

## **Navigating uncertainties: Evaluating the Shift of Canadian immigration policies during the COVID-19 pandemic**

**Key words:** COVID-19 pandemic; Temporary migrants; Highly skilled migrants; Migration management; Macro-meso-micro levels

## **Naviguer dans les incertitudes : Évaluation du changement des politiques d'immigration canadiennes durant la pandémie de COVID-19**

**Mots clés :** pandémie de COVID-19 ; Migrants temporaires ; Migrants hautement qualifiés ; Gestion des migrations ; Niveaux macro-méso-micro

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## **Abstract**

Canada has a proactive immigration policy that invites individuals, mostly highly skilled ones, from around the world to make it their new home. As the pandemic border closures severely affected the immigration flows from other countries, the Canadian government turned to the temporary migrants who were already in the country and facilitated their transition to permanent status. Reviewing the relevant policy documents and analysing 22 semi-structured qualitative interviews with stakeholders in Ontario, we critically examine the impact of two transition measures—the amendments to Express Entry and the Temporary Residence to Permanent Residence Pathway Program. We also discuss the changes in the work permit program for international graduates. Furthermore, Canadian migration management during the pandemic is analyzed at three levels: the macro-level (i.e., transition measures and attainment of national goals), the meso-level (i.e., stakeholders' evaluations of the transition measures), and the micro-level (i.e., stakeholders' perceptions of migrants' experiences with the transition measures).

**Key words:** COVID-19 pandemic; Temporary migrants; Highly skilled migrants; Migration management; Macro-meso-micro levels

## **1. Introduction**

The COVID-19 outbreak that set off a global pandemic in the spring of 2020 disrupted millions of lives around the world and temporarily brought international migration to a standstill. Borders were closed and migrants were stranded at the destination or at origin, creating an unprecedented disruption. This pandemic has particularly affected Canada, a country that normally welcomes about 0.8% of its overall population as new permanent residents every year alongside a significant number of temporary migrants (Feenan and Madhany 2021; OECD 2019).

For example, in 2019, Canada admitted 341,175 permanent residents, 401,050 new study permit holders, and 368,730 temporary work permit holders (Government of Canada / Open Data, 2022a; 2022b; 2022c). During that same year, the government had announced an increase in its overall immigration targets to bring to the country over 1 million permanent residents in the period 2020-2022 (Government of Canada 2020a). But according to Immigration, Refugees and Citizenship Canada, in 2020 Canada welcomed only around 55 percent (i.e. around 184,585 new permanent residents of the originally targeted 341,000 (Government of Canada/ Open Data 2022a). Faced with the unexpected pandemic, the Canadian government implemented a series of temporary measures in 2021 that aimed at continuing immigration during the period of uncertainty. Two transition policy measures were introduced to facilitate the temporary migrants' access to permanent resident status. The first measure was introduced in February 2021, which raised the number who could be permitted through the Express Entry program for highly skilled migrants to the highest level in its history. The second measure was the launch of the Temporary Resident to Permanent Resident Pathway Program, also known as the TR to PR Pathway Program, in April 2021. The TR to PR Pathway program created an ad hoc pathway for 90,000

temporary migrants (international graduates and essential workers) to obtain permanent residency.

The government also introduced several measures for international students. In January 2021, Canada allowed international graduates with post-graduation work permits (PGWPs) to apply for permit extensions of up to 18 months (El-Assal 2021). In February 2021, students who had completed 100 percent of their studies remotely were considered eligible for the PGWP (Government of Canada 2021a). Prior to the pandemic, online study was not normally sufficient for PGWP eligibility. These bold policy measures had both pragmatic and symbolic aspects, sending strong signals domestically and worldwide that Canada remained a country welcoming immigrants and wanting to compete for the best and brightest. These ad hoc measures effectively catered to labour market needs while also responding to the desire of those temporary migrant workers for a pathway to permanent status (Omidvar and Black 2020; Esses et al. 2021).

This paper critically examines the two transition policy measures adopted by the Canadian government—amending the Express Entry and launching the TR to PR Transition Program—to meet the challenges of the global health emergency. It digs beyond the letter of the law to investigate the ways in which these transition measures were able to respond to the uncertainties created by the pandemic. In the last decades, we have lived through many uncertain periods of time, such as the 2008 financial crisis, the flu pandemic, the more localized natural disasters, the 9/11 attacks, and the subsequent wars in Iraq. However, with no precedent in living memory, there have been many unknowns about the COVID-19 pandemic and little experience to guide policy in its aftermath (Monitor Deloitte 2020).

