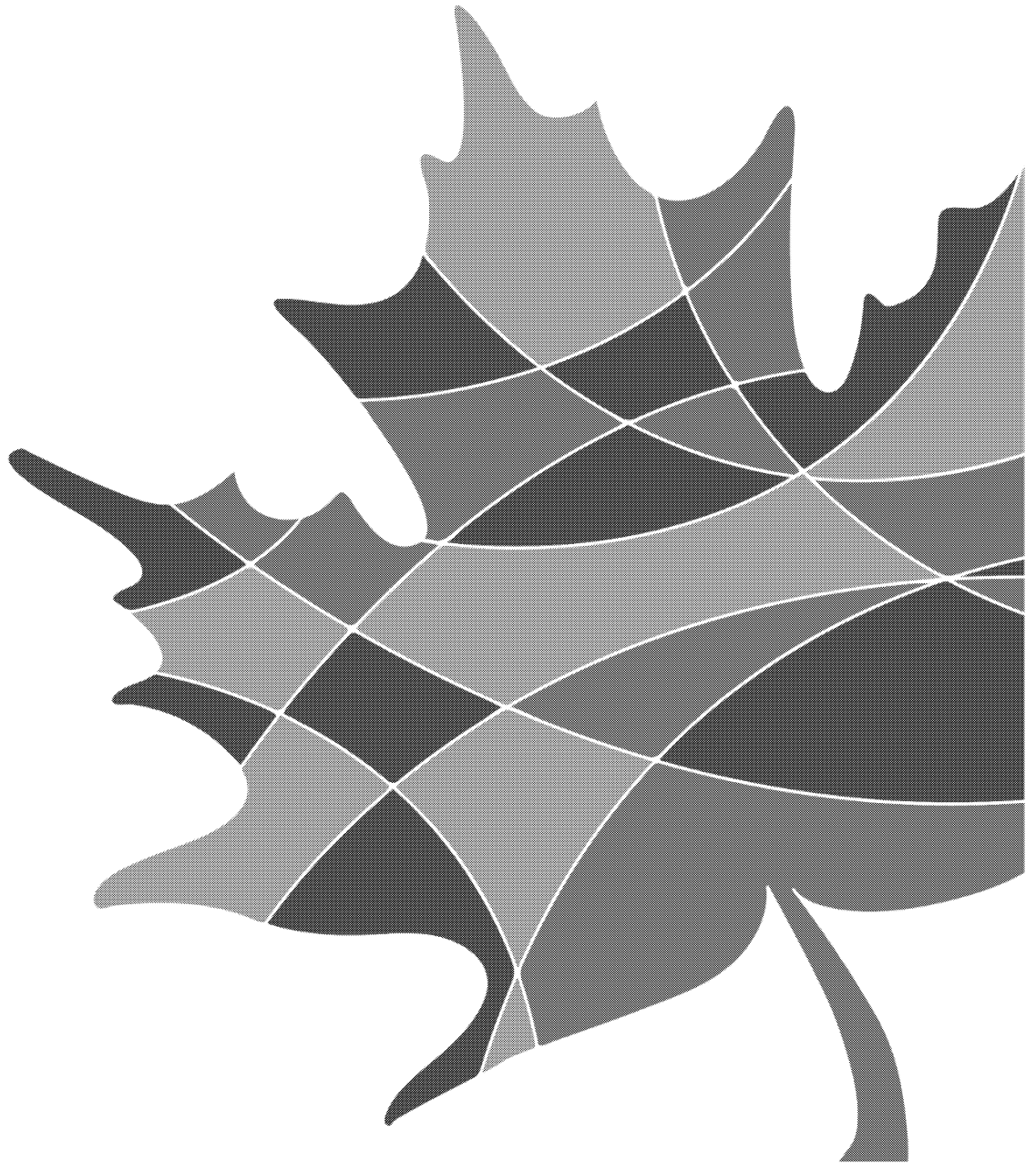


BY THE BOOKS

AN ANALYSIS OF SRI LANKAN STUDENT CLAIMANTS

MIGRATION INTEGRITY TEAM
INTEGRITY RISK MANAGEMENT BRANCH



JANUARY 2021

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SUMMARY

- Asylum claims made by Sri Lankan nationals with prior temporary resident (TR) history tripled between 2018 and 2019, vastly outpacing marginal increases in temporary resident visa issuance. Like other top source countries for asylum, [REDACTED]

- Despite travel restrictions as a result of the pandemic, Sri Lankan nationals continue to claim asylum and having entered the top 10 citizenships for claims in 2020.

