

FCJ Refugee Centre

Walking With Uprooted People

Immigration & Refugee Process Updates: What to Expect for 2022

**Presented by :
Edgar Valderrama**

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FCJ Refugee Centre

Walking With Uprooted People

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A Call to Address the Worsening Housing Crisis in Ontario



SPECIAL ANNOUNCEMENTS

[The Importance of Vaccination and Boosters: Podcast Series](#)

[Our Spring Newsletter is Ready!](#)

[Employment Opportunity: Anti-Human Trafficking Women's Coordinator](#)

GET INVOLVED

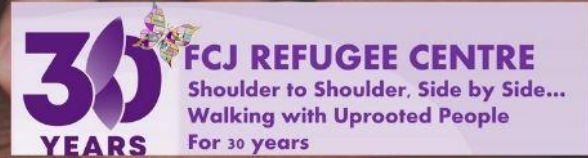


WWW.FCJREFUGEECENTRE.ORG

WHO WE ARE...

Non-profit organization which serves refugees and others at risk due to their immigration status...

FCJ REFUGEE CENTRE SERVICES



SETTLEMENT & INTEGRATION

- Shelter for women & kids
- Refugee housing hub
- Women's services
- Food distribution
- English Classes
- Clinic
- Youth
- Access to Education

IMMIGRATION SUPPORT

- Refugee process
- Immigration orientation
- PRRA
- Refugee appeal
- H&C
- Sponsorships
- Work permit
- Etc.

ANTI-HUMAN TRAFFICKING

- Migrants Workers Mobile Clinic
- Direct services to trafficked persons
- Migrant Women's Counter Trafficking Alliance
- Youth Alliance Against HT

PUBLIC EDUCATION & NETWORKING

- Webinars/trainings sessions
- Borderless voices podcast
- Youtube channel videos
- Resources
- Country research
- Newsletter & annual reports



416- 469 9754
437- 217 3786

info@fcjrefugeecentre.org

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NON-STATUS & PRECARIOUS POPULATIONS

FCJ Refugee Centre is unique in its capacity to serve anyone who needs assistance. We have a particular penchant for serving populations who we term as “precarious migrants”.

The term precarious migrant refers to the vulnerabilities of individuals who:

- Do not have unconditional permanent residence in Canada
- May possess some form of immigration status, but imposed with specific conditions and parameters
- May not have any formally recognized status in Canada

Precarious migrants include:

- ✓ Refugee claimants
- ✓ Refused refugee claimants
- ✓ Temporary foreign workers
- ✓ Students
- ✓ Victims and survivors of human trafficking
- ✓ Visitors
- ✓ People involved in sponsorship breakdown
- ✓ Or anyone else without official immigration status

PATHWAYS TO PRECARIETY

- Pathways to precarity increased during covid-19
- We have seen the many ways in which the vulnerable communities we serve have been disproportionately impacted and marginalized
- Amid the COVID-19 pandemic, these longstanding inequities have been magnified affecting refugee claimants and other precarious populations
- We have seen the various ways in which these populations have been systemically disproportionately impacted
- There are many factors that contribute to the number of non-status population:
 - ✓ Lack of appropriate support
 - ✓ Lack of information
 - ✓ Domestic violence
 - ✓ Abuse in new comers families
 - ✓ Delayed removals
 - ✓ Backlog and legacy cases
 - ✓ Overstay as a visitor
 - ✓ Work exploitation
 - ✓ Etc.



Pandemic precarities: immigration status, work, housing, and health among current and former non-status residents of Toronto.

This is the first community report from a research project on “Non-status migrant exclusions and responses under COVID-19 in the GTA

<https://www.fcjrefugeecentre.org/pandemic-precariities-report/>

SYSTEMIC DISCRIMINATION: INVISIBILITY

- Lack of sensitivity among general populace
- Burdened by myths and misconceptions
- Encouraged to mask this aspect of their identity
- Often don't fully understand the intricacies and impacts of their own situation
- Discrimination is compounded by other intersecting aspects of their identities, such as:

Skin Colour

Gender (Identity)

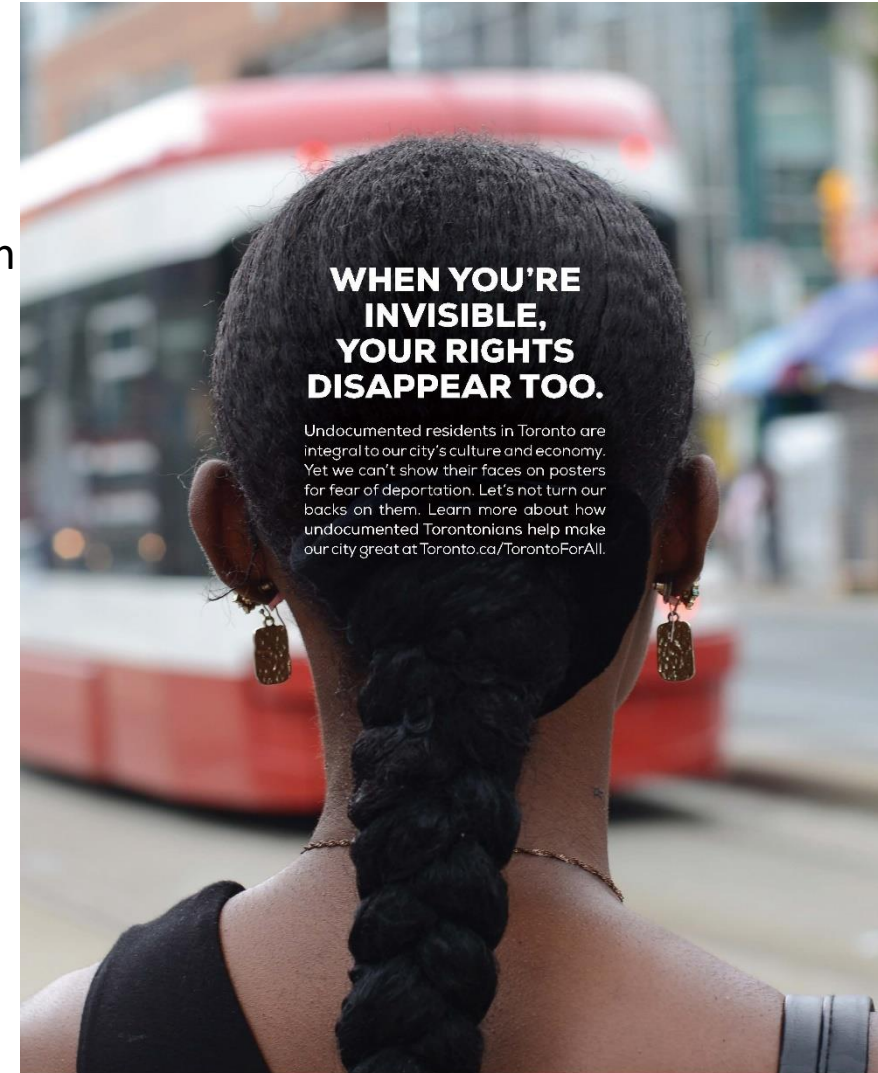
Language Ability

Sexual Identity

Experiences with
violence

Socio-Economic
Status

Migrants also experience increased insecurity and violence as a result of the rise of racism, Islamophobia, and anti-immigrant sentiment



UPDATES

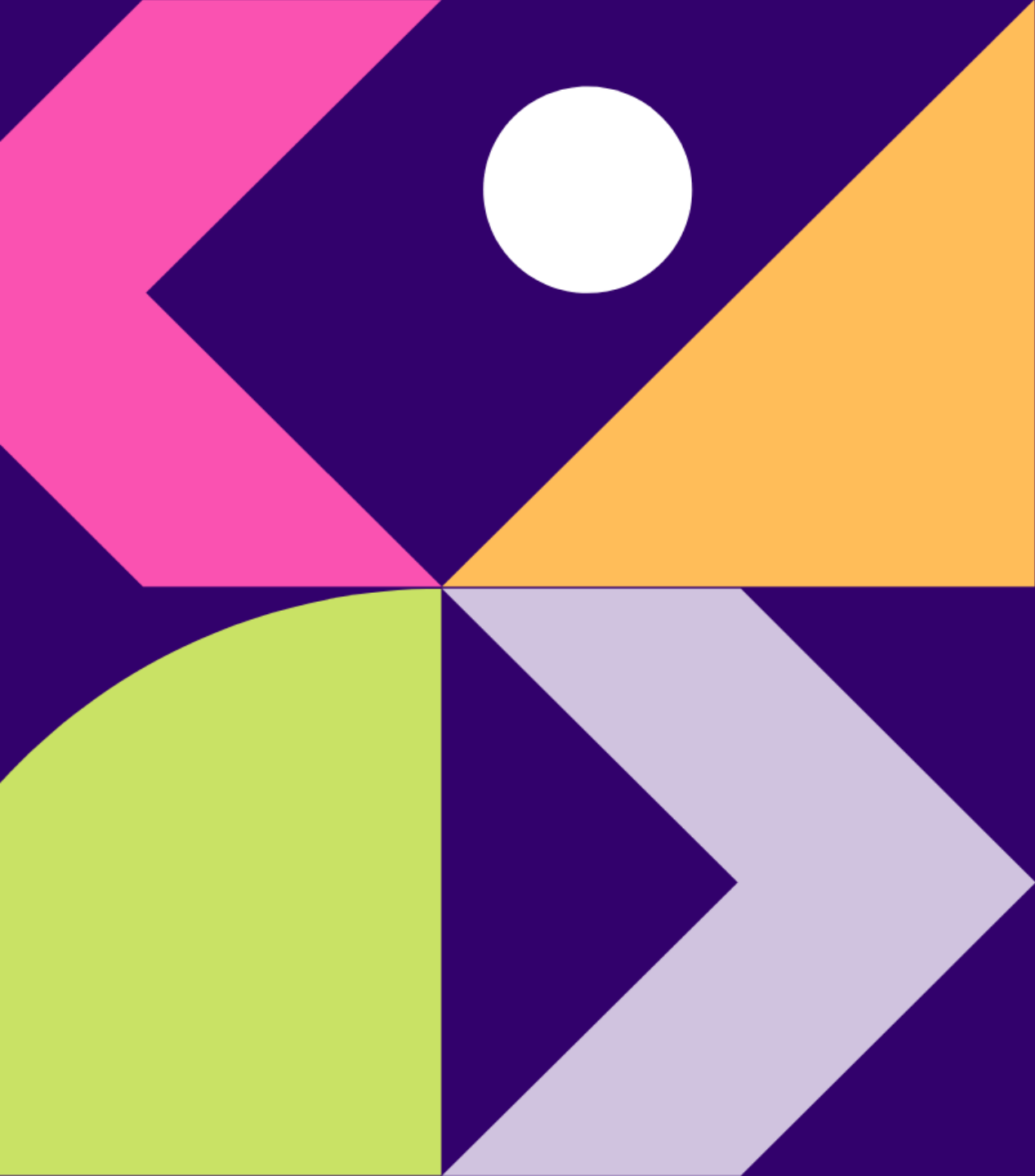
- On April 30, 2022, Immigration, Refugees and Citizenship Canada (IRCC) is increasing fees for all permanent residence applications. This includes economic, permit holder, family and humanitarian classes.
- In 2020, IRCC increased permanent residence fees to account for inflation for the first time since 2002. At that time, it was announced that fees would increase every 2 years to adjust for inflation.

