

2025 Annual Report

Avoiding Complicity in Mistreatment by Foreign Entities



Immigration, Refugees
and Citizenship Canada

Immigration, Réfugiés
et Citoyenneté Canada

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Rapport annuel de 2025

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Introduction

In accordance with subsection 7(1) of the *Avoiding Complicity in Mistreatment by Foreign Entities Act* (ACMFEA), this report is presented to the Minister of Immigration, Refugees and Citizenship, and describes the activities that Immigration, Refugees and Citizenship Canada (IRCC) has undertaken between January 1, 2025 and December 31, 2025, to ensure compliance with the Order-in-Council on *Directions for Avoiding Complicity in Mistreatment by Foreign Entities*.

Background

On September 4, 2019, IRCC was issued an Order-in-Council on its information sharing practices pursuant to Section 3(1) of the ACMFEA. The Order-in-Council directs that:

- 1) No *disclosure* of information be made to a foreign entity, which would result in a substantial risk of mistreatment of an individual, unless it is determined that the risk can be mitigated.
- 2) No *request* for information be made to a foreign entity, which would result in a substantial risk of mistreatment of an individual, unless it is determined that the risk can be mitigated.
- 3) No information that was likely obtained through the mistreatment of an individual by a foreign entity be *used* in any way that: a) creates a substantial risk of further mistreatment; b) as evidence in any judicial, administrative or other proceeding; or, c) in any way that deprives someone of their rights or freedoms unless the Deputy Minister or, in exceptional circumstances, a senior Department of Citizenship and Immigration official designated by the Deputy Minister determines that the use of the information is necessary to prevent loss of life or significant personal injury and authorizes the use accordingly.

Since 2019, IRCC has established and maintained policies and procedures to ensure compliance with the ACMFEA, including a country risk list for officers contemplating information exchanges with foreign entities; a consultation process for officers seeking risk assessment and guidance for a specific case; methodologies and templates for country risk profiles and case-specific risk assessments; and, an *ad hoc* Avoiding Complicity Assessment Committee to be convened in the event there is a need to determine whether or not the risk(s) can be mitigated.

International Information Sharing Practices at IRCC

IRCC undertakes information exchanges with international partners to aid in the administration of legislation for which the Minister is responsible (the *Immigration and Refugee Protection Act*, the *Citizenship Act*, and the *Canadian Passport Order*) and to fulfill its mandate to facilitate the travel to and integration of people in Canada, while maintaining the safety and security of Canadians.

International information sharing is a valuable tool that helps IRCC to, *inter alia*:

- Verify the identity of IRCC applicants, which supports application processing and simplifies entry for legitimate travellers; and
- Strengthen officers' decision-making by providing access to records that may be pertinent to determining an individual's eligibility and/or admissibility to Canada, including whether an individual poses a risk to the safety and security of Canadians.

International Information Sharing Arrangements

IRCC continues to utilize its information sharing arrangements with trusted international partners – Australia, New Zealand, the United Kingdom, and the United States. It is in accordance with these information sharing arrangements that the vast majority of IRCC's information sharing takes place. These administrative arrangements are available to the [public](#) and expressly preclude the sharing of information that may place an individual or their family at risk of serious or significant harm, including *refoulement*, persecution, torture or any other type of harm. Information is only shared with partner countries in a manner that respects privacy laws, civil liberties and human rights.

Other International Information Sharing

In certain circumstances, IRCC may also exchange information with a foreign partner with whom it does not have an agreement or arrangement, as authorized by Section 8 of the *Privacy Act*.

Depending on the circumstances, exchanges of this nature are only conducted at the discretion of an officer or other delegated official after considering the relevant authorities and the intended use of the information, including ensuring that whether the exchange of information could lead to a substantial risk of mistreatment of an individual has been assessed. Officers are also instructed to ensure that all exchanges are recorded for tracking purposes.

Implementing *Avoiding Complicity in Mistreatment*

IRCC continues to monitor, maintain and refine the existing processes and procedures that were initially established in response to the receipt of the Order-in-Council in 2019.

Legal Requirements of the ACMFEA

- The annual report for calendar year 2024 was submitted to the Minister, and has been made available to the public as required by the ACMFEA. The report can be found online [here](#).

Internal Activities

- IRCC finalized seven (7) country risk profiles in 2025 using the IRCC Country-Level Risk Assessment Tool.
- IRCC continued the review of the existing program delivery instructions and other supporting tools to provide officers improved guidance about the ACMFEA and the Order-in-Council.
- Moreover, IRCC continued raising awareness of the ACMFEA policies and procedures through training sessions for officers and processing staff, including those working overseas, inland and at case processing centers.

Inter-Agency Cooperation

- In the 2025 reporting period, IRCC continued to participate in inter-departmental discussions at the Information Sharing Coordination Group led by Public Safety, along with other subject departments and agencies, with the intent to facilitate greater collaboration and information-sharing between members as they implement the ACMFEA and the corresponding Order-in-Council.
- IRCC also responded to the National Security and Intelligence Review Agency's (NSIRA) requests for information on the Department's policies and procedures for implementing the ACMFEA. The requests for information served as part of NSIRA's annual review of the implementation of the ACMFEA across the Government of Canada.

NSIRA Directed Departmental Study

- In January 2025, NSIRA directed select departments, including IRCC, to conduct a study of information-sharing with the foreign entities of countries engaged in armed conflict.
- IRCC participated in interdepartmental discussions at the working level, which were focused on coordinating a joint submission to NSIRA, and discussing best practices in conducting the Departmental Study.

Activity Report

In the 2025 reporting period, IRCC completed assessments for eleven (11) cases where officers requested a further risk assessment pursuant to IRCC's policies and procedures.

These assessments are broken down as follows:

“Disclosure” cases resulting from requests by foreign entities for information, requiring additional risk assessment

- IRCC assessed eleven (11) cases of disclosure of information from which four cases also involved a request for information.

“Request” cases requiring additional risk assessment

- IRCC assessed four cases (4) cases of request for information.

“Use” cases requiring additional risk assessment

- IRCC had no cases in the 2025 reporting period.

Cases requiring referral to the Avoiding Complicity Assessment Committee

- IRCC had no cases in the 2025 reporting period.