- [REDACTED]

- [REDACTED]

BACKGROUND

According to partner reporting, Sri Lanka has re-entered the top 20 source countries for asylum claims in Canada in 2019 for the first time in 5 years.¹ The re-emergence of Sri Lanka into the top 20 is likely the result of recent changes amongst the political elite. In October 2018, then President Maithripala Sirisena controversially appointed former President Mahinda Rajapaska to Prime Minister, in a move that circumvented Sri Lankan constitution. Rajapaska, a former President, has long been suspected of having committed war crimes during the decades long civil war and has been accused of massacring Tamil civilians during his Presidential reign. The appointment of Rajapaska and the subsequent election of his brother as President in November 2019, has de-stabilized the country.² This ongoing political and social strife, and mounting claims human rights violations serve as significant push factors for Sri Lankans to leave their homes.

Canada is often seen as a desirable destination for Sri Lankans due to Canada's growing international reputation as being welcoming towards migrants and an already established large Tamil diaspora.

Historically, the migration of Sri Lankan nationals to Canada was a largely irregular in nature, evidenced by the arrival of the Ocean Lady and Sun Sea marine vessels in 2009-2010. Between 2010 and 2018 many Sri Lankans arrived to Canada via the United States, entering Canada between the ports or filing their claim at a port of entry.

¹ CBSA Refugee Claims Analysis Report – Year end 2019

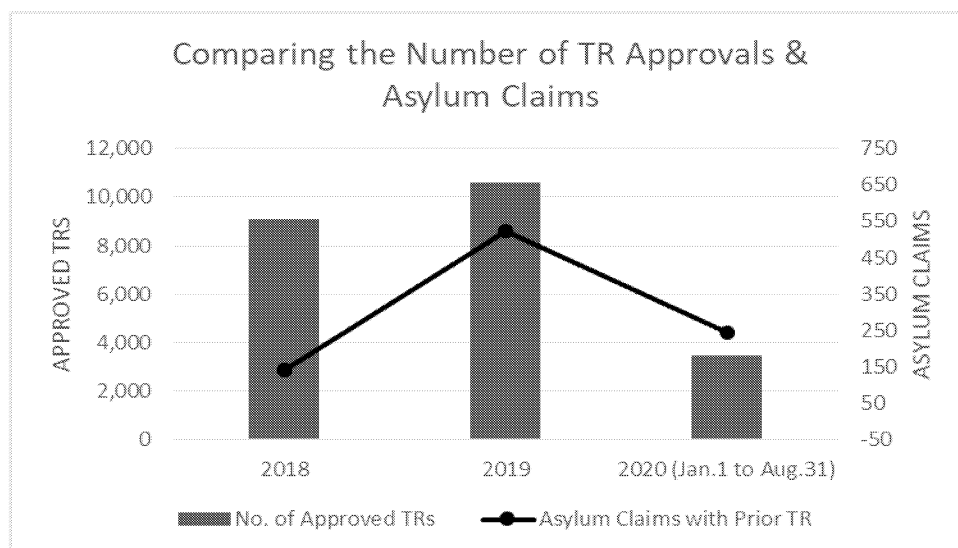
² Sri Lanka: Stepping Back from a Constitutional Crisis, www.crisisgroup.org & Sri Lanka World Report 2020, Human Rights Watch <https://www.hrw.org/world-report/2020/country-chapters/sri-lanka>

³ CBSA, Sri Lankan smuggling likely facilitating consistent refugee claims despite COVID-19, December 2020.