<https://www.canada.ca/en/immigration-refugees-citizenship/news/notices/increase-permanent-residence-fees-april-2022.html>

Program	Applicants	Current Fee	New Fee April 30, 2022
Right of Permanent Residence Fee	Principal applicant and accompanying spouse or common-law partner	\$500	\$515
Federal High Skilled, Provincial Nominee Program and Quebec Skilled Workers, Atlantic Immigration Class and most Economic Pilots (Rural, Agri-Food)	Principal applicant	\$825	\$850
	Accompanying spouse or common-law partner	\$825	\$850
	Accompanying dependent child	\$225	\$230
Live-in Caregiver Program and Caregivers Pilots (Home Child Provider Pilot and Home Support Worker Pilot)	Principal applicant	\$550	\$570
	Accompanying spouse or common-law partner	\$550	\$570
	Accompanying dependent child	\$150	\$155
Business (Federal and Quebec)	Principal applicant	\$1,575	\$1,625
	Accompanying spouse or common-law partner	\$825	\$850
	Accompanying dependent child	\$225	\$230
Family Reunification (Spouses, Partners and Children; Parents and Grandparents; and other relatives)	Sponsorship fee	\$75	\$75
	Sponsored principal applicant	\$475	\$490
	Sponsored <u>dependent child</u>	\$75	\$75
	Accompanying spouse or common-law partner	\$550	\$570
	Accompanying dependent child	\$150	\$155
Protected Persons	Principal applicant	\$550	\$570
	Accompanying spouse or common-law partner	\$550	\$570
	Accompanying dependent child	\$150	\$155
Humanitarian and Compassionate / Public Policy	Principal applicant	\$550	\$570
	Accompanying spouse or common-law partner	\$550	\$570
	Accompanying dependent child	\$150	\$155
Permit Holders	Principal applicant	\$325	\$335

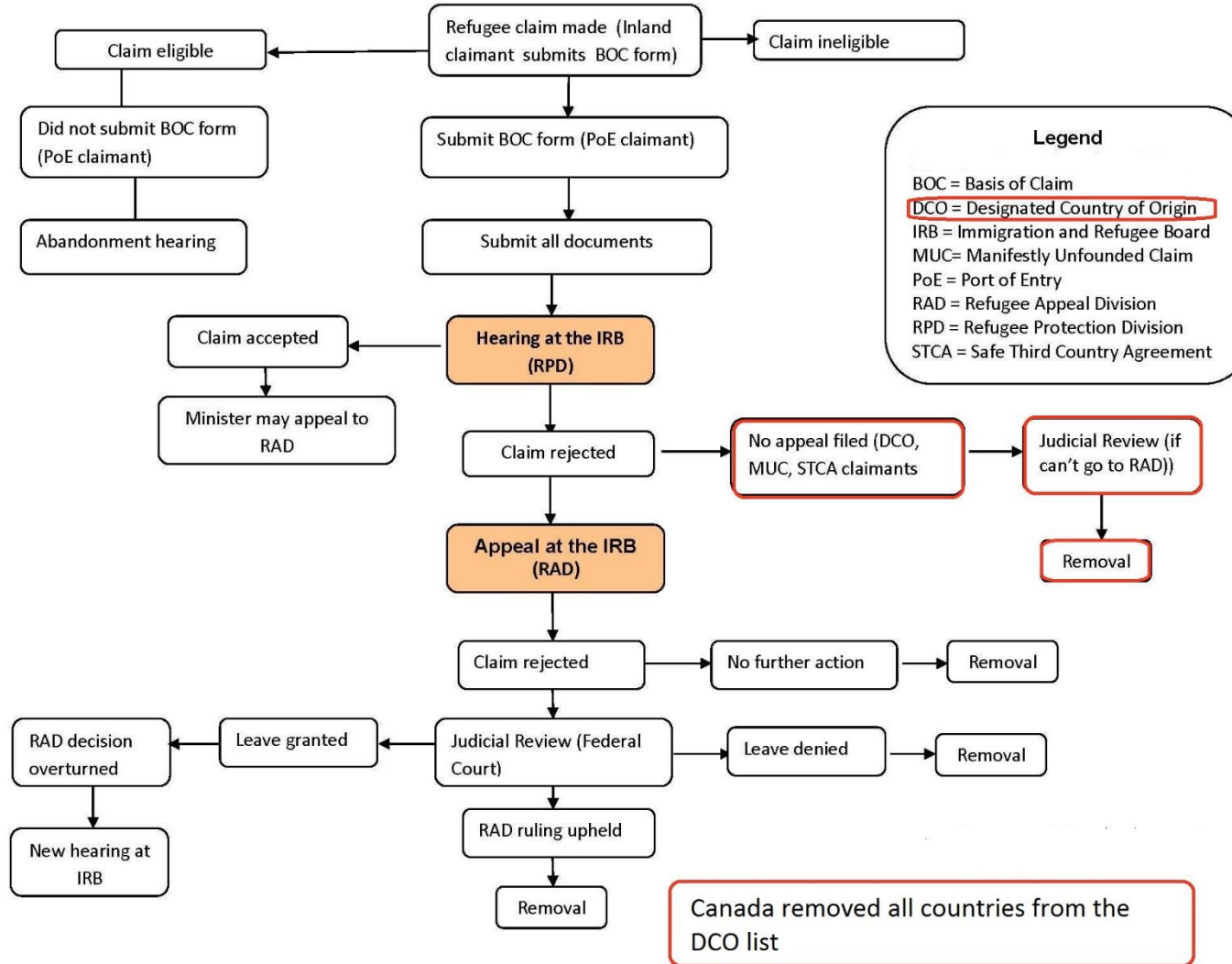
UPDATES

- The IRB is expanding on-site options available to those who have hearings before the Board.
- If refugee claimants do not have a suitable place or the right technology to participate in your virtual hearing, the IRB can help.
- As of Monday, June 6, 2022, the IRB is offering access to additional hearing rooms and technology to those who do not have a suitable location or device to participate in their hearings. Please note that the presiding member and any assigned interpreter will still participate virtually. They will not be physically present in the hearing room.
- To request access to an IRB hearing room for a virtual hearing, contact the appropriate registry. The contact information is included in your Notice to Appear. The IRB requires at least 5 days' notice to make a hearing room available.
- The Refugee Protection Division (RPD) occasionally has hearing slots that become available on short notice. If you have a claim that is ready to be heard, you can volunteer the claim to be added to the RPD's short-notice hearings list.



REFUGEE PROCESS OVERVIEW

Refugee Claim Process



Making a Claim at a Land Port of Entry

- Since 2004, Canada has designated the United States as a safe country for refugees.
- Under the Safe Third Country Agreement Canada and the US each declare the other country safe for refugees and close the door on most refugee claimants at the US-Canada border
- Under the Canada–U.S. Safe Third Country Agreement (STCA), a person cannot make a claim at a Canadian border post unless qualify for an exception to the Agreement.
- Exceptions:
 - Close family members,
 - Unaccompanied minors,
 - Document holder exception
 - Dead penalty



Claim refugee status from inside Canada: Canadian Refugee Protection Portal (CRPP).

- CRPP is now the primary means of submitting a claim.
- Potential refugee claimants have to use the CRPP to start the process for themselves and their in-Canada dependants.
- Individuals can also authorize a legal representative to create an account (in the claimant's name) and submit a claim, on their behalf.
- Government is planning amendments to the legislation so that refugee claims must be submitted electronically
- IRCC staff is able to use the portal to contact applicants to request additional information or to clarify potential errors. New claimants will then be scheduled for an appointment at their nearest office to provide fingerprints, attend an interview and receive the refugee protection claimant document.
- IRCC will continue to issue an acknowledgement of claim document after receipt of a complete e-application and supporting documentation, and verification of their completeness. This document provides Interim Federal Health Program coverage.

