives
23. Letter from Moisson Montreal (volunteering)
24. Letter from YMCA (volunteering)
25. Proof of a gym membership

Best interest of the child

26. School diploma
27. School reports for 2022-2023
28. Photos with explanations
29. Letter from Dr. Julien

OBJECTIVE DOCUMENTS ATTACHED TO THE Application

General conditions for Vanuatu (demonstrating a return would be difficult)

- 30. Travel advice for Vanuatu dated February 18th 2025: https://travel.gc.ca/destinations/vanuatu?_ga=2.23471539.864290209.1740150633-216609968.1725986274
- 31. Lack of employment for the 25-55 age group, how to provide for the needs of a family, La Presse, author, date, email link
- 32. Documents related to religion

Situation of women's rights - Vanuatu

- 33. Sexual and reproductive violence in Vanuatu, University of Melbourne, Cathy Vaughan et al. August 29th, 2022, https://pacific.unfpa.org/sites/default/files/pub-pdf/vanuatu_policy_and_legislative_review_31122_1_0.pdf

Situation of children's rights - Vanuatu

- 34. No services for children with learning difficulties, Annie Intelligente, April 20th, 2023, Université de la Vie

OBJECTIVE DOCUMENTS NOT ATTACHED BECAUSE PART OF THE NATIONAL DOCUMENTATION PACKAGE FOR VANUATU (binder dated August 30rd, 2024):

- 35. Tab 1.1: Présentation du Vanuatu, France. Office français de protection des réfugiés et apatrides, 20 mars <https://www.diplomatie.gouv.fr/fr/dossiers-pays/vanuatu/presentation-du-vanuatu/>
- 36. Tab 5.1: Vanuatu. 2022 Findings on the Worst Forms of Child Labour. United States Department of Labour, September 2023 <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/vanuatu>

SCHEDULE 7: TEMPLATE FOR A DECLARATION

STATEMENT OF PIERRE VA BIEN

Pierre Va Bien, resident and domiciled at 3 rue du Charme, apartment 12, in the city of Montreal, Province of Quebec, solemnly declare the following:

1. I am the applicant for this H&C Application. Also included in this Application are:
 - My wife: Amani Heureuse
 - My daughter: Rose Va Bien Heureuse (Date of birth: 01-01-2015)
2. We are all citizens of Vanuatu.
3. We arrived in Canada on January 1st, 2020.
4. We applied for asylum as soon upon arrival. Our Application and subsequent appeals were rejected.

SINCE WE HAVE BEEN IN CANADA

Work

5. Since we have been in Canada, my wife and I have been able to find work.
6. Hence, we have attached our work permits.
7. Upon arrival both of us followed the training offered for orderly. We have attached our certificates.
8. I have been working in the same job at the Aimé grandir retirement home for three (3) years (letter from my employer attached).
9. My wife works on call in several hospitals (see attached letter from her agency)
10. Together we can pay for all our needs. Our family lives decently. We do not lack anything.
11. If we were to return to our country, jobs are very rare for people of our age. (See attached article)
12. The situation is even more difficult for women (see attached article)
13. In addition, thanks to our wages, we can help others in need. We regularly donate to (proof of donations attached):
 - Moisson Montreal
 - Our temple

Link to Canada

14. We left our country in January 2020 and have been in Canada for almost 4 years.
15. We left our country without leaving any family behind. As stated in our forms, our parents are deceased and we have no brothers or sisters.
16. Since we arrived in Canada, we have developed a large network. Two friends agreed to produce letters for our H&C Application (see attached proof).
17. Also, we do volunteer work and this has allowed us to meet many people and we feel useful in our host society (see attached proof)
18. We regularly gather at our Temple (letter attached). It has allowed us to meet many people and find a host family. Regularly unifying events are organized hence members can get together and build strong bonds. We also organize events for mutual aid when a member is in need.

Add any other relevant elements

Best interest of the child

19. Our little Rose is a very dynamic child, but she has learning difficulties. In our country, we noticed that she was having difficulties, but nothing was done. Worse still, many laughed at her due to certain behaviours she displayed in public.
20. Rose cried often. She felt she was different and didn't think anyone could love her.
21. Since we've been in Canada, she's gained confidence. She smiles more.
22. Rose receives help at school and also at La Clinique du Docteur Julien (letter attached). Thanks to the support she can receive in Canada, we see that she is doing better. She is happy, and she is also adapting well.
23. I believe that returning to our country would be very bad for her. She needs stability and support.

Add anything you think is relevant about your child.

Crime:

If you have a criminal record, refer to the IMM-5669 form. You should explain the circumstances (without justifying yourself) and apologize. Explain why you are rehabilitated.

Difficulties should you return to your country

24. If we return to your country, we will not have access to basic services and our daughter Rose will suffer the most.

25. Also, there is no one to help us if we go back.

26. In our country, we also had a lot of difficulties because of our religious beliefs.
For example, it was difficult to find an apartment or even a job.

27. I have lost several jobs because of my religion.

Address why you cannot return to your country and the proof you have found

28. This declaration is the whole truth and nothing but the truth.

Signed in Montreal
November 20, 2024

Pierre Va Bien

Declared in Montreal
On November 20, 2024, before me

Justice Lamitié,
Commissioner of Oaths

SCHEDULE 8: PAYING THE IMMIGRATION FEES FOR YOUR H&C APPLICATION

How do you pay your H&C Application fees: one step at a time..