Similar to other top source countries for asylum claims, Sri Lankan nationals began to change arrival methods in 2018 and into 2019, with more arriving via air mode, in possession of Canadian travel documents to later claim asylum inland. In 2019, 94% of Sri Lankan asylum claims were made inland by Sri Lankan nationals in possession of Temporary Resident (TR) documents. This was a 4% increase from 2018.

From 2018 into 2019, asylum claims from Sri Lankan nationals with prior TR history tripled. The increase in claims with prior TR history vastly outpaces the increase in TR applications (18%) for the same reporting period. Also of note, in comparison, by July 2020, over half (56%) of asylum claimants held TR documents, an increase of 35% when compared to the same time frame in 2018.

CURRENT STATUS

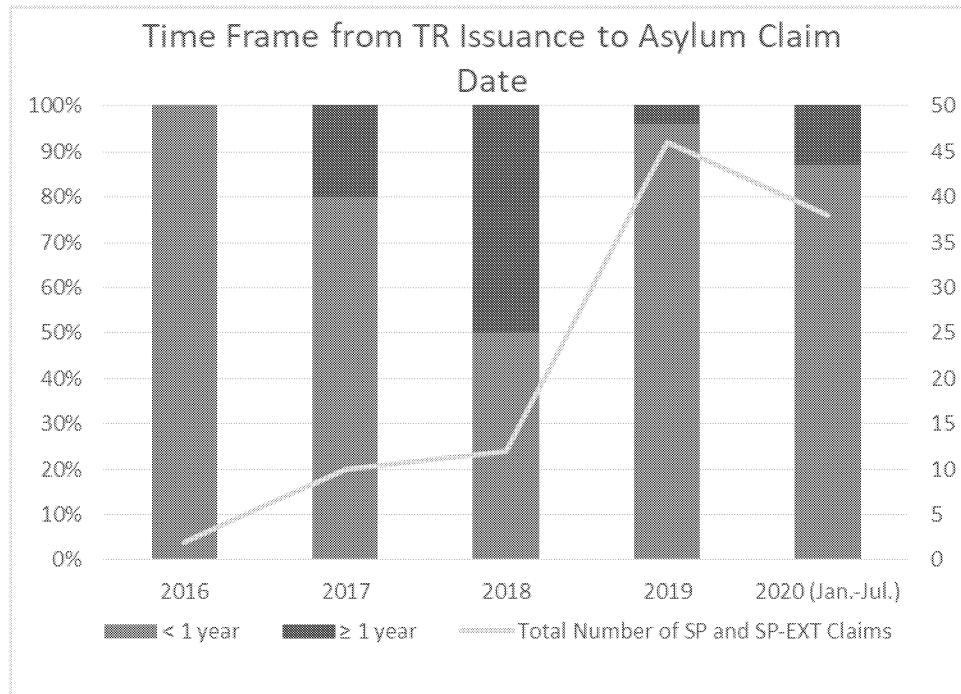


The student cohort has the highest claim rate among all TR business lines for Sri Lanka. From January to July 2020, student claimants with prior TR history accounted for 10% of total claims, a marginal increase for the same reporting period in 2019 (9%).

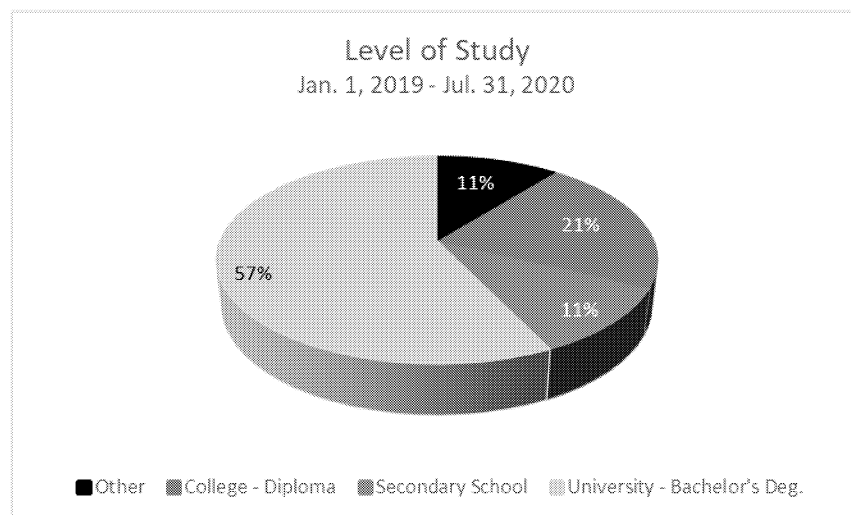
Roughly 7% of approved Sri Lankan study permits in 2019 resulted in a subsequent asylum claim – an increase from years prior (2018 – 2%, 2017 – 3%, 2016 – 2%).