Sign in to the Canadian Refugee Protection Portal

 Government of Canada  Gouvernement du Canada

Sign in with your email address

Email address

Password

[Forgot your password?](#)

[Don't have an account? Register](#)

Claim refugee status from inside Canada: Canadian Refugee Protection Portal (CRPP).

There are risks associated with this process. We suggest to be very careful. The consequences of initiating a refugee claim through the new CRPP are the following:

- You are providing your contact information to Immigration Canada
- Your current immigration status (Visitor, Student, Worker) is modified to Refugee Claimant.
- If you fail to provide necessary documents, forms, or information on time your refugee claim will be considered withdrawn or abandoned and you will receive a deportation order.
- If you miss your refugee hearing dates and deadlines your refugee claim will be considered withdrawn/abandoned and you will receive a deportation order.
- If your claim receives a negative decision and fail to provide a notice of appeal on time your refugee claim will be considered withdrawn/abandoned and you will receive a deportation order.

Because of these risks, we advise clients to speak with a refugee organization, or immigration lawyers before providing any of their personal information to this client portal.

Key Step: apply for legal aid

- Calling earlier in the morning is recommended to reduce waiting time.
- Call Toll free #: 1 800-668-8258
- Legal Aid # (Toronto only): 416-979-1446

- Every time you apply, you will speak to two different agents. The first agent will ask you more basic questions and set up your Legal Aid account. First agent issue the client number. Right after, the applicant is transfer to a second agent.
- Second agent ask more personal questions related to the reason for refugee claim and finances. At the end of the phone call claimants received a CE#.
- Questionnaire/Guide: How to get ready for the Legal Aid Interview:
<https://www.fcjrefugeecentre.org/wp-content/uploads/2020/03/Legal-Aid-Questionnaire-Guide.pdf>

<https://www.fcjrefugeecentre.org/wp-content/uploads/2020/04/How-to-apply-for-Legal-Aid.pdf>



Client I.D. Number
Claimant's first name(s) and family name(s)
PROTECTED WHEN COMPLETED
RPD file number (for IRB office use)

Basis of Claim Form

(for persons claiming refugee protection in Canada)

ANSWER ALL THE QUESTIONS ON THIS FORM.

- If you are making your claim at an immigration office inside Canada, complete this form and bring the completed form and one copy with you to give to the Officer who will decide if your claim is eligible.
- If you made your claim on arrival at a port of entry into Canada, complete this form and provide the completed form and one copy to the Immigration and Refugee Board of Canada (IRB). You must make sure that the IRB receives the completed form not later than 15 calendar days after the day that the Officer refers your claim to the Refugee Protection Division.
- Make sure that you make a copy of the completed form for yourself.

If the Officer or the IRB, as the case may be, has not received your completed Basis of Claim Form (BOC Form) by the dates mentioned above, the IRB will have a special hearing and may decide to declare your claim abandoned which means you would not be allowed to continue with your claim.

IMPORTANT NOTICE REGARDING COUNSEL AND DOCUMENTS THAT MAY SUPPORT YOUR CLAIM

You have a right to be represented by counsel at your own expense, but the counsel you choose must be available on the date fixed for the hearing.

You are responsible for obtaining and providing to the IRB any documents that may support your claim. Please see the appendix at the end of this form for details on providing documents to the IRB.

INSTRUCTIONS FOR COMPLETING THIS FORM

IMPORTANT: You can find instructions to help you complete your BOC Form both in the appendix at the end of this form and in the *Claimant's Guide* in your *Claimant's Kit*. Please read these instructions carefully. Before giving your original BOC Form to the IRB, **remove the appendix**. If you have written additional information on other sheets of paper, please provide those sheets of paper with your BOC Form.

PLEASE COMPLETE LEGIBLY. Print or type the details about your claim in the spaces provided below. If you need more space, use additional sheets of paper the same size as this form. On each additional sheet, write your name and Client I.D. Number (and IRB file number, if known) in the top right-hand corner, and write the page number at the bottom. Also, indicate which question you are answering on the additional sheet, and number the lines.

WARNING: It is a serious offence to provide false or misleading information. Your claim may also be rejected - and any favourable decision, if already given, revoked, if you give information that is not true or is misleading, or if you try to hide important information.

Date Stamp (for IRB office use)



What is a BOC Narrative

- BOC Narrative: is the most important part of a refugee claim: the story of what happened to claimants. It is A way to address issues that the board is likely to raise at the hearing
- Can be the source of inconsistencies and issues that are fatal to a claimant's credibility and then claim
- Translation of refugee forms. It will help to understand the BOC and start a draft with the information needed: Spanish, Portuguese, Amharic, Slovakian & Czech

BASIS OF CLAIM (BOC) DESCRIPTION

Form, BOC asks questions about the basis of the claim through the following document will explain each section of the BOC:

Form	Description
You Are	In this section you must provide general information about yourself, such as date of birth, sex/gender, nationality, religion and language.
About	In this section you must describe in detail the reasons for your refugee claim. Unlike the narrative section of the PIF, Section 2 of the BoC is comprised of leading questions. It includes broad questions that allow you to describe the reasons for your claim (e.g. "If you returned to your country today, do you believe you would experience harm or mistreatment or threats by anyone?"), as well as more specific questions assessing the validity of the claim (e.g. "Did you move to another part of your country to seek safety?"). Importantly, there is a final open question which allows you to supply any other relevant information.
Who Are	In this section you must provide the name(s) of the

<https://www.fcjrefugeecentre.org/wp-content/uploads/2019/05/BASIS-OF-CLAIM-DESCRIPTION.pdf>

<https://www.fcjrefugeecentre.org/our-programs/immigration-and-refugee-protection/canadas-refugee-process/translation-of-refugee-forms/>

Refugee Protection Claim Documents

- IRCC is not processing renewals of the Refugee Protection Claimant Document (RPCD) at this time.
- They are asking service providers to accept expired RPCDs as still valid, until further notice.
- Only after eligibility interview, work permit will be issued
- Work permit or study permit is requested by checking a box in the revised Schedule 12 and placing applicant's name



Webinar | How to do a Work Permit Online

- Webinar about work permit available online : <https://www.fcjrefugeecentre.org/webinar-how-to-do-a-work-permit-online/>

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
PROTECTED WHEN COMPLETED / PROTÉGÉ UNE FOIS REMPLI - B

CANADA
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D300

REFUGEE PROTECTION CLAIMANT DOCUMENT
THIS IS TO CERTIFY THAT THE PERSON HEREIN IS A REFUGEE PROTECTION CLAIMANT WITHIN THE MEANING OF THE IMMIGRATION AND REFUGEE PROTECTION ACT

Application No:
UCI:

CLIENT INFORMATION

Family Name:
Given Name(s): K
Date of Birth: (yyyy/mm/dd)
Sex:
Country of Birth:
Country of Citizenship:
Date Issued: (yyyy/mm/dd)
Expiry Date: (yyyy/mm/dd)

ADDITIONAL INFORMATION

Pursuant to Subsection 100(1) of the *Immigration and Refugee Protection Act*, this refugee protection claim has been determined to be eligible for a decision by the Refugee Protection Division. Consequently, pursuant to subsection 100(3), the refugee Protection Claim is referred to the Refugee Protection Division of the Immigration Refugee Board.

As of 2022/02/14 the above-named individual is eligible for coverage of health-care costs under the Interim Federal Health Program (IFHP). This coverage can be cancelled without notice if the individual's immigration status changes. Therefore, health-care providers **must** verify the eligibility of the individual with the IFHP administrator **before** providing services.

I, the undersigned:
- declare that I require coverage under the IFHP. I will notify IRCC immediately of any changes to my immigration status, or if I become eligible for or receive other health insurance;
- understand that my medical and personal information will be shared with IRCC, IFHP claims administration and other appropriate third-parties for the administration of the IFHP and that my personal information may be shared with other government institutions and other third-parties in accordance with the *Privacy Act* and the *Department of Citizenship and Immigration Act*.

School age children do not need student authorization to attend primary or secondary schools.

Name, relationship and signature of accompanying adult (if applicable):
Signature: Money in possession: Minister:

IRCC Etobicoke
FEB 14 2022

NOT VALID FOR TRAVEL

THIS FORM HAS BEEN ESTABLISHED BY THE MINISTER OF IMMIGRATION, REFUGEES AND CITIZENSHIP CANADA - THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA
FORMULAIRE ÉTABLI PAR LE MINISTRE DE L'IMMIGRATION, RÉFUGIÉS ET CITOYENNETÉ CANADA - LE PRÉSENT DOCUMENT EST LA PROPRIÉTÉ DU GOUVERNEMENT DU CANADA

IMM 1642B (1-2019)
Canada

UCI:
Application Number:

ACKNOWLEDGMENT OF CLAIM AND NOTICE TO RETURN FOR INTERVIEW

Family Name: _____
Given Name: _____
Date of Birth: _____ YYYY/MM/DD

This notice acknowledges that the Government of Canada received your **refugee claim** on 2022/04/17. YYYY/MM/DD

You are now eligible for health care coverage under the Interim Federal Health Program (IFHP). You are required to undergo an Immigration Medical Examination as part of your refugee claim. The IFHP will cover the cost of this examination. Please present this notice and your IMM 1017 form to the panel physician at your appointment.

You are required to return for an interview with respect to your refugee claim. The details are as follows:

Date: SEPTEMBER 1 2022
Time: 0800 HRS
Address: 6900 Airport Road, Entrance 91, Suite 250
Toronto, ON L4V 1E8,
Canada Border Services Agency
Telephone: 905-405-3500

You must bring the following with you:

- This original appointment letter
- 4 original passport-sized photographs

If you are under 18 years of age, you must be accompanied by a parent or legal guardian if he or she resides in Canada.