The paper discusses Canadian migration management amidst the pandemic at three levels: macro (i.e., transition measures and attainment of national goals); meso (i.e., stakeholders'

experiences with the transition measures); and micro (stakeholders' perceptions of migrants' experiences with the transition measures). By doing so, we aim to contribute to the discussion on the pandemic's impact on Canadian immigration policies (Esses et al. 2021; Shields and Alrob 2020). The analysis is based on a review of policy documents on the two transition measures as well as 22 semi-structured qualitative interviews with relevant stakeholders in Ontario, notably government officials, immigration lawyers, educational credential evaluation service providers, settlement service providers, post-secondary educational institution representatives and a trade union representative.

We begin by discussing the methodology of the study. Section three outlines the main elements of the Canadian immigration system before presenting in more detail the special measures adopted in 2021 to boost immigration in a context of partly-closed borders. Section four delves into the implementation challenges of these measures at the macro-meso-micro levels, while the final section presents our main conclusions that to build resilience and an ethical immigration system, policy measures addressing uncertainty at the macro level need to trickle down to all levels.

## **2. Methodology**

This paper brings together a review of two transition policies and semi-structured interviews with stakeholders. The review of the policy documents centered on the amendments to the Express Entry program and the introduction of the TR to PR Pathway program, which are both discussed in detail in the next section. We also conducted semi-structured interviews in Ontario with 22 stakeholders involved in the immigration process, notably government officials, immigration lawyers, educational credential evaluation service providers, settlement service

providers, post-secondary educational institution representatives, and trade union representatives (See table 1). In most cases, interviews were conducted with the head of the relevant organization, or the manager or team members of a particular program servicing highly skilled migrants within the organization.

Table 1: Types of stakeholders interviewed

<b>Types of stakeholders</b>	<b>Number of informants</b>
Settlement Service Providers	8
Government Officials	4
Post Secondary Educational Institution Representatives	4
Immigration Lawyers	3
Credential Evaluation Service Providers	2
Trade Union Representative	1
Total	22

All interviews were conducted in English, between October and December 2021, via relevant online platforms (such as Zoom or MS Teams) and lasted between 45 and 60 minutes. The stakeholders were informed about the objectives of the study and asked to sign a consent form. The study received an ethics exemption by the Toronto Metropolitan University Research Ethics Board (formerly Ryerson Ethics Board) as it involved individuals who were interviewed in their professional capacity regarding organizational policies, procedures, and practices. These interviews aimed at gaining a better understanding of immigration policy changes during the

pandemic, the challenges encountered in their implementation, and the extent to which these policies were seen as addressing the uncertainties created by the pandemic.

The questions targeted three cohorts of highly skilled migrants seeking to become permanent residents in Canada: 1) high-skilled individuals applying from abroad for permanent residency programs, a study permit, or a work permit for a highly skilled occupation; 2) highly skilled foreign workers who are based in Canada and holding a temporary work permit; and 3) international students and PGWP holders based in Canada. This paper focuses specifically on the transition measures initiated during the pandemic targeting temporary work permit holders and international graduates in Canada. The interviews were transcribed verbatim by using otter.ai software and later manually checked by the researcher. The transcriptions were coded following Williams and Moser's (2019) open, axial, and selective coding process. In the open coding, initial broad concepts and themes were created. The data was then organized into smaller thematic groups through the use of axial coding. Finally, selective coding was used to identify thematic topics present in the data. The interview excerpts cited in the paper reflect the nature of a conversation.

### **3. Policy context: Transition policies in response to the pandemic**

For decades, Canadian immigration policies have largely centered around higher admission of the skilled economic class migrants (i.e., the 'landed' permanent residents) compared to the family and refugee class (Ferrer et al. 2014). Since its launch in 2015, the Express Entry system manages permanent residency applications under four main economic programs: the Federal Skilled Worker Program (FSWP), a portion of the Provincial Nominee Program (PNP), the Canadian Experience Class (CEC), and the Federal Skilled Trades Program



