

## Immigration measures fall short in addressing international student crisis | Sergio R. Karas

By **Sergio R. Karas**

Law360 Canada (September 26, 2024, 2:24 PM EDT) -- On Sept. 18, 2024, the federal government announced an additional 10 per cent reduction in the study permit intake cap, lowering the target from 485,000 to 437,000 for 2025. The government also outlined plans to limit spousal work permit eligibility to only spouses of master's degree students enrolled in programs lasting at least 16 months, and spouses of foreign workers in management or professional roles within sectors experiencing labour shortages.

In addition, reforms to the Post-Graduation Work Permit Program (PGWP) will require a Canadian Language Benchmark (CLB) level 7 for university graduates and CLB 5 for college graduates. PGWP eligibility will also depend on the level of study; only graduates from bachelor's, master's and doctoral programs will be eligible for a PGWP of up to three years. Graduates from public colleges will only qualify for a PGWP for up to three years if their field of study aligns with Canada's labour market shortages. Measures will also be introduced to address integrity issues in the in-Canada refugee system, including partial visa requirements for Mexican nationals, along with aims to enhance asylum claims processing and visa decision-making.



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Despite these additional measures, they remain inadequate in curbing the influx of temporary residents and refugee claimants and their impact on the housing market and the economy.

Canada's affordable housing and rental markets cannot keep pace with the growing population of temporary residents. Statistics Canada data released on June 19, 2024, shows that the number of temporary residents has more than doubled, from 1.3 million in 2021 to nearly 2.8 million in mid-2024. This number includes a significant rise in study permit holders that has more than doubled over the same period. This influx has created a demand for affordable housing that dramatically exceeds supply. RBC reported on April 8, 2024, that restoring the balance between supply and demand is challenging due to limited construction capacity and high costs. According to RBC, only 45 per cent of households can afford to buy a condominium, and just 26 per cent can buy a single-detached home. RBC predicts that only approximately one million of 1.9 million new households by 2030 will not be able to afford a home. The large influx of newcomers adds to the pressure on the already depleted housing stock, especially at the lower end of the spectrum.

As homeownership becomes increasingly unattainable, many Canadians are turning to renting, yet the rental market is also in crisis. RBC reports that the rental vacancy rate has hit a historic low of 1.5 per cent in 2023 across Canada, with most urban markets below the balanced rate of three per cent. Renters are paying an average of \$100 more per month compared to 2022, nearly four times the increase seen in previous decades. Temporary residents need affordable housing when they arrive. However, with nearly 2.8 million temporary residents, including over half a million study permit holders, Canada's already tight affordable rental market cannot accommodate more people. The government must take urgent action to reduce the number of study permit holders and refugee claimants to alleviate pressure on affordable housing.

While the recent measures announced by the federal government primarily focus on PGWP holders, they fail to tackle the root cause of the problem: the excessive issuance of study permits for college

programs that do not align with sectors experiencing labour shortages. On May 9, 2024, CBC News reported that numerous Canadian colleges are recruiting international students for business programs rather than for programs that relate to industries with labour shortages, such as construction, health care and food services.

According to CBC News, business-related programs account for 27 per cent of all study permits issued from 2018 to 2023, more than any other program. During that period, only six per cent of all study permits were approved for health sciences, medicine or biological and biomedical science programs. Even worse, only 1.25 per cent of study permits were issued for trades and vocational programs. As Canada attempts to channel PGWP holders into industries with high job vacancies, the government overlooks the fact that most international students are graduating from programs that offer limited value to the labour market. Canada must not only rein in the number of study permits but also ensure that the issuance of study permits is more intentional, and not to be handed out like cheap candy.

Even with a reduced cap on the overall number of new study permit holders, unfounded in-Canada asylum claims are being used by international students to extend their stay, counselled by unscrupulous individuals who charge them high fees and enable misrepresentations and fraud. *The Globe and Mail* reported on Sept. 24, 2024, that over the first eight months of this year alone, an astounding 12,915 international students have claimed asylum. Most international students come to Canada with the expectation of gaining permanent residency, and eventually citizenship, this abuse of the refugee determination process undermines the integrity of the immigration system. International students who are not selected for permanent residency, and do not wish to return to their countries of origin, should not be allowed to claim asylum as an artificial way to extend their stay, causing unreasonable delays to legitimate refugee claimants, and costing taxpayers billions of dollars in administration, subsidies, social assistance, legal aid and other government-funded programs

Further, the fact that most of these asylum claims come from international students enrolled in colleges, rather than universities, raises a critical question of whether Canada's study permit program is truly recruiting the kinds of skilled and educated graduates that will benefit the economy. *The Globe and Mail* reported that the University of Waterloo, considered to be the "MIT of the North," experienced a drop in the acceptance of new student visas, from 2,043 in 2019 to 1,900 in 2024. On the other hand, Conestoga College, another post-secondary institution in the Kitchener-Waterloo region, saw a dramatic increase from 7,886 new international students in 2019 to 32,000 in 2023. Conestoga College has been under the microscope for a while due to its very large international student population.

*The Globe and Mail* had previously reported on this trend on April 22, 2024, where it was also revealed that between 2018 and 2023, Seneca College saw a 1,267 per cent increase in asylum claims made by international students, and Niagara College experienced a whopping 2,500 per cent jump. In 2023, more than half of international students at Conestoga College claimed asylum. According to the Immigration and Refugee Board of Canada, as of June 2024, there were 218,593 asylum claimants in Canada awaiting a decision on their status, compared to 87,270 at the end of 2019. This troubling trend is a wake-up call for Canada to significantly decrease the number of study permits issued to colleges, and concentrate instead on university students whose courses of study address labour shortages

Canada's recent measures to curb the number of study permit holders, PGWP holders, fall short of effectively addressing the surge of temporary residents. Without a stronger strategy to align study permits with labour market needs and prevent misuse of asylum claims, the number of temporary residents and refugee claimants will only continue to grow, putting more pressure on housing availability for all Canadians.

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