IMPORTANT:

If you do not appear for your interview, your IFHP coverage may be terminated. In addition, your refugee claim may subsequently be determined to have been abandoned in which case you will be subject to removal from Canada.

Note -- If you pay for any medical services or products, you will not be reimbursed.

Health care providers in Canada **MUST** verify the eligibility of the individual with the IFHP claims administrator, Medavie Blue Cross, before providing services. Medavie Blue Cross may be contacted by telephone at 1-888-614-1880, by facsimile at 506-867-4651 or through their website at <https://www.medaviebc.ca/en/healthcare/providers>



Date: 2022-05-07

UCI: _____

Name: _____

Application: _____

NOTICE TO SUBMIT DOCUMENTS FOR CLAIM PROCESSING

This letter refers to your application for refugee protection in Canada. Your claim has been received by our office and will be processed as soon as possible. In order to expedite the processing of your claim, you must complete the following documents:

- Generic Application form for Canada (IMM 0008)
- Additional Dependents / Declaration (IMM 008DEP), if applicable
- X • Schedule A – Background Declaration (IMM 5669)
- Schedule 12 – Additional Information for Refugee Claimants in Canada (IMM 008)
- Use of a Representative (IMM 5476), if applicable

All documents are available online at www.cic.gc.ca. Forms are available in English and in French.

Keep a copy of the completed documents for your record.

Submit all completed documents via email to our processing office at: CBSA.RefugeeIntakePOE-POEdadmissiondesrefugies.ASFC@cbsa-asfc.gc.ca

In the alternative you may submit your completed documents in person to our office at:

X CBSA Immigration
Toronto Pearson Airport Terminal 1,
Departures Level behind Post #11

Or by courier to the following mailing address:

X ATTN: RPU
CBSA IMMIGRATION
5980 Airport Road
Terminal 1 – Departures Level post #11
Door # FD 3221 A
Mississauga, ON L5P 1B2

You must submit your completed documents within 30 days of this letter. Failure to complete and submit the required documents will result in a delay in the processing of your refugee claim.

Once your documents have been submitted, you will be contacted by an officer to arrange an interview date and time. It is imperative that you keep your contact information up to date with our office. Report any changes to your address or contact information to our office in person and in writing.

Sincerely,

Refugee Processing Unit
Toronto Pearson International Airport / Greater Toronto Area Region
Canada Border Services Agency / Government of Canada
CBSA.RefugeeIntakePOE-POEdadmissiondesrefugies.ASFC@cbsa-asfc.gc.ca

The IRB/REFUGEE PROTECTION DIVISION (RPD) FILE REVIEW PROCESS

- ✓ **Through the file review process the IRB goal is to view as many cases as possible, to get to a positive decision **without a refugee hearing.****
- ✓ RPD is open to **lawyers identifying cases suitable for file review.** It is encouraged for counsels to send complete information on why a case is appropriate for file review.
- ✓ Case Management Conferences are done through calls to resolve issues. These conferences could be held by members or by Adjudicative Claims Officers (ACOs) who have been in place for about a year **(triaging cases, preparing files and recommending for positive decision without a hearing.)**
- ✓ The IRB may send out positive decisions without reasons (from file review cases) with the option for the person to request reasons



The IRB/Refugee Protection Division (RPD): Gathering Evidence for Refugee Hearing

There are two types of documents/evidence: **a) Country conditions evidence**

- **Country conditions** speaks to the conditions/situations in country or countries affecting you and/or you fear persecution.
- The RPD already has documents about your country, these documents are called the National Documentation Package (NDP): <https://irb.gc.ca/en/country-information/ndp/Pages/index.aspx>

- Search for additional country conditions that are not included on the NDP

- **Personal Evidences:**

- Proof of Identity and Relationship: Birth certificates (birth, death, marriage, etc) ID, etc.
- Proof of membership in group: (political, religious, ethnic etc.):Membership card, notarized letters/affidavits from officials, etc.
- Documents that prove the incidents in your narrative: Medical/police reports, notarized letters or affidavits from witnesses or people in your same situation, warrants, etc. All this evidence could be supported by pictures

b) personal evidence

The screenshot shows the IRB/Refugee Board of Canada website. The header includes the organization's name in English and French. The main navigation menu has 'Refugee claims', 'Refugee appeals', and 'Immigration appeals'. The breadcrumb trail is 'Home > Country of Origin Information > National Documentation Packages'. The page title is 'National Documentation Packages'. The content explains that NDPs are lists of public documents providing information on country conditions. Below this is a search section with a 'Country (Required):' dropdown menu and a 'Go' button.

All documents not in English or French must be translated into one of those languages and accompanied by a declaration from the translator.

The translator can use the following certification:

*I, _____ of the City of Toronto, declare that I am competent to translate from ____ to English, and that the above documents have been faithfully and accurately translated from ____ into English.
Declared on Toronto, _____, 2022*

Preparing for key issues at any Refugee Hearing

- 1. IDENTITY**
- 2. CREDIBILITY**
- 3. INTERNAL FLIGHT ALTERNATIVE**
- 4. SUBJECTIVE FEAR**
- 5. GENERALIZED RISK**
- 6. STATE OF PROTECTION**

Refugee Hearing

- Requirement for a remote refugee hearing: appropriate and private environment to connect to videoconference (public spaces/networks such as cafes should not be used) and appropriate technology (computer and internet connection)
- Ready Tour is a unique program that allows refugee claimants to learn what is going to happen during their refugee hearing.
- Through this orientation sessions, officers of the RPD explain what is going to happen during a virtual hearing and how to be ready for that moment.
- Service Providers are welcome to join the session so they can provide a better support to claimants.

ARE YOU A **REFUGEE CLAIMANT?**

JOIN ONE OF THE IRB-RPD VIRTUAL READY TOURS



THIS IS A GREAT OPPORTUNITY TO LEARN:

HOW TO BE READY ?

WHAT IS A VIRTUAL HEARING ?

WHAT IS GOING TO HAPPEN AT YOUR REFUGEE HEARING ?

READY TOURS TAKE
PLACE TWICE A MONTH

CONTACT INFORMATION

Carolina Teves
cteves@fcjrefugeecentre.org

REGISTRATION visit our website: <https://www.fcjrefugeecentre.org/ready-tour-registration>

<https://www.fcjrefugeecentre.org/ready-tour-registration/>

After the Refugee Hearing: Notice of Decision

- At the end of your hearing, the RPD member may:
 - Give you a decision & reasons either positive/negative right there
 - They may say that they need more time to arrive to their decision
- If IRB does not give you a decision, you can make an application to submit evidence after your hearing until they have made a decision.
- The RPD Refugee Process finishes the day the IRB signed the decision
- If a claim is accepted... that person is granted protected person status in Canada.
- Protected persons can apply for Permanent Residence and family reunification (backlog increased with the COVID-19 emergency). Can apply for Canadian Citizenship when eligible

RPD File: TB9-XXXXXX

NOTICE OF DECISION
 [Immigration and Refugee Protection Act, subsection 107(1)]
 [Refugee Protection Division Rules, rule 67]

Member Name _____
 Member

In the claim for refugee protection of:	Date of birth:	UCI:
John DOE	XXX 22, 19XX	XXXXXXXXXX

The claim was heard on September XX, XXXX.

The Refugee Protection Division (RPD) determines that the claimant is **not a Convention refugee and is not a person in need of protection. Therefore, the RPD rejects the claim.**

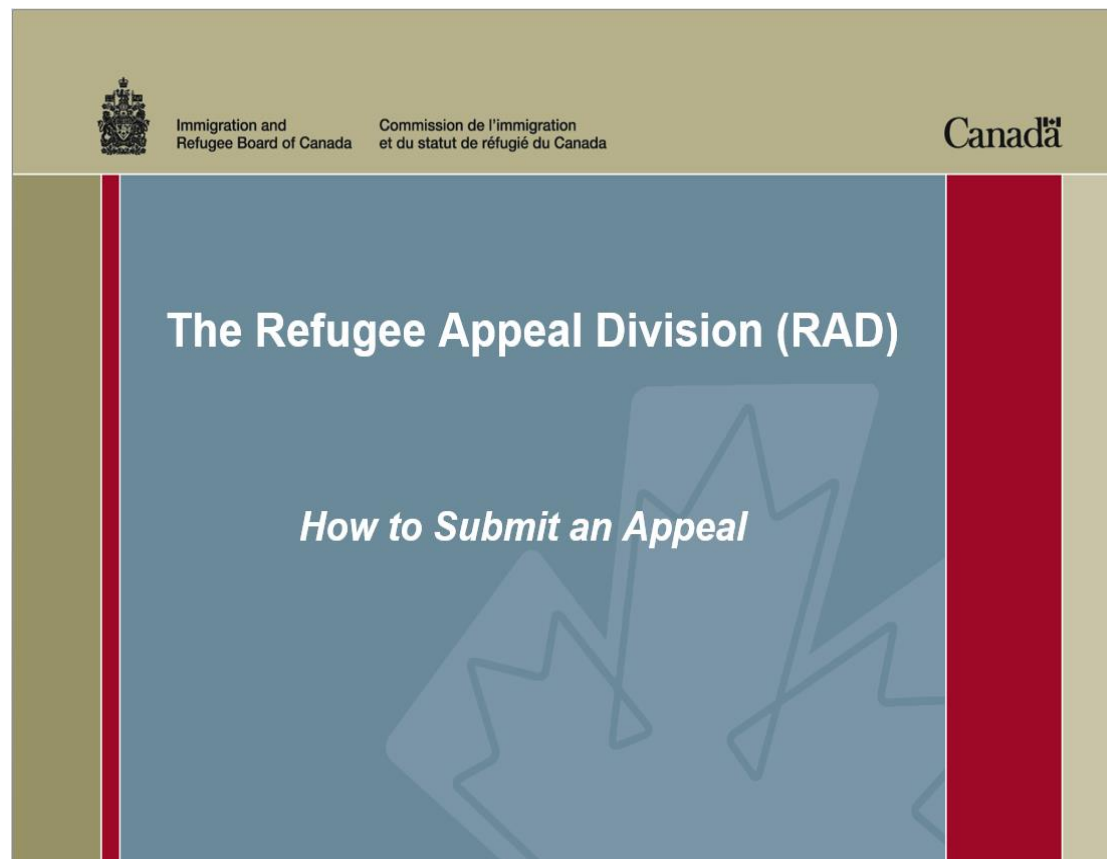
The reasons for the decision are attached.