(FSTP). Prior to the pandemic, a majority of the permanent residents were admitted under the FSWP, followed by the CEC, the PNP, and the FSTP. For instance, in 2019, around 110,000 new permanent residents were admitted through Express Entry in 2019: 58,173 under the FSWP, 30,230 under the CEC, 20,014 under PNP, and 1,178 under the FSTP (IRCC 2020). The FSWP selects potential candidates from across the world based on educational qualifications, work experience, official language (English and French) proficiency, age, employment status, and study or work experience in Canada. Meanwhile, the CEC and PNP streams are largely considered the ‘second-step’ in the ‘two-step’ immigration approach, which facilitates transitions from temporary into permanent status for temporary migrants who are already in Canada (Gates-Gasse 2010). The CEC stream provides permanent residency to eligible temporary foreign workers and foreign graduates with experience in skilled employment within Canada, while the PNP stream allows the Canadian provinces to nominate individuals interested in immigrating to a particular province. In recent years, Canada has admitted more international students and temporary foreign workers than permanent residents, reinforcing the importance of the two-step immigration system (Akbar 2022). Such a trend accelerated during the pandemic.

On March 16, 2020, Canada closed its borders to non-citizens and non-permanent residents to contain the spread of the COVID-19 virus. Only a few groups (i.e., diplomats, US citizens<sup>1</sup>, individuals with a valid study permit or work permit, and those entering under family reunification) were exempted from the initial travel restrictions. As the institutions facilitating visa processing—Immigration, Refugees and Citizenship Canada (IRCC), the Visa Application Centres, and the Canadian visa offices outside Canada—were closed or only functioned on a reduced basis, the processing time of visa applications was prolonged significantly (Keung

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<sup>1</sup> Only US citizens who had no signs or symptoms of COVID-19 and whose purpose of entry to Canada was deemed "essential" were allowed entry to Canada. In August 2021, vaccinated US citizens and Permanent Residents of the US were allowed entry to Canada for "non-essential" purposes, including tourism, recreation or entertainment.

2021a). Furthermore, uncertainties with regards to the full opening of the borders remained due to restricted entry and quarantine requirements. For instance, the requirement to stay up to three days of a 14-day quarantine period at a ‘government approved accommodation’, at a cost of up to \$2000, was imposed on February 14, 2021 (Harris 2021). In April 2021, travel bans on those traveling from India, one of the top immigrant-sending countries for Canada, created further uncertainty about the full re-opening of the borders. Canada gradually relaxed the entry measures by opening its borders to all foreign nationals holding a valid Confirmation of Permanent Residence (CoPR) on June 21, 2021. For fully vaccinated travelers, the hotel quarantine requirement was removed on August 9, 2021.

Despite these travel and immigration restrictions for people seeking to enter Canada, the former Minister of Immigration, Refugees, and Citizenship, Marco Mendicino, announced the ambitious Immigration Levels Plan 2021 to 2023 on October 30, 2020 (Government of Canada 2020b). Canada not only maintained its initial immigration targets but actually increased the yearly immigrant intake goals to support its post-pandemic economic recovery (see Table 2).

Table 2: Canada’s Immigration Levels Plan targets

<b>Immigration Levels Plan</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
2020 – 2022	341,000	351,000	361,000	-
2021 – 2023	-	401,000	411,000	421,000

Data Source: Government of Canada (2020a; 2020b)

To achieve such an ambitious immigration target in the middle of the pandemic, two ad hoc transition policy measures were introduced. The first transition measure was the

modification of the Express Entry program (draw number #176)<sup>2</sup> to invite one of the largest numbers of the CEC applicants in its history (Government of Canada 2021b). On February 13, 2021, the IRCC invited 27,332 candidates to apply for permanent residency. Since the first draw on January 31, 2015, the general minimum Comprehensive Ranking System (CRS) score to qualify for an Invitation to Apply (ITA) had been well over 400 points. However, for draw #176, the CRS was a record low 75 points. The large Express Entry draws between January 6, 2021, and March 30, 2022, aimed at the applicants under the CEC stream and the 49 Express Entry draws held from January 6, 2021 to April 13, 2022 are described in Table 3 (Government of Canada 2022d). It can be seen that fewer invitations were issued under the PNP program and that the required CRS score for PNP applicants was much lot higher, with the lowest value 674 compared to the low of 75 for the CEC stream. The lower CRS score under the CEC stream allowed many highly skilled temporary workers and international graduates in Canada with relatively low language proficiency or lack of required work experience to obtain permanent residence.

