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Canada needs an enhanced visa assurance framework

By **Sergio R. Karas**

Law360 Canada (August 26, 2026, 2:18 PM EDT) -- Canada should establish a transparent, evidence-based framework under which immigration applications connected to jurisdictions presenting demonstrable verification, fraud or security challenges receive enhanced scrutiny and, subject to narrow exceptions, a mandatory in-person visa interview.

Sergio R. Karas

The case for reform is not that immigrants or visitors from particular countries are inherently suspect. It is that Canada does not receive equally reliable identity, criminal-history, civil-registry or security information from every jurisdiction. Treating materially different verification environments as though they were identical does not promote fairness; it transfers risk to visa officers, legitimate applicants and the Canadian public.

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The pressure is substantial. Immigration, Refugees and Citizenship Canada (IRCC) says it reviewed an average of 9,000 suspected immigration-fraud cases each month in 2024. In the international student program alone, IRCC verified 650,808 letters of acceptance that year, of which 14,255 produced a "no match" response requiring further review. The department also describes increasingly sophisticated fraud, organized misuse of temporary-resident programs, and applicants seeking visitor status while intending to remain permanently or travel illegally to the United States.

Canada already uses risk-based screening. IRCC conducts initial screening of temporary- and permanent-residence applications against databases, external information and risk indicators. Cases presenting security concerns may be referred to the Canada Border Services Agency (CBSA) and the Canadian Security Intelligence Service (CSIS) for comprehensive screening, while biometric information may be checked through arrangements with the United States, United Kingdom, Australia and New Zealand.

Yet the system remains largely dependent on whether a particular file generates an identifiable indicator. That is insufficient where the underlying problem is systemic: unreliable civil registries, inaccessible criminal records, weak passport controls, organized document fraud, conflict-damaged institutions or a government unwilling to co-operate with Canadian authorities.

Canada already has the necessary foundation

The *Immigration and Refugee Protection Act* (IRPA) provides substantial authority for closer examination. A visa may be issued only where, following an examination, an officer is satisfied that the applicant is not inadmissible and meets the Act's requirements. Applicants must answer questions truthfully, produce reasonably required evidence and, when requested, appear for an examination. A foreign national must also attend an interview requested for a CSIS immigration-security investigation.

A visitor-visa applicant may be required to attend an interview, provide further information, undergo a medical examination or obtain a police certificate. What Canada lacks is not interviewing authority, but a transparent policy determining when heightened verification and a personal interview should be required as a matter of system-wide risk management rather than individual officer discretion.

A mandatory country-based regime should therefore be established by regulation, accompanied by published guidelines, rather than buried in confidential operational instructions. Regulation would permit parliamentary scrutiny, clarify the classes of applications covered, create defined exemptions and constrain arbitrary application. It would also distinguish an ordinary visa interview from the more specialized CSIS security interview contemplated by s. 16(2.1) of IRPA.

An enhanced visa assurance framework

The government should create an *enhanced visa assurance framework*, administered jointly by IRCC, CBSA, CSIS, the RCMP and Global Affairs Canada. It would designate countries for a limited period where objective evidence demonstrates that ordinary document and database screening cannot provide an adequate degree of assurance.

Designation should not depend on diplomatic disagreement, religion, ethnicity, generalized public anxiety or isolated incidents. Nor should it create a presumption that an individual is inadmissible. It should mean only that applications materially dependent on information from the designated jurisdiction require additional verification and a personal interview before a visa or permit is issued.

At minimum, the assessment should consider five categories:

1. Identity and document integrity: the reliability of passports, national identity documents, birth and marriage records, police certificates and educational or employment credentials; confirmed counterfeit-document patterns; repeated identity changes; and the availability of secure biometric passports.
2. Information availability and governmental co-operation: Canadian access to verifiable criminal, immigration and civil-registry information; participation in lost and stolen passport databases; responsiveness to verification requests; and the reliability of information supplied by local authorities.
3. Security environment: evidence of terrorist activity, organized crime, transnational repression, foreign-interference networks, sanctions evasion, armed conflict or state collapse — assessed through corroborated governmental intelligence rather than political characterization.
4. Program-integrity outcomes: verified misrepresentation findings, fraudulent-document rates, identity mismatches, visa-related asylum claims, overstays and other non-compliance. Data should be normalized per 1,000 applications and examined over a rolling period so that application volume does not distort the result.
5. Readmission and compliance co-operation: whether the government promptly confirms nationality, issues travel documents and accepts the lawful return of its nationals once Canadian proceedings are complete.

The European Union's visa-monitoring system offers a useful model. Its review examines migration, border management, readmission, security, document integrity, visa-policy alignment and citizenship-by-investment programs. The European Commission also makes country-specific recommendations and monitors continued compliance rather than treating designation as permanent.

Canada's own experience points in the same direction. IRCC's Temporary Resident Integrity Strategy has used updated indicators, intelligence, officer guidance and risk triage to focus screening on countries associated with higher levels of visa misuse. The department reports that these measures produced more refusals and misrepresentation investigations, showing that country-level evidence already informs operations — but without a sufficiently transparent public framework.