Month Day Year _____

Name Name _____
 For the Registrar
 Tel: 1-866-790-0581

You may appeal this decision to the Refugee Appeal Division of the Immigration and Refugee Board of Canada. There are time limits for making an appeal.

VENUES FOR REJECTED REFUGEES



- The Refugee Appeal Division (RAD) is the tribunal to which most (there are some exceptions) refugee claimants can appeal if the Refugee Protection Division (RPD) rejects their claim for refugee protection
- Exceptions: claim was withdrawn or abandoned; decision says that your claim has no credible basis or is manifestly unfounded or claim was made at a land border
- Refused claimants will be able to appeal a negative decision to the Refugee Appeal Division. In addition to arguing that the first decision was wrong, claimants can submit new evidence at the appeal (but only evidence not available at initial hearing).
- In most cases, submissions will be entirely in writing. The Minister can also appeal a positive refugee determination.

Refugee Appeal Division, RAD: 2 steps

1) Filing the notice of appeal form:

Submit the completed Notice of Appeal by mail, e-post, courier, fax, portal or email.


Submit the Notice of Appeal within 15 days from the date you receive (in hand) the written RPD Reasons and Decision.

2) Filing the appellant's record

Submit the Appellant's Record by mail, e-post, courier, fax (fax limit: less than 20 pages), portal or email;

Submit the Appellant's Record no later than 45 calendar days after you have received (in hand) the RPD Reasons and Decision.

***It is important to make a new legal aid application and find help as soon as you receive the decision (deadlines are short)**



Immigration and
Refugee Board of Canada
**Refugee Appeal
Division**

Commission de l'immigration
et du statut de réfugié du Canada
**Section d'appel
des réfugiés**

For office use only

Received on:

Notice of Appeal from a Refugee Protection Division Decision
Subsection 110(1) of the *Immigration and Refugee Protection Act*

TIME LIMIT: Provide the Refugee Appeal Division (RAD) one copy of this notice of appeal no later than 15 days after you receive the written reasons for the Refugee Protection Division (RPD) decision.

The RAD is temporarily not requiring signatures on documents and RAD forms submitted in support of an appeal in order to expand the use of electronic communication with the RAD and promote physical distancing.

I am / We are appealing an RPD decision: _____
Date of the notice of decision (yyyy/mm/dd)
Date RPD reasons received (yyyy/mm/dd)

Use additional sheets of paper the same size as this form if needed.

Appellant	RPD file no.	Signature of appellant/ designated representative	Language chosen for appeal	Representative designated by RPD	RAD file no. (for office use)
_____ <small style="display: inline-block; width: 100%; text-align: center;">Last name, middle name, first name</small> _____ <small style="display: inline-block; width: 100%; text-align: center;">Date of birth</small> _____ <small style="display: inline-block; width: 100%; text-align: center;">Country of nationality/Country of citizenship</small>	Client ID no.	Date signed (yyyy/mm/dd)	<input type="checkbox"/> English <input type="checkbox"/> French	<input type="checkbox"/> None <input type="checkbox"/> Yes. Provide information on page 2.	
_____ <small style="display: inline-block; width: 100%; text-align: center;">Last name, middle name, first name</small> _____ <small style="display: inline-block; width: 100%; text-align: center;">Date of birth</small> _____ <small style="display: inline-block; width: 100%; text-align: center;">Country of nationality/Country of citizenship</small>	Client ID no.	Date signed (yyyy/mm/dd)	<input type="checkbox"/> English <input type="checkbox"/> French	<input type="checkbox"/> None <input type="checkbox"/> Yes. Provide information on page 2.	

Refugee Appeal Division, RAD

If there is no appeal to the RAD, after receiving a negative decision from the IRB, the rejected refugee claimant has 30 days to leave Canada voluntarily and cover the cost of the airline ticket... in theory the rejected claimant does not face restrictions to come back to Canada.

If the rejected refugee claimant does not leave during that 30 days, even if they cover the cost of the airline ticket... the Canadian Law considered this forced removal... the person is ban to come back to Canada for life.

RAD Info- Session is an opportunity to learn in detail about the Refugee Appeal process.

This informative session is facilitated by officers from the Refugee Appeal Division. You will learn what steps to follow after receiving a negative decision from your refugee hearing.

Service providers are welcome to join the session: for registration contact Carolina Teves at cteves@fcjrefugeecentre.org

RAD INFO SESSIONS

**A FREE PROGRAM FOR REJECTED
REFUGEE CLAIMANTS**

Every other Thursday, 2:30 PM to 3:00 PM



Rejected refugees have an opportunity to learn about the refugee appeal process before the Refugee Appeal Division (RAD) through sessions facilitated by RAD officers.

Learn:

- Who can file an appeal
- How to file an appeal
- What is needed to perfect an appeal

REGISTRATION:

<https://www.fcjrefugeecentre.org/event/categories/refugee-appeal-orientations/>

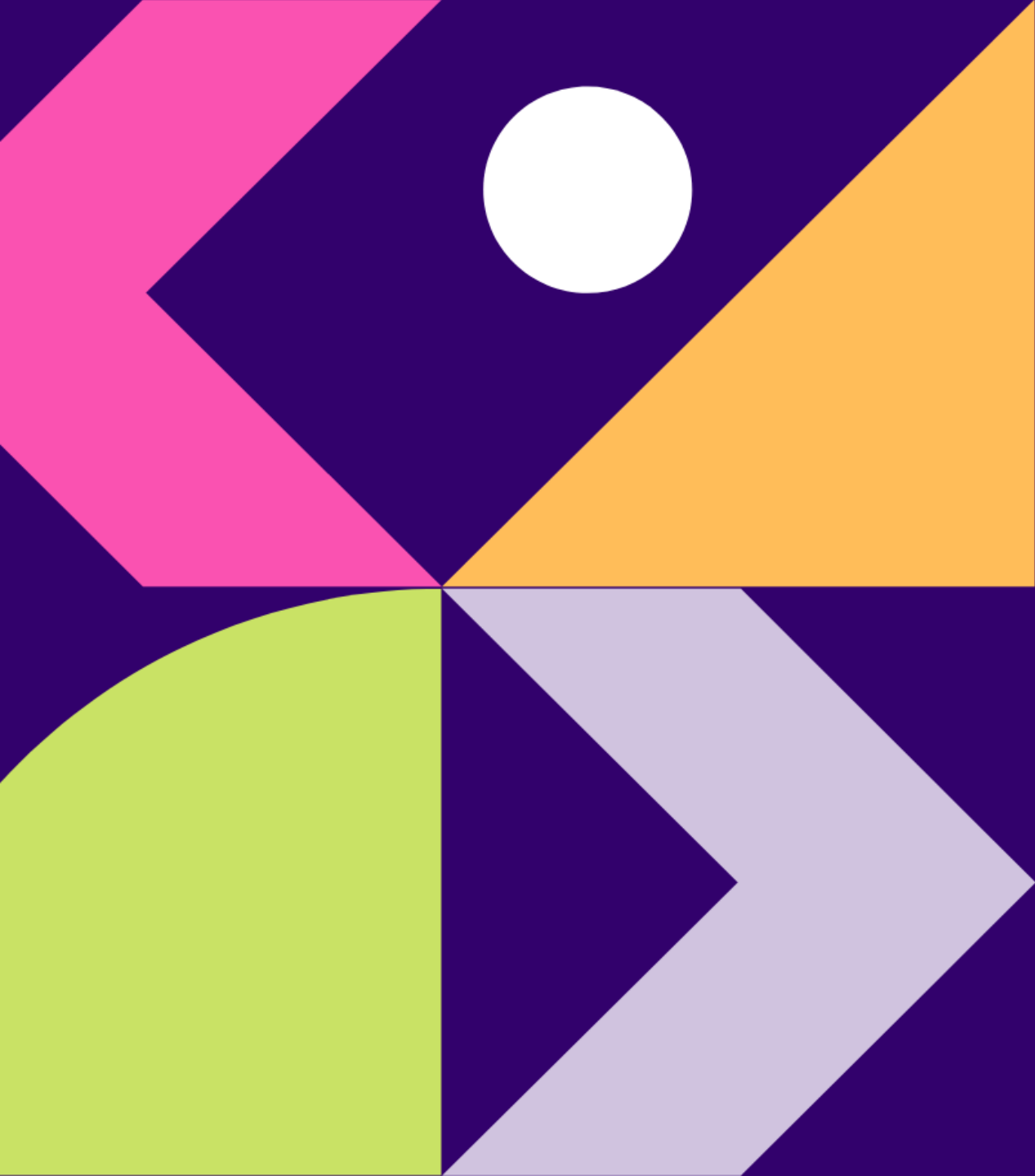
*Refugee Appeal Info-Sessions
facilitated by RAD officers*