Table 3: Express Entry draws since 6 January 2021 to March 30, 2022

<b>Number of draws</b>	<b>Immigration Programs</b>	<b>Invitation Issued</b>	<b>CRS score of lowest ranked candidate invited</b>
32	Provincial Nominee Program	21,248	674
17	Canadian Experience Class	99,653	75

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<sup>2</sup> Each Express Entry draw has a Comprehensive Ranking System (CRS) cut-off score, which means that all applicants with the lowest required CRS score and above would receive an invitation to Apply (ITA) for permanent residency.

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Source: Government of Canada, 2022d

The second transition measure was the launch of the TR to PR Pathway on April 14, 2021. This program opened permanent residency opportunities for 90,000 English- or French-speaking temporary migrants under three streams: temporary foreign workers in the healthcare sector, essential (non-healthcare sector) workers, and international graduates from a Canadian institution (see Table 4).

Table 4: Overview of the TR to PR Pathway program

<b>Stream name</b>	<b>Application quota</b>	<b>Applications submitted</b>
Workers in Canada: health care	20,000	7,155
Workers in Canada: essential, non-health care	30,000	30,000
International graduates from a Canadian institution	40,000	40,000
French-speaking workers in Canada: Health Care	Unlimited	271
French-speaking workers in Canada: essential, non-health care	Unlimited	2054
French-speaking international graduates from a Canadian institution	Unlimited	4697

Source: Government of Canada (2021c)

An unlimited quota of French-speaking applicants was allocated for each stream. The application was open from May 6 to November 5, 2021 or until the cap for the particular stream would be reached. Apart from the international graduate stream (quota was reached on May 7) and non-essential non-healthcare workers stream (quota was reached on July 16), the number of applicants in other streams was surprisingly low.

## **4. Migration Management: Pandemic crisis and uncertainties**

### **4.1 The macro-level: Transition measures and attainment of the national goals**

The macro-level analysis of the transition measures focuses on the pragmatic objectives (i.e., fulfil immigration target, economic growth, and labour and/or skill shortages) as well as the symbolic objectives (i.e., maintain Canada's global image as an immigrant friendly country) to better understand whether these measures managed to retain certainty amidst uncertainties created by the pandemic. As discussed above, the temporary closure of international borders, travel restrictions, and long visa processing times resulted in a considerable decline in immigration flows.

Failing to meet the immigration target resulted in significant labour and skill shortages in the Canadian industries, and risked a long-term negative impact on national economic growth (Feenan and Madhany 2021). As the government faced problems in bringing migrants from abroad to meet its bold immigration targets (Government of Canada 2020b), policymakers, by virtue of two transition measures, turned to migrants already in the country to meet the annual immigration target. It is worth noting that neither the general public nor the opposition parties had objected to the increase in targets described earlier in Table 2. The related debates, however, focused on how such ambitious targets could be met (Harris 2020; Triadafilopoulos 2021).

Introducing the transition measures resulted in Canada surpassing its target of 401,000 migrants in 2021. It was the first time since 1913 that more than 400,000 migrants were granted permanent residence in a single year (IRCC 2022). Contrary to prior immigration flow trends, of the total of 405,303 applicants granted permanent residence, around 70 percent had applied from within Canada in 2021 (Government of Canada / Open Data 2022a; El-Assal and Thevenot 2021).

Turning to the interviews, the majority of the stakeholders stated that the transition measures had the potential to create a positive impact on Canada's economic growth as the new permanent residents, admitted through the 'two-step immigration' programs (the CEC and the PNPs), would benefit from prior work or study experience in Canada. A majority of previous studies have shown that the 'landed' skilled immigrants face multiple barriers to entering the Canadian labour market due to their foreign credentials and the absence of the elusive "Canadian experience" (Ng and Gagnon 2020; Reitz 2013). Stakeholders, in our study, also anticipated that immigrants who had obtained permanent residency through the 'two-step' transition measures could have initial higher employment rates, which are likely to continue in the long run. A report by Statistics Canada (2021) shows that migrant tax filers with previous Canadian work and study experience before admission into Canada had obtained the highest median wage a year after admission in 2018 (\$44,600) compared to immigrants with only work permit prior to immigration (\$39,300) or those without pre-admission experience prior to immigration (\$25,700).