Designation should require more than a single adverse statistic. A country should meet at least two independently verified indicators, one involving identity reliability, information co-operation or a serious security concern. IRCC should publish the methodology and a concise statement explaining each designation, while protecting classified intelligence and operational techniques.

IRCC should review the designation annually. A country should also be able to submit information showing improved passport security, record access, anti-fraud controls or co-operation with Canadian agencies.

What enhanced processing should require

For affected adult applicants seeking a temporary resident visa, study or work permit, or permanent resident visa, enhanced processing should normally include:

- an in-person interview conducted by a trained Canadian decision-maker;
- live identity verification against the passport and enrolled biometrics;
- examination of original or independently authenticated civil, educational, employment and financial documents where material;
- review of prior applications, travel history and disclosed residences;
- appropriate checks against Canadian and partner databases;
- escalation to CBSA or CSIS where established indicators warrant comprehensive screening; and
- a recorded interview summary identifying material questions, answers and inconsistencies.

The United States demonstrates that broad interview requirements are administratively possible. Since Oct. 1, 2025, most U.S. non-immigrant visa applicants have generally been required to attend an in-person consular interview, with limited exceptions for diplomatic applicants and certain recent renewals. Even waiver-eligible applicants may be required to attend if an officer identifies a concern.

Canada should not assume, however, that interviews are infallible. Poorly structured interviews can introduce inconsistency, cultural misunderstanding or unconscious bias. Officers should use standardized interview modules tailored to the identified verification problem, receive training in credibility assessment and have access to qualified interpreters. Quality assurance should examine whether comparable answers produce comparable outcomes.

Safeguards are not optional

A country list expressly distinguishes among applicants in a manner closely connected to national origin. Section 15 of the Charter identifies national or ethnic origin as a protected ground and applies to governmental policies, programs and administrative action. Any differential burden must therefore be evidence-based, proportionate and designed to address demonstrated risks rather than stereotypes.

The first safeguard must be individualized decision-making. Listing should determine the method of examination, never the outcome. No application should be refused because a passport was issued by a listed country. Refusal must rest on the individual record and the applicable statutory requirements.

Second, the framework should contain narrow, published accommodations for minors, applicants unable to travel because of disability, urgent humanitarian cases, diplomatic categories, and circumstances in which no safe Canadian interview facility is reasonably accessible. Accommodation could include a secure video interview combined with supervised biometric and document verification, but administrative convenience alone should not justify bypassing the interview requirement.

Third, where an officer intends to rely on a material credibility, document or misrepresentation concern not reasonably apparent from the application, the applicant should receive a meaningful opportunity to respond. The Supreme Court of Canada has held repeatedly that procedural fairness is contextual but directed toward fair, transparent decision-making, meaningful participation, impartiality and intelligible reasons.

Fourth, refusals should include intelligible reasons identifying whether the problem concerned identity, document authenticity, credibility, security information or another statutory requirement. Applicants should have access to a prompt administrative reconsideration process where they can demonstrate mistaken identity, translation error, document-verification failure or reliance on inaccurate country information.

Fifth, automated tools should triage, not decide. IRCC has used computer analytics to identify routine temporary-resident applications and files requiring closer review, while retaining security and criminality screening for every application. Its privacy assessment identified risks involving notice, retention, triage criteria and training data — precisely the issues that a country-designation system would intensify.

IRCC should publish privacy and algorithmic impact assessments, audit false-positive and false-negative rates, and prohibit refusal solely on an automated score. Public reports should contain only aggregated data that does not identify individual applicants.

Finally, the framework requires independent oversight. CBSA's evaluation of the Immigration National Security Screening Program identified limited performance measurement, unclear indicator objectives, inconsistent application across geographic desks, outdated country information and insufficient surge capacity. It recommended standardized tracking of referral indicators, stronger performance measures, interdepartmental training and mechanisms to ensure that cases requiring referral are actually referred.

Annual reporting to Parliament should disclose designations, renewal decisions, application volumes, interview completion rates, processing times, refusal grounds, reconsideration outcomes and error corrections. National-security aspects should be reviewable by the National Security and Intelligence Review Agency within its mandate, while privacy compliance should be subject to review by the Privacy Commissioner.

A measured alternative to both complacency and exclusion

The policy choice is not between universal trust and nationality-based exclusion. Canada can recognize that some jurisdictions present objectively greater verification difficulties without branding their citizens as threats. The appropriate response is additional examination, not automatic refusal; contemporary evidence, not permanent labels; and human judgment bounded by law, reasons and oversight.

A well-designed enhanced visa assurance framework would strengthen identity verification, fraud detection, national-security screening and public confidence. Just as importantly, it would protect bona fide applicants by replacing opaque geographic profiling with published criteria, consistent interviews, individualized decisions and regular review. Security and fairness are not competing values. In a credible immigration system, each reinforces the other.

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