- If you are not eligible to appeal you can initiate a Judicial Review before the Federal Court:
 - A lawyer must apply for judicial
 - The application has to be submitted 15 days after the IRB decision was issued
- The Pre-Removal Risk Assessment (PRRA) is an evaluation done by IRCC to determine the risk of being removed from Canada to the country of origin. The PRRA is for people:
 - Who are subject to a removal order that is in force or “removal ready”
 - Who are over the 12 months bar from the day the last IRB decision is received

Who cannot apply for a PRRA

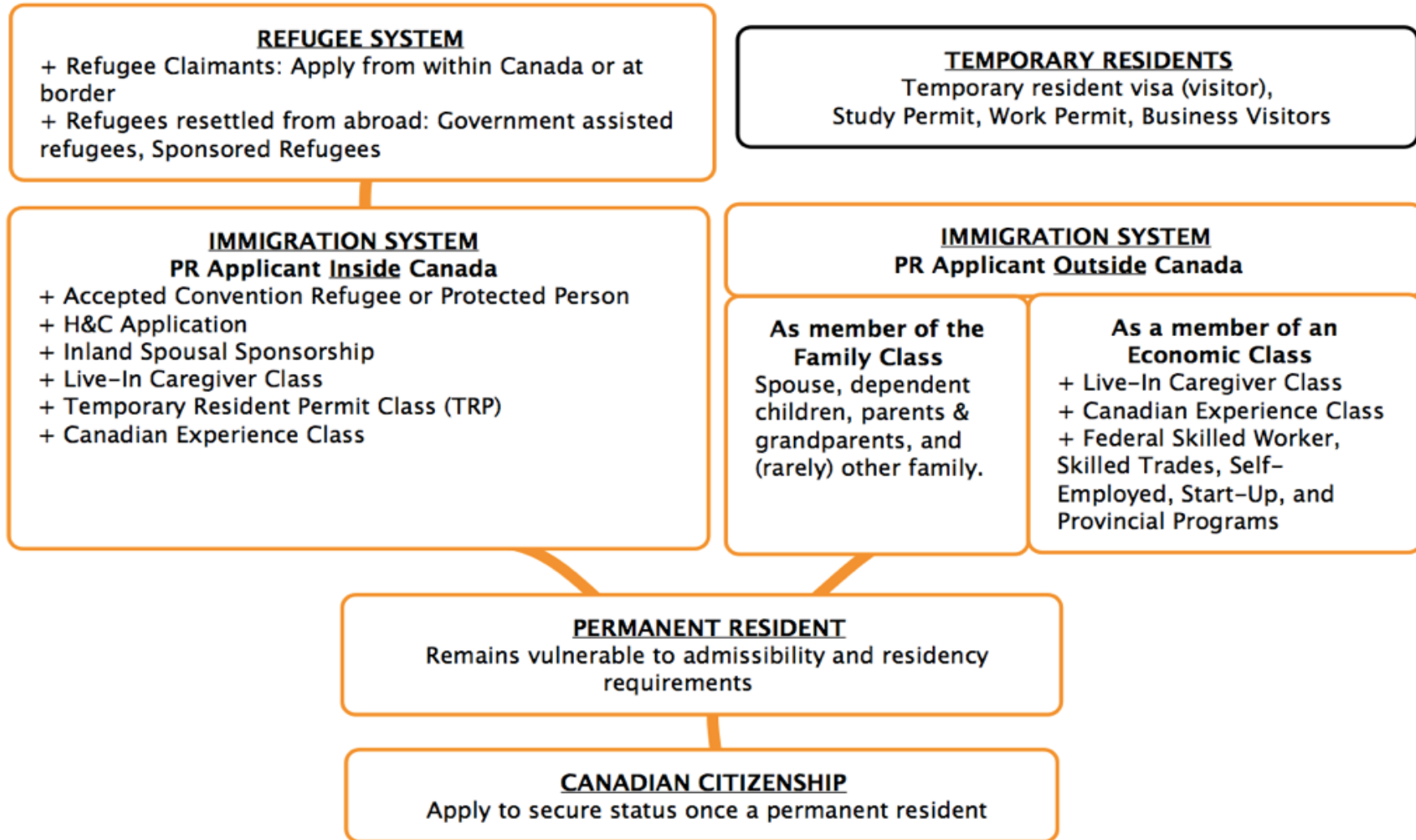
Outlined below are persons who cannot apply for PRRA. The exceptions generally apply to persons who are not in need of protection or have other means of seeking protection.

- Protected persons and Convention refugees
- People subject to an authority to proceed under the *Extradition Act*
- Claimants coming from a safe third country.
- Certain refugee claimants and previous PRRA applicants



**A PATHWAY TO
STATUS &
RESOURCES FOR
UNDOCUMENTED AND
PRECARIOUS
POPULATIONS**

PATHWAYS TO STATUS



The Humanitarian and Compassionate Application and a Refugee Claim application

H&C

- Humanitarian and Compassionate as an alternative for regularization of status: People who would not normally be eligible to become permanent residents of Canada may be able to apply on humanitarian and compassionate grounds.
- H&C does not guarantee a work permit or the renewal of a work permit
- H&C does not provide the applicant with any status in Canada
- Will not stop any removal order

Refugee Process

- A person who is seeking protection can make a refugee claim.
- Refugee process allows a work/study permit and renewal .
- Refugee claimants have a status and IFH coverage
- Do not have removal order while they are in the process.

Refused claimants must wait for 12 months before applying for H&C

Who can not apply

- A refugee claim that is pending before the RPD
- 12 Months bar applies to the latest decision in any process:
 - ✓ Rejected Refugee Claim from the RPD
 - ✓ Negative Appeal Decision from the RAD
 - ✓ Negative or dismissal decision from the JR – Federal Court
- Exemptions of the 12 months bar:
 - ✓ Critical Illness
 - ✓ Best interest of the child

IMMIGRATION Canada

Applying for Permanent Residence from Within Canada

Humanitarian and Compassionate Considerations



IMM 5291E (01-2010)

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Appendices:

- Appendix A: Dependent Children
- Appendix B: Police certificates
- Appendix C: Sponsor's Instructions

Forms:

- Application for Permanent Residence from Within Canada – Humanitarian and Compassionate Considerations (IMM 5001)
- Supplementary Information – Humanitarian and Compassionate Considerations (IMM 5283)
- Instructions – Use of a Representative (IMM 5561)
- Use of a Representative (IMM 5476)
- Authority to Release Personal Information to a Designated Individual (IMM 5475)
- Document Checklist – Humanitarian and Compassionate Considerations (IMM 5280)
- Receipt (IMM 5401)

Sponsorship Forms:

- Application to Sponsor and Undertaking (IMM 1344A)
- Document Checklist – Sponsor (IMM 5287)

This application is made available free by Citizenship and Immigration Canada and is not to be sold to applicants.

Cette trousse est également disponible en français



How to prepare for future H&Cs: Key elements

Establishment

- ✓ Property and Assets in Canada: Bank accounts in Canada, Property ownership (car, home, investments etc.), life insurance, etc.
- ✓ Residence: Explain why they are in Canada, where are they living? are they good tenants?, rent receipts, letter of support from landlord.
- ✓ Work: It is very important not be receiving OW, include information about tax return, pay stab, employment (be careful about working without a permit... but sometimes there is not another choice); Letters of support from: bosses, supervisors, and co-workers, potential employers, clients, etc.
- ✓ Family Connection: Include information about family of applicants who have permanent status in Canada, letters of support from family, proof of status, proof of relationship.
- ✓ Education: Include information of education/improvement in Canada – ESL, Training, School etc., certificates, attendance sheets, letters of support from teachers/classmates.
- ✓ Community: Religious community, Volunteering, Friendships, Helping, Community Events, letters of support from religious community leaders, parishioners, volunteer organizers, other volunteers, friends, people you've helped, certificates, photographs,etc.

How to prepare for future H&Cs: Key elements

Letters of Support

- ✓ Should contain specific information, how do they know each other? What do they do together? How would life be worse without the applicants?
- ✓ General information is not helpful– not up for the letter writer to decide that “they would make a great Canadian.”
- ✓ letter saying that the applicant is ‘kind and generous’ is as good as 10 letters.
- ✓ Information about country conditions is not helpful, but specific information is helpful. (e.g. “The political situation in Xanadu is really bad right now” vs. “They have no family in Xanadu”)
- ✓ Official letters should look official – e.g. letterhead
- ✓ Letter in other languages are fine if translated.
- ✓ When letters look the same, could have an adverse consequence.
- ✓ When a letter looks copy-pasted, could have an adverse consequence.
- ✓ Quote the letters in the submission.

