



January 14, 2025

Via email: [tooba.housany@cic.gc.ca](mailto:tooba.housany@cic.gc.ca)

Tooba Housany  
Director  
Permanent Economic Immigration  
Immigration, Refugees and Citizenship Canada  
365 Laurier Avenue West  
Ottawa ON K1A 1L1

Dear Tooba Housany:

**Re: Recent Reforms to the International Student Program**

I write on behalf of the Immigration Law Section of the Canadian Bar Association (CBA Section) to share recommendations concerning recent reforms to the International Student Program. The CBA Section was grateful for an opportunity to share the following recommendations before the Standing Committee on Citizenship and Immigration on December 2<sup>nd</sup>, 2024.<sup>1</sup>

The Canadian Bar Association represents over 40,000 lawyers, including judges, notaries, academics and law students, with a 120-year-old mandate to seek improvements in the law and the administration of justice. The CBA Section has approximately 1,200 members across Canada practising in all areas of immigration and refugee law.

Recent reforms to the International Student Program aim to address fraud and uphold program integrity, both of which are legitimate and important policy objectives. However, the CBA Section is deeply concerned that the proposed changes disproportionately penalize international students who have acted in good faith. These students have invested significant time, money, and effort into studying and working in Canada, guided by government assurances of a pathway to permanent residence (PR).<sup>2</sup> By targeting students instead of holding the real bad actors accountable—such as fraudulent recruiters and unethical employers—the reforms risk mischaracterizing students as the problem, rather than protecting them as intended beneficiaries of the program.

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<sup>1</sup> Canada, House of Commons, Standing Committee on Citizenship and Immigration, Meeting Notice for Meeting 119, 44th Parl, 1st Sess, [online](#).

<sup>2</sup> Canada, Immigration, Refugees and Citizenship Canada, "Government of Canada Announces Further Measures to Support International Students" (Ottawa: Immigration, Refugees and Citizenship Canada, 2021), [online](#); CIC News, "How Canada Is Helping International Students" (15 April 2020), [online](#); Canada, Global Affairs Canada, "Canada's International Education Strategy (2014–2019)" (Ottawa: Global Affairs Canada, 2014), [online](#); The Pioneer, "Rising Suicides Among Indian Students in Canada" (2024), [online](#); Better Dwelling, "Canada's International Student Boom Was a \$148M Government Campaign" (2023), [online](#).

## **Immediate Impact**

The immediate impact of these reforms is being felt by the international students already in Canada, who have invested heavily in premium tuition fees to pursue their studies under an immigration system that promised support for their families, work opportunities for their spouses, and a clear pathway to PR through post-graduate work permits. Abrupt changes to the legal framework have left tens of thousands of these students grappling with uncertainty and the looming threat of removal from the country they have come to call home. Many of these students are members of racialized and equity-deserving communities, who often face greater barriers in navigating the complexities of their immigration status. From a humanitarian standpoint, it is crucial to recognize the profound mental health toll these abrupt and destabilizing changes are imposing on international students.

## **Long Term Consequences**

International students are undisputed contributors to Canada's economy - bolstering the Gross domestic product, supporting jobs, and paying taxes. The long-term impact of thousands of students leaving Canada due to these reforms demands careful consideration. Their absence will inevitably affect economic growth and place additional strain on the country. Beyond economic repercussions, these changes risk causing significant reputational harm to Canada's immigration system. Misaligned messaging may deter future students from choosing Canada as their destination for higher education. Furthermore, the requirement for students to reapply for a study permit to change institutions exacerbates the problem by creating a two-tier system, diminishing Canada's attractiveness as a study destination and undermining the flexibility international students need to succeed.

## **Recommendations**

The CBA Section makes the following five recommendations:

### **1. Prioritize creating pathways to PR for students already in Canada.**

Many of the students currently in Canada have studied, worked, and become well-established here, with some having arrived as minors. They contribute to Canadian society while awaiting formal recognition of their status. Canadians have also invested in and supported these students, underscoring the need for tailored pathway programs to PR. Such programs, including dedicated Express Entry draws, should target labour shortages and ensure positive long-term outcomes for both the Canadian economy and the future of these immigrants and their families. Developing these programs requires consultation with a broad range of stakeholders to ensure fairness and effectiveness.

While the government's levels plan and minister's mandate include an "In Canada Focus," clearer guidance is urgently needed on how this will be operationalized, especially given the high stakes for thousands of individuals and for Canada's broader immigration objectives.

### **2. Halt the systematic removal of international students with no pathway to PR until the available pathways and exemptions are made clear.**

Recent changes have left many students without clear pathways to PR, often due to circumstances beyond their control that have caused them to lose status or fall out of compliance. The CBA Section urges IRCC to explore innovative approaches that include both temporary and permanent measures, leveraging Ministerial authority to implement new public policies and amend existing ones. Until these pathways are clearly defined and accessible, any coordinated efforts to systematically remove or refuse students should be paused to prevent further harm and uncertainty for those affected.

**3. Federal, provincial and territorial governments must collaborate on a long-term plan.**

Federal, provincial and territorial governments must work together to develop a comprehensive, long-term plan for managing international student enrollment. This plan should include clear and consistent criteria for Designated Learning Institutions (DLIs) and the implementation of robust measures to deter exploitation, minimize opportunities for abuse, and ensure effective oversight of agents, recruiters, and employers.

We acknowledge and appreciate the recent regulatory amendments aimed at strengthening compliance measures for DLIs, which represent a positive step toward achieving these goals.<sup>3</sup>

**4. Introduce legislation to deter bad actors who prey on international students.**

Introduce legislation to target bad actors who exploit international students, with provisions for harsher penalties for fraud and large-scale misrepresentations. These issues must be addressed not only at the level of overseas agents and ghost consultants but across the entire human supply chain of student exploitation. A comprehensive approach is needed to uncover and hold accountable all parties contributing to this systemic problem.

**5. Refrain from adopting a two-tier system.**

International students should have the same flexibility as domestic students to change their field of study or institution without the risk of becoming non-compliant while waiting for a new study permit. Transferring institutions often occurs for legitimate and pressing reasons, such as addressing mental health challenges, ensuring personal safety (e.g., in cases of sexual assault), or pursuing better educational opportunities. These program disruptions, exacerbated by cuts to international student enrollment, create a cascading effect, harming students academically and now legally due to recent regulatory changes.

At a minimum, a clear list of exemptions should be established to accommodate these bona fide circumstances, ensuring that international students are not unfairly penalized for making necessary changes.

Canada has long been recognized as a destination of opportunity and excellence. We urge the government to ensure that policies reflect Canada's shared values of fairness, inclusion, and accountability—by protecting international students who come here in good faith and taking decisive action against those who exploit the system.

The CBA Section welcomes an opportunity to collaborate in developing and implementing these recommendations.

Yours truly,

*(original letter signed by Véronique Morissette for Kamaljit Kaur Lehal)*

Kamaljit Kaur Lehal  
Chair, CBA Immigration Law Section

cc. Tammy-Lynn Romain, Assistant Director, Visitors and Identity Programs Branch  
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<sup>3</sup> Canada, *Regulations Amending the Immigration and Refugee Protection Regulations (SOR/2024-219)*, (2024) C Gaz II, [online](#).