Besides the urgency of mitigating the economic risk, the transition measures can be seen as a symbolic move to strengthen Canada's domestic and global image as an open and welcoming country for immigrants. The transition measures underlined immigration as 'the engine of the

Canadian economy’, helping alleviate the labour and skill shortages and preserving the prosperity of Canadian communities (IRCC 2022). During the interviews, some stakeholders mentioned that the accommodating immigration policies (e.g., prioritization of the transition measures) along with the other health and welfare policies (e.g., vaccine availability, free healthcare, and additional financial support) initiated during the pandemic would help establish Canada’s image as a global leader in immigration policy and programs (Esses et al. 2021). During the pandemic, other developed countries, such as Australia, excluded temporary migrants from any form of government financial support. The Australian Prime Minister insisted that migrants who could not afford remain in Australia “make [their] way home”, leading nearly 600,000 temporary visa holders to leave Australia in 2020 (Triandafyllidou and Nalbandian 2021; Berg and Farbenblum 2020). In such context, a few stakeholders argued that the immigrant-friendly policy measures during the crisis period, compared to other developed countries like the US and Australia, could heighten Canada’s global popularity and possibly cement Canada as the world’s top destination for immigrants:

I would like to think that people who weren't considering it [migration to Canada] were probably considering it more, given that, you know, as a country, we responded to the crisis a lot better than other countries, for example, the US. (Trade union representative)

The stakeholders unanimously considered the transition measures as a convenient solution to address pandemic-related difficulties at this particular point in time, but many also raised concerns about whether they could have been better designed and questioned their ad hoc

character. Despite the ‘good’ intention, the inherent temporariness of the transition measures and lack of clarity about the continuation of similar policies in the future created a sense of uncertainty:

Actually, that [the TR to PR Pathway] was a sharp decision, sharp policy. You know, within two days, the permanent residency of 40,000 international students was done. How people are so hungry to do it? We thought he [the minister] is going to come back to us and say, “We're going to open another window for international students to apply for the permanent residency,” but we didn't see it and he didn't come. But I think the policy was good but not enough. (Settlement service provider)

In an interview with the press, the current immigration minister, Sean Fraser, stated, “I think that we've learned some things during this pandemic that we will be able to adopt on a go-forward basis” (Osman 2021). Perhaps in reaction to comments like these, during the interviews, a few stakeholders expressed fears that the transition measures would be one of the temporary pandemic measures that could continue in the post-pandemic period. They warned that extending these or similar measures could create an unfair and exclusionary immigration policy, generating uncertainties for the applicants in the other schemes and for the temporary migrants with undocumented status (Jones 2021). In other words, what created certainty for a group of temporary migrants in the country increased uncertainties for other groups of temporary migrants in Canada or those abroad:



In sort of connection between the practical realities and the policy decisions, there were a number of decisions taken to continue the processing of permanent residence applications but they prioritize people who are already in Canada. And so, again, that is further prejudiced against the people who are applying from abroad. It played out in a number of different ways, particularly in the skilled immigrants' selection system. So, for example, with Express Entry, which is the main sort of skilled immigrant, Federal Skilled immigrant selection system, they've really almost exclusively been doing draws aimed at people who are in Canada. For the Canadian Experience Class, the score has been very low, dipping deep into that pool of temporary foreign workers in Canada, whereas people with very high scores outside of Canada have, sort of, been overlooked. And a number of other similar situations, for example, the Federal self-employed category has really had almost no activity on it, you know, for more than a year and a half now. (Immigration Lawyer)

The stakeholders raised concerns that a heavy reliance on the transition measures might distort the image of the open Canadian immigration policies for the potential applicants living abroad. After observing the immigration policy trends during the pandemic, a few stakeholders anticipated that many potential immigrants qualified to come under one of the economic streams possibly would instead opt to apply for a temporary study or a work permit. Even before the pandemic, research has pointed to growing concerns that the migrants under the temporary residency permit often experienced labour exploitation, economic parity, and social isolation (Vosko 2020). The stakeholders in our study also stated that a rise in the arrival of temporary migrants in the post-pandemic period could create migrants' further marginalization, exacerbated

by certain temporary migrant groups' lack of eligibility for the institutionalized support mechanisms and social protection rights.