How to prepare for future H&Cs: Key elements

Hardship

- ✓ Discrimination (not persecution, risks to life, or torture): Are the applicants members of a group that are discriminated against in the country of return? If so, include information, country condition documents, evidence of past discrimination
- ✓ Health: Include evidence that there is inadequate healthcare in the country of return and information about any health conditions that will not be adequately treated in the country of return, include medical documents, documents showing receiving treatment in Canada, Letters from health care professionals, documents showing that condition is not treated in country of return, country condition documents
- ✓ Education
- ✓ Work
- ✓ Poverty: Include information that applicant(s) will be in poverty if they leave Canada, receiving ODSP vs. returning to a country that does not support the disabled, country condition documents, statement from applicant(s)
- ✓ Lack of Establishment in country of return: include if they do not understand official language of the country, include if they lack establishment, be wary of including evidence of establishment in country of return

How to prepare for future H&Cs: Key elements

Best Interest of the Child(ren)

- ✓ Children applicants;
- ✓ Canadian children of the applicants;
- ✓ Canadian children related to the applicants;
- ✓ Children outside of Canada supported by the applicants
- ✓ Canadian children who depend on the applicant
- ✓ ANY CHILDREN THAT WILL BE IMPACTED

SUPPORTING DOCUMENTS:

- ✓ Show relationship: birth certificate
- ✓ Letters from children, including friends – in the child's words
- ✓ Drawing and photographs
- ✓ Letters from adults about the children
- ✓ Medical records
- ✓ Letters from health care professionals
- ✓ Money transfers
- ✓ Letters from teachers, report cards

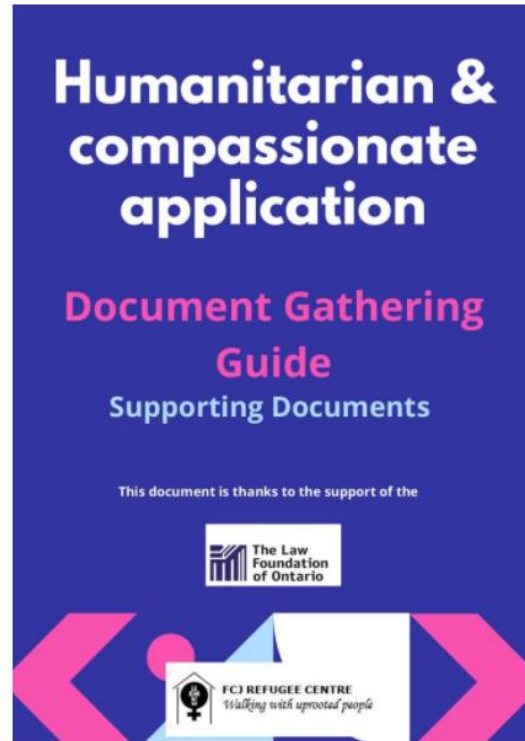
How to prepare for future H&Cs: Key elements

Country Condition Documents

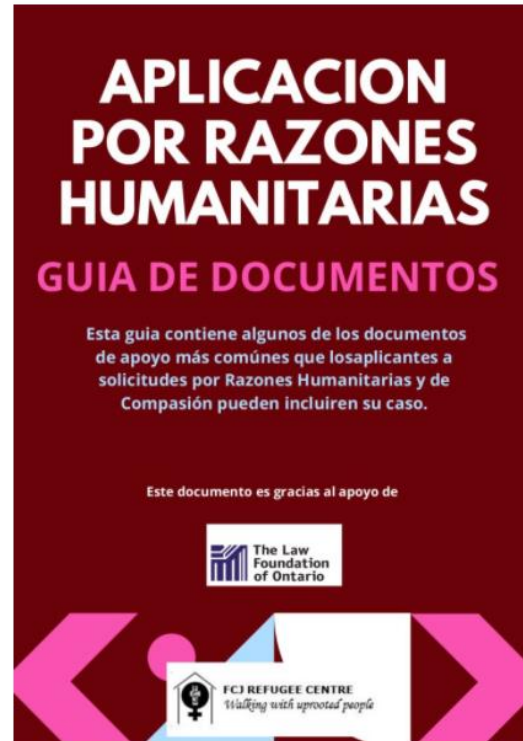
- ✓ National Documentation Packages –Publications from NGOs
- ✓ Journal Articles (peer reviewed)
- ✓ Newspaper articles

- ✓ Elements from country of origin that should to be considered in this type of application, what do you need to prove to immigration: (i.e. Hardship)
 - ✓ Adverse childhood experiences are associated with mental health problems
 - ✓ Social disruptions: lost of social interactions with others
 - ✓ Depressive symptoms: students who were restricted at home reported having a depressive symptoms

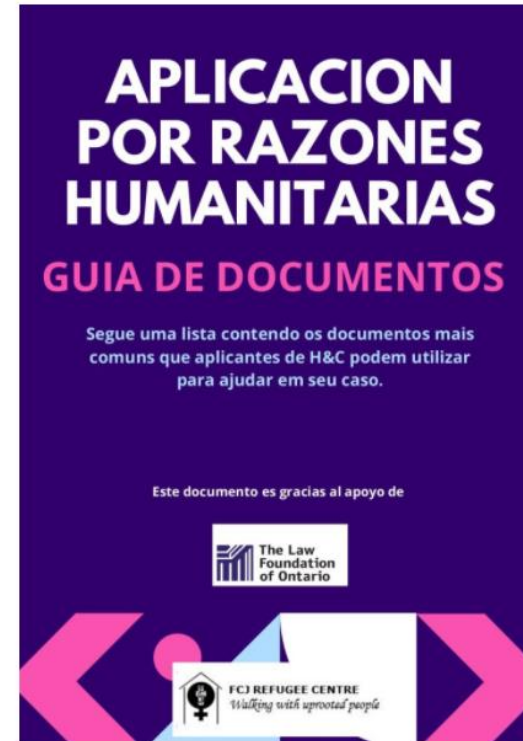
A list containing some of the most common documents that Humanitarian and Compassionate (H&C) applicants can use to support their case.



English



Español



Português

<https://www.fcjrefugeecentre.org/humanitarian-and-compassionate-application-document-gathering-guide-english-spanish-and-portuguese/>

Key step: How to apply for Legal Aid

- Calling earlier in the morning is recommended to reduce waiting time.
Call Toll free #: 1 800-668-8258
Legal Aid # (Toronto only): 416-979-1446
- Every time you apply, you will speak to two different agents.
- The first agent will ask you more basic questions and set up your Legal Aid account. You will receive client number. Write this number down. Then you will transfer to a second agent.
- Second agent may ask you more personal questions related to the reason for your refugee claim and your finances. At the end you may received a CE#. Write this # down.



Legal Aid Application/ Key Questions

CASE

1. Who wants to hurt/ kill you
2. How do you know it?
3. Why?
4. Incidents or situations that happened that made you leave your country

FINANCIAL ASPECT

1. How much money did you have when they enter Canada, (Or in the USA, may vary to the situation of the client.
2. Amount of the remaining money

QUESTIONNAIRE /GUIDE

<https://www.fcjrefugeecentre.org/wp-content/uploads/2020/03/Legal-Aid-Questionnaire-Guide.pdf>

Refugee rights /Resources

Refugee claimants, Convention refugees and persons in need of protection have certain rights and have access to settlement services

Social Assistance

Legal Support (Legal Aid)

English Class

Shelter

Schooling up to High School

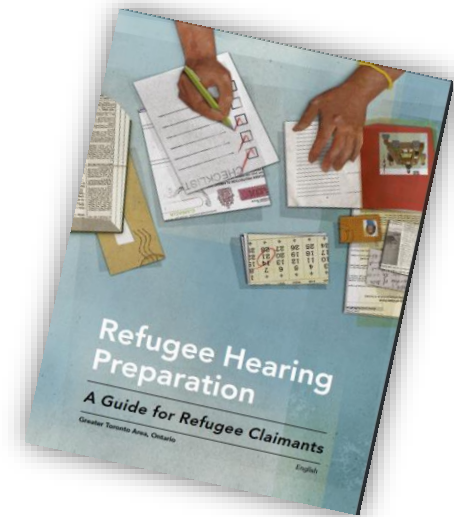
Interim Federal Health

SIN (after getting the WP)

ACCESS TO



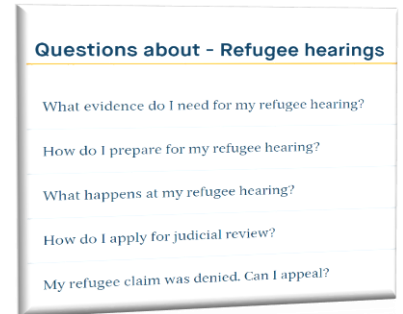
<https://www.fcjrefugeecentre.org/ready-tour-registration/>