1. You must go to the following link: <https://ircc.canada.ca/english/information/fees/pay.asp>
2. Choose an option under the Permanent Residence category:
3. «Humanitarian and compassionate considerations»
4. Choose what applies to you for your Application (the fees you must pay)
 - Depending on the number of people included
 - Depending on the age of the people included
 - Depending on your decision to pay or not the permanent residence fees at this time.

Permanent residence fees are not mandatory unless the H&C Application is accepted in principle (meaning that the file is progressing positively and possibly the residency will be granted)

Paying this fee is not a guarantee of a positive decision.

If the file is rejected, only this amount will be refunded.

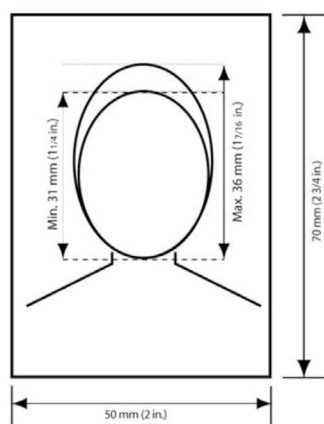
SCHEDULE 9: SPECIFICS ABOUT PHOTOS¹¹

Give the following instructions to the photographer

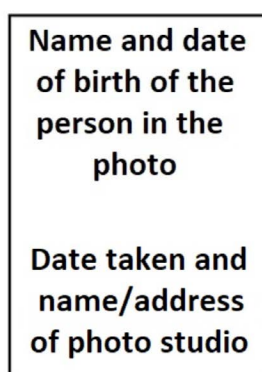
- Photos can be in color or black and white
- Photos must be originals and not altered in any way or taken from an existing photo.
- Photos must reflect your current appearance (taken within the last six months)

Submit your Application online

- You need one photo per person included in the Application
- You need to scan both sides of photo



Front



Back

Not actual size. Refer to measurements above.

Photos must

- Have been taken by a professional photographer
- Measure 50mm by 70mm (2 in. wide by 2 3/4 in. long) and the face dimensions should be 31mm to 36mm (1 1/4 in. to 1 7/16 in.) from the chin to the top of the head
- Be clear, well-defined and distinct
- Show a neutral facial expression (eyes open, clearly visible, mouth closed, no smile)
- Be taken with even lighting and have no shadows or flash reflections
- Be centered and show a full front view of the head and shoulders (the person's head and shoulders should be completely visible, a frontal photo, in the middle of the photo)
- The background must be plain white, with clear contrast between the person's face and the background. Photos must reflect and represent the person's natural skin tone and must not have been altered.

The following information must appear on the back of the photos:

- The name and date of birth of the person appearing in the photo
- The name and address of the photography studio
- The date the photo was taken
- Self-adhesive labels are not accepted.

END NOTES

1. <https://www.canada.ca/en/immigration-refugees-citizenship/services/Application/Application-forms-guides/guide-5291-humanitarian-compassionate-considerations.html>
2. <https://www.canada.ca/fr/immigration-refugies-citoyennete/services/demande/verifier-delais-traitement.html>
3. The choice for this terminology was made «in order to take into account the various uses and functions of the terms (...).» Quote taken from: Les mutilations génitales féminines, Un état de situation au Québec, Réalités, besoins et recommandations, janvier 2020
4. Moratorium countries: countries to which Canada does not deport unless exceptions (suspension of removals). The following list from November 2024 is subject to change: Somalia (Middle Shabelle, Afgoye and Mogadishu), the Gaza Strip region, Ukraine, Syria, Mali, the Central African Republic, South Sudan, Libya, Yemen, Burundi, Venezuela, Haiti, Iran, Sudan and Lebanon, also: Afghanistan, the Democratic Republic of Congo and Iraq. See the link: <https://www.cbsa-asfc.gc.ca/security-securite/rem-ren-fra.html>
5. Definition and information taken from the Guide H&C (IMM-5291).
6. A person who is part of a group whose arrival has been designated by the Minister as an “irregular arrival”, Refugee Claimant’s Guide: <https://www.irbcisr.gc.ca/fr/demandesasile/Pages/ClaDemGuide.aspx#:~:text=%C3%89tranger%20d%C3%A9sign%C3%A9%20%C3%A2%A%20person%20doing,%C3%A9tant%20une%20%C2%AB%20arrived%C3%A9e%20irr%C3%A9guli%C3%A8re%20%C2%BB>.
7. If your identity has not been established in Court when you submit your Refugee Claim, for example, you will need to present arguments and proof to establish your identity.
8. Your family home could be the family residence, where your parents live, where you grew up, etc.
9. Having a “sworn” statement is equivalent to giving testimony under oath in Court. You are attesting that all stated facts are true. Therefore, the document has a greater “value.”
10. Indemnisation des victimes d’actes criminels – please note that the title of the entity has not been translated to English: <https://www.ivac.gc.ca/en/Pages/default.aspx>
11. Information collected at: <https://www.canada.ca/en/immigration-refugees-citizenship/services/Application/Application-forms-guides/guide-5291-humanitarian-compassionate-considerations.html#appendixB> (accessed February 21st 2025)

[illegible]