#### **4.2 The Meso-level: The stakeholders' dealing with transition measures**

The meso level mainly centers on the analysis of how the stakeholders, namely the settlement agencies and the immigration lawyers, dealt with two transition measures on the ground. The unexpected announcement of the transition measures created tumult among potential applicants. The limited-time period for application, for instance, and the quota system in the case of the TR to PR Pathway program led many potential applicants to frantically search for accurate information to ensure that their applications would be approved. During the interview, many stakeholders (i.e., settlement service providers and immigration lawyers) shared their experiences of dealing with stressed applicants who struggled to understand the eligibility criteria and a complex application process and to gather required documentation:

This [the TR to PR Transition program] created a big uproar in the legal community, especially among lawyers who are assisting international students and foreign workers because this program came out of nowhere. In other words, this was a big surprise. No one was able to plan for it. [Immigration Lawyer]

During the interviews, a majority of the settlement service providers stated that many potential TR to PR Pathway applicants, including international graduates, contacted them for assistance with their permanent residency applications. Nevertheless, temporary migrant workers and international students, including PGWP holders, do not have access to federally-funded

settlement services<sup>3</sup> and there are only a handful of provincially-funded programs that they can access. Earlier studies on international students argue that a lack of settlement services for international students and the PGWP holders, at the time of the need, negatively impacts their facilitation into employment and permanent residency (Dauwer 2018; Sultana, Schlosser, and Preston 2021).

During the interviews, a majority of the settlement service providers criticized such a systematic barrier to accessing settlement services, given that the government aims to recruit and retain international graduates. With a lack of assistance from settlement agencies and the high fees required to hire an immigration lawyer, the stakeholders were worried that many applicants would end up submitting an incomplete or incorrect application. Moreover, the IRCC declared that an immigration consultant or lawyer could assist the applicants with their application under the TR to PR Pathway program, for instance, to gather required documents, but could not open a portal account or electronically sign on behalf of the applicants. During the interviews, a majority of immigration lawyers criticized this provision as they feared that a lack of legal assistance could generate more application refusals and procedural unfairness (see also Macnab 2021). Indeed, many cases of the rejected applications were due to technical and human errors, which subsequently came to light through the media (Thevenot 2021; Keung 2021b). Given the growing number of international students who wish to apply for the permanent residence and the government's increasing prioritization of 'two-step immigration', the settlement service providers in our study, pointed out that there is a need for all migrant groups to access services provided by settlement agencies to create certainty of their successful integration in both labour market and society:

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<sup>3</sup> The settlement agencies in Canada provide a raft of publicly-funded services, often in a partnership with the government, to assist permanent migrants fulfill their settlement and integration needs, such as housing, language training, healthcare, employment, etc. (Senthanaar et al. 2020).

I think we should really open the door to settlement sector and non-profits or charitable organizations across Canada. There are many of them [organizations]. To open the door to everybody, to invite everybody who needs to ask any question, any support, any thoughts, any forms, how to find this and that. You know, we should not be really adding the level of stress on these people who are here for one year to work hard, you know, with the big, amazing brains and skills they have. [Settlement service provider]

Such institutionalized support would help capitalize on the opportunity opened to temporary migrants and complement the effort to create the pathways to a long-term status. Faced with a significant rise in demand for accurate information about the transition measures, many settlement service providers found themselves largely unprepared, lacking both the knowledge about the transitional measures and the capacity to serve the potential applicants. Being determined to assist the temporary migrants, however, some organizations teamed up with immigration lawyers and undertook ad hoc training sessions with them:

We've had these immigration lawyers come and speak to us about what the gaps were in the application process and why most people weren't becoming eligible to become permanent residents. As much as they made it seem really desirable, a lot of people weren't qualifying. So, it ended up sort of backfiring a little bit. So that certainly, I think, affected the number, and there was just a lot of frustration actually, on the part of our clients. [name of the settlement worker] was flooded with

appointments at that time when it was first announced. We were looking for different ways to help people apply and it just turned out that a lot of them were not able to either get the documentation that they needed, or they just didn't qualify. [Settlement service provider]

Despite the 'good' intentions behind the transition programs, many stakeholders cited uncertain processing times for applications given the backlog of nearly 1.8 million applications under other programs as of December 2021 (Thevenot 2022). Opposition parties also criticized the backlog. To deal with the problem, IRCC received federal funding of \$85 million to modernize its system by digitizing the application procedures. Despite expediting some immigration applications, a few stakeholders raised concerns that such a transformation of the immigration system would eventually exclude migrants, even the highly skilled, who lack technological and linguistic expertise to navigate the already-complicated immigration process.