Sri Lankan student claimants claim shortly after TR issuance

Of those claiming asylum with a study permit in 2019, 93% claimed within one year of issuance and the majority claiming within 6 months, indicating that many intended to claim when they acquired their study permit. This new trend demonstrates a marked increase from previous years.



Study Permits are frequently tied to specific DLIs



Over half of Sri Lankan student claimants are seen at select universities, many of which are located in the Maritime Provinces, despite the fact that a majority filed their claims at IRCC Etobicoke.

Sri Lankan student claimants have a high rate of non-compliance with their studies. Though it is possible that university level claimants held valid letters of acceptance, their potential non-compliance indicates that many did not end up studying as intended in their application.

Among study permit holders, 68% of claimants had compliance reporting history across five reporting periods from Winter/Spring 2018 to Winter/Spring 2020.⁵ Of these, 61% had indicators of potential non-compliance with their studies and the following observations:

-
-
-

Additional Observation: Address Clustering

⁴ See *Fraudulently obtained S-1 TRVs for Cape Breton University* by CBSA, November 2019.

⁵ Compliance information for the remaining 32% of students could not be pulled due to several factors including: the level of study, students destined to Québec DLIs, or family members on study permits who are not subject to study permit conditions.

⁶ A status of “No Show” indicates an institution sent a student a letter of acceptance, and they should be enrolled, but they 1) never confirmed acceptance, 2) registered, but never attended class, or 3) registered, presented themselves to class, but stopped attending without notifying the school.

⁷ A status of “Not Started” indicates a student is registered at an institution and is enrolled in a program of study which begins the following semester.

s.16(2)(c)

s.21(1)(a)

s.21(1)(b)

PROTECTED B

NEXT STEPS

IMMEDIATE ACTIONS

1. Creation and Distribution of Sri Lankan Student Indicators

Action: The MIT recommends the construction of indicators for use by visa processing officers in Chinook Module 5. Similar to indicators used in other lines of business in other source countries for claims, these indicators will assist officers in identifying potential high risk cases in the Sri Lankan cohort.

⁸ COVID DLI Website: <https://www.canada.ca/en/immigration-refugees-citizenship/services/coronavirus-covid19/students/approved-dli.html>

INTERMEDIATE ACTIONS

1. Sri Lankan Claimant – Visitor Profile

Action: The MIT will conduct an examination of Sri Lankan asylum claims made by those holding visitor visas to better understand contextual causal factors behind rising asylum claims.

- **Rationale:** Visitors comprise a large portion of claimants with temporary resident documents, and already have a claim rate higher than all other top 10 citizenships for applications approved in 2020. This indicates a fast-growing, deliberate movement of asylum seekers within the Sri Lankan visitor caseload.

Result: Business intelligence derived from a visitor claimant profile can be leveraged to support frontline processing in identifying high-risk applications for increased scrutiny and verification.

2. Sri Lankan Claimant – Student Claimant Revisit

Action: The MIT will conduct a follow-up of the trends and analysis contained in this document in order to determine if the same trends are being observed, new trends have developed and determine the impact of the student indicators.

- **Rationale:** It is important to determine the impact that newly created indicators have on the Sri Lankan student claimant caseload to determine their effectiveness. It is also important to ensure that any new trends are captured and applicable mitigation strategies developed.

Result: Continued business intelligence derived from the student claimant analyses can be leveraged to support frontline processing in identifying high-risk applications for increased scrutiny and verification.