The pandemic's unpredictability and a lack of prior knowledge about the transition measures, on the one hand, created confusion and frustration at the ground level; on the other hand, it provided a unique opportunity for some stakeholders to team up in lobbying for the rights of temporary migrants:

There have been a lot of collaborations and innovations during the pandemic. Because people saw potential synergies possible, you know, we saw everyone working towards changing or amending policies to mitigate impacts [of the pandemic]. (Post-secondary educational institution representative)

The pandemic spurred new opportunities for cooperation among the stakeholders, for instance, the settlement agencies and the immigration lawyers or the post-secondary institutions and the IRCC to amend policies on international graduates. As Canada plans to welcome millions of migrants in upcoming years, the stakeholders sought to continue such alliances to ensure enhanced certainty and an expedited process for achieving migrants' economic and social integration.

#### **4.3 The micro-level: Stakeholders' perceptions of immigrants' experiences with the transition measures**

The micro-level emphasizes stakeholders' perceptions of migrants' subjective experiences with the transition measures. The liberal government's transition measures were widely welcomed by politicians, stakeholders and temporary migrants in Canada (Thevenot and El-Assal 2021). Many temporary migrants who would not have had access to permanent residency under 'normal' circumstances became eligible due to the transition measures' reduced requirement criteria. As discussed above, the required CRS score to qualify for the ITA was significantly lowered for the CEC stream, which caters solely to highly skilled temporary migrants' transition to permanent status. For international students applying under the TR to PR pathways, among other requirements, the applicants were required to submit a proof of language proficiency in English or French with a score of a minimum of CLB 5. That language requirement was quite lenient in comparison to the other economic immigration programs, such as the CEC which requires applicants to obtain CLB 7. Furthermore, applicants under the international graduate stream were not required to acquire at least one year of work experience before applying; in the other programs, work experience remains an important requirement. Such

a reduction in requirements ignited a sense of hope among many temporary migrants in Canada who had been living for years with a temporary resident permit (Akbar 2022). This was reinforced by the government’s acknowledgement of the temporary migrants’ value, as stated by Minister Mendicino:

Our message to them is simple: your status may be temporary, but your contributions are lasting—and we want you to stay. – The Honourable Marco E. L. Mendicino, P.C., M.P., Minister of Immigration, Refugees and Citizenship (IRCC 2021)

Despite the strong rationale for the transition measures, in particular the TR to PR pathways, a majority of the stakeholders pointed out the practical challenges that many applicants faced in applying for permanent residency (See also Alboim, Cohl and Pham 2021). The stakeholders claimed that the fixed timeframe and the quota system might have created fear among potential applicants about failure to submit the application on time. For many migrants, the application fees, obtaining the required documentation, and health and languages test results were barriers. Candidates in all streams had to submit a valid temporary residence permit, an immigration medical examination certificate, a police certificate, a photo, and a language test. Healthcare and other eligible ‘essential’ workers had to demonstrate at least one year of full-time work. As a result, the stakeholders argued that many potential applicants could have faced practical challenges in gathering the documentation, in particular, due to the partial closure of the language test centres, the translation offices, and the medical examination centres. Such hurdles could have led to far lower applications in many of the streams of the TP to PR Pathway program, including the essential healthcare worker stream. The uncertainty about when a

particular stream would fill up also created anxiety among potential applicants, leading many to submit incomplete paperwork. The stakeholders noted that many applications would eventually be rejected, resulting in even fewer actual permanent residents in both transition measures. Reflecting on the uncertainties and insecurities triggered by the unexpected transition measures, a few stakeholders questioned the intention of the government:

How fair are you as a government? You know, because of the policy for the specific program and because of the structure of this program, you created a number, that's 90,000. Then you told people that by such date, you must submit your application without giving people enough time or without letting people know that you have to assess whether or not you're eligible to apply. (Immigration Lawyer)

In the case of the Express Entry, on June 29, 2021, the government shortened the period for submitting required documents—such as providing the applicants' educational credentials, work experience, medical examinations, and police certificates—from 90 to 60 days. The stakeholders noted that such a reduced timeframe could have created further challenges for many migrants whose abilities to gather necessary documentation were already crippled by the pandemic. Such a precarious situation, as well as the uncertainty of the application process, may have fostered frustration in some migrants. The stakeholders thought that potential applicants who could not manage to meet the submission deadline may have felt disappointed as they might not be able to apply to other immigration programs. For example, the unprecedented priority initiative for the CEC ended after the September 14, 2021, draw (#204). Since that particular round, all 15 subsequent draws until March 30, 2022, have aimed at the PNP stream with the minimum



required CRS score ranging from 685 to 785. The stakeholders argued that an uncertain wait for the next draw of the CEC stream under the Express Entry or another TR to PR Pathway program might have fostered a sense of personal uncertainty with regard to their immigration prospects.

The pandemic was the hurdle that highly skilled migrants had never faced before. A majority of the stakeholders believed that the anxiety produced by the uncertainty about being qualified under the transition measures and a lack of institutional support in the application process might have negatively impacted the migrants' mental health and well-being (Sultana, Schlosser and Preston 2021).

## **5. Conclusion**

The COVID-19 pandemic has become a multi-dimensional crisis (Antentas 2020), contributing to health, social, economic, and migration emergencies all at once. To address the travel restrictions imposed by the pandemic, the Canadian government introduced several policy measures for temporary migrants, highly skilled for the most part, to obtain permanent resident status. Such transitional measures included the amendments to Express Entry, a new Temporary Residence to Permanent Residence Pathway Program, permitting online studies to be counted towards post-graduation work permit (PGWP) eligibility, and extension of the PGWPs. For Canada, the pandemic crisis created a threat to its migration policy due to reduced flows of people from abroad; at the same time, policy innovations in the form of such transition measures have led to efficiency, change, and hope for policymakers, stakeholders, and migrants. In this paper, we intend to shed light on how the pandemic crisis and the associated transition measures for temporary migrants have generated a new context for highly skilled immigration in Canada, characterized by rapid changes but also increased visibility. The positive effects and potentials

are there—along with the challenges and the liabilities. This paper analyzed migration management during the pandemic at three levels: macro (i.e., transition measures and attainment of national goals), meso (i.e., stakeholders’ experiences with the transition measures), and micro (i.e., stakeholders’ perceptions of migrants’ experiences with the transition measures).

At the macro-level, the transition measures were the Canadian government’s proactive responses in addressing an unprecedented decrease in the migration flows from overseas due to the pandemic-related restrictions. We argued that such unprecedented policy reforms have the potential to promote Canada as a desirable destination country for highly skilled migrants, boosting Canada’s position in the global competition for talent (Triandafyllidou and Nalbandian 2021). However, the pandemic does not only demonstrate the strength but also the vulnerability of Canada’s immigration policies (Esses et al. 2021). Our findings show concerns among the stakeholders about the continuation of the transition measures in the post-pandemic times. The stakeholders argued that the transition measures had the potential to disadvantage potential immigrants outside Canada. As these measures seem to create certainty for some migrants but unequal opportunity for others, they could act as a source of discontent and result in perceived unfairness by those outside Canada.

At the meso-level, the transition measures created stress on the institutions and practitioners within the immigration system who were inundated with requests for assistance from potential applicants. Our study showed that the lack of prior information and the limits on human resources negatively impacted the stakeholders’ abilities to assist the temporary migrants. The pandemic has highlighted how institutional barriers to accessing settlement services could create stress and uncertainties for migrants in navigating the path to permanent residency (Sultana, Schlosser and Preston 2021). Our findings also highlight that there are potential gains

to providing settlement services for temporary migrants if that group is likely to be a source of a majority of permanent immigrants, and that the novelty of the pandemic and associated uncertainties might have been a catalyst for collaboration among stakeholders.

At the micro-level, the stakeholders indicated that the transition measures became a critical juncture for migrants, filled with optimism for new immigration opportunities but also increased frustration due to practical problems, more specifically, the temporariness of the programs and the pandemic-related (partial) closures, which stalled many migrants' application plans and collection of application related documents. The stakeholders stated that although the transition programs might have created hope among some temporary migrants, for some they also generated stress and lasting uncertainty about life plans.

This paper contributes to the migration scholarship by identifying how different types of certainties and uncertainties related to the transition measures are experienced and negotiated by major migration stakeholders at multiple levels, i.e., macro, meso, and micro. In this paper, we argue that the immigration policy measures that reduced macro level uncertainty in immigration flows for the Canadian government and for the immigrants who benefitted, a consequence was more uncertainty at the meso and micro levels. Addressing these new uncertainties is necessary for a robust and ethical immigration system for all immigrants to Canada.

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