<https://refugeclaim.ca/en/preparation-guide/>

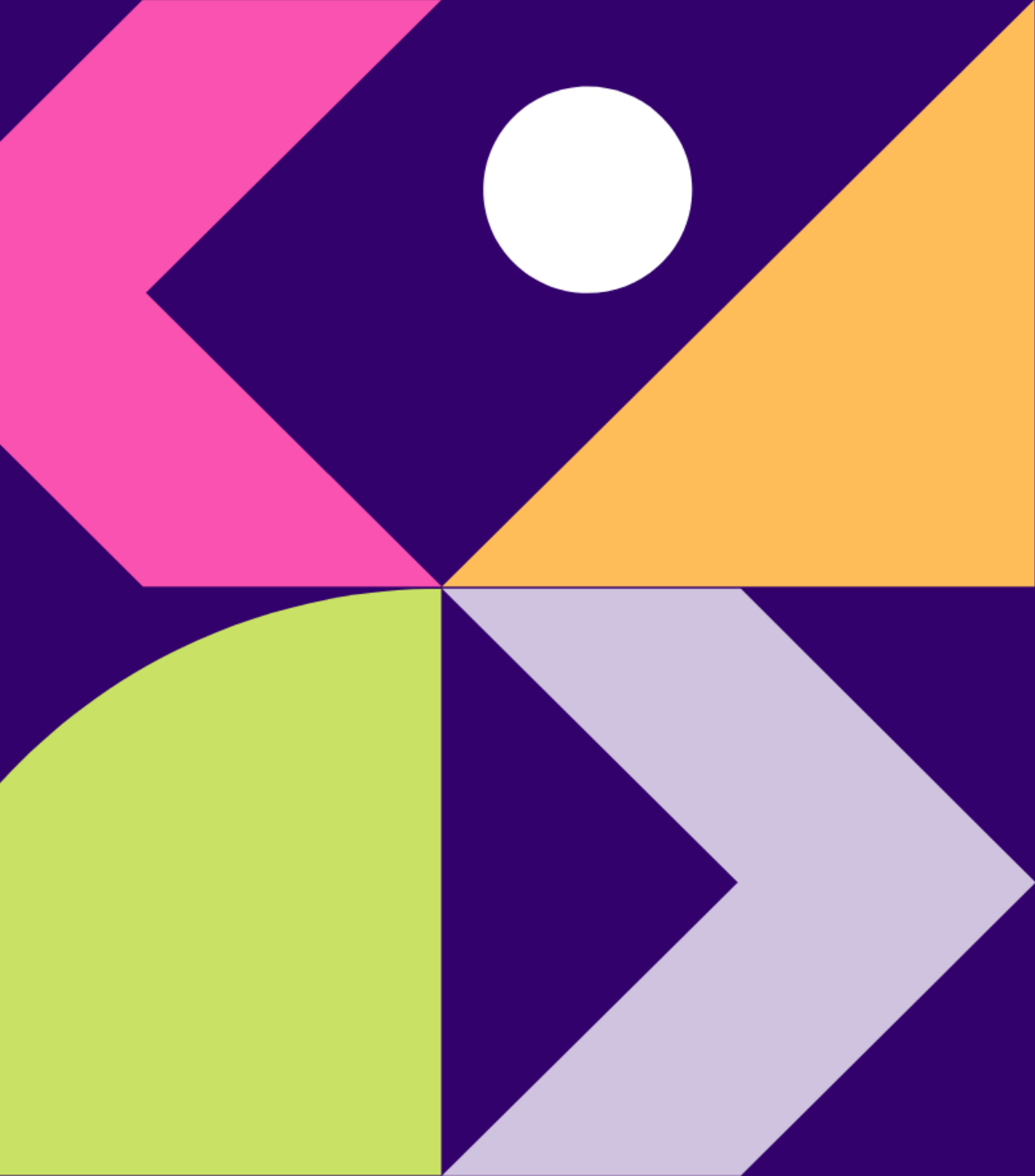


<https://meetgary.ca/>



refugee.cleo.on.ca/en/refugee-protection-hearing

<https://ymcagta.org/immigrant-services-new/language-assessment-and-referral-services-new>
<https://www.ontario.ca/page/social-assistance>
<https://www.legalaid.on.ca/>
<https://211ontario.ca>
<https://settlement.org/>
<https://torontolip.com/>
<http://www.costi.org/programs/refugees.php>



**ACCESS WITHOUT
FEAR:
RESOURCES FOR
UNDOCUMENTED AND
PRECARIOUS
POPULATIONS**

How to Support Clients Without Barriers.

To access services, individuals need to:

- Feel safe and trust that confidentiality will be maintained
- Be able to find information about services – online and in printed form
- Have information available in other languages
- Be able to access free or subsidized programs
- Be received well by service providers
- Be “empowered” to use the complaint mechanism

Providing Better Service:

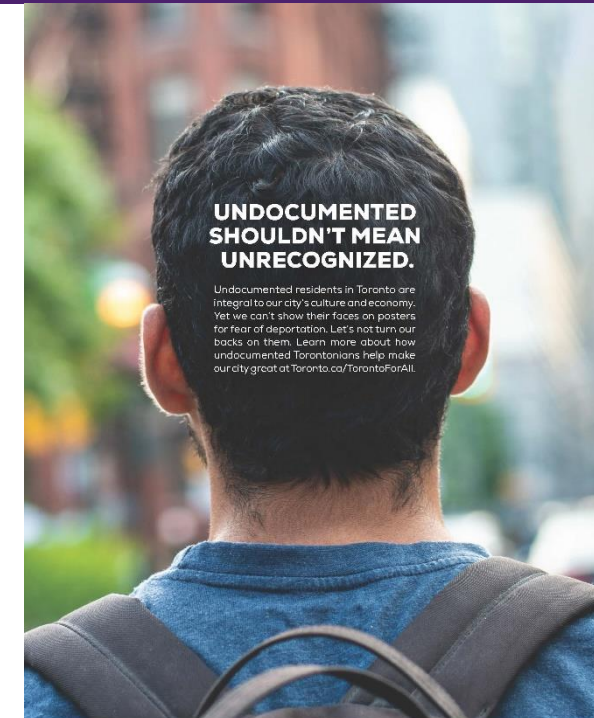
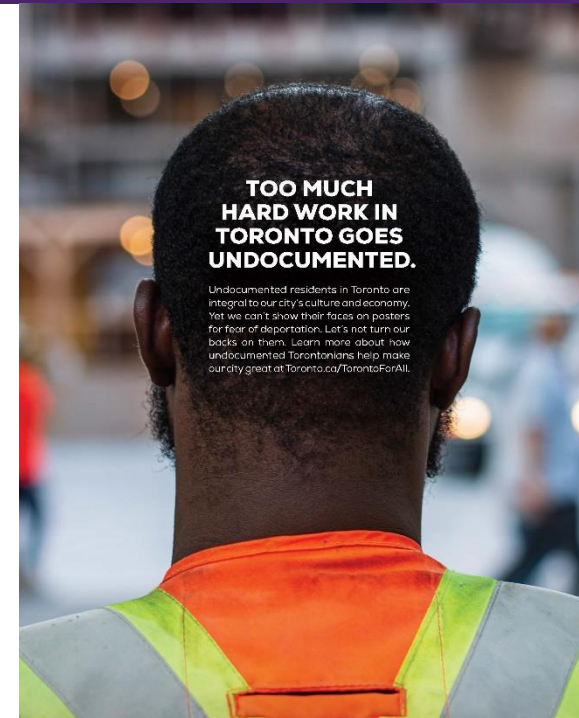
- Welcome clients: make them feel comfortable, consider their uniqueness, e.g. language barriers, fear of being reported
- Do not ask about immigration status
- Differentiate between City services and provincial services
- Differentiate forms of identification
- Confirm what identification will be required, if any.
- Provide holistic care
- Recognize the intersecting identities that clients present and the impacts

SANCTUARY CITIES: ACCESS WITHOUT FEAR

- Toronto was the first city in Canada to declare itself a sanctuary city, allowing undocumented migrants to access city services.
- On February 21st, 2013 a motion was passed by the City of Toronto to open city services to anyone regardless of their immigration status
- This is considered by many a “historic” moment in Toronto, expanding existing access to municipal services
- Trainings has been implemented to ensure an appropriate level of service delivery
- Recent polls suggest that there is still some resistance among the general populace

ACCESS T. O. POLICY

Torontonians, regardless of immigration status, have access to City services without fear of being asked for proof of status. Access T.O. for Undocumented Torontonians aims to improve customer service to this vulnerable population by ensuring that City staff have the necessary and relevant information needed to provide effective service



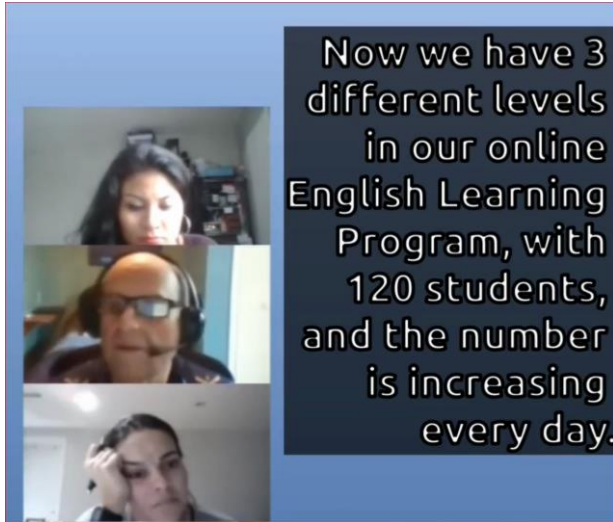
August 24th 2021 TO launches new ‘Toronto For All’ Campaign to support undocumented residents.

SERVICES FOR PRECARIOUS POPULATIONS

TRANSITIONAL SHELTER FOR WOMEN & CHILDREN: We provide temporary shelter to women

WOMEN'S PROGRAMS:

- Women's Entrepreneur Skills Workshops
- Support Groups
- Community Activities



SETTLEMENT SUPPORT:

Meeting needs like: finding shelter, furniture/ foodbank, clothing, applications to OW, housing, etc.

VIRTUAL ENGLISH CLASSES

Thanks to the contribution of volunteers we were able to open the English classes (ELL: English Language Learning) More than 200 students and 3 different English levels.

ART CLASS AND HOMEWORK SUPPORT FOR KIDS

Supporting Kids with Math, English or any homework from school. Also, they can spend time learning how to make some crafts, easy recipes, music, doing some exercise with dancing class, learn how to draw with new techniques, practicing their reading and interacting with other kids, in a safe environment.



Learning ukulele chords

SERVICES FOR PRECARIOUS POPULATIONS

FOOD DISTRIBUTION & INCOME SECURITY PROGRAM

The Food Distribution and Income Security Program (Food Drive) has allowed our Centre to reach out to those who are uprooted within our community, supporting them as much as possible during these trying times.

The program allow us to continue providing food hampers to many households around the City and the Greater Toronto area.

Thanks to the City of Toronto, The Food Distribution Program is currently expanding to support more families and precarious migrants who have been affected by COVID-19.



REFUGEE HOUSING HUB

- It provides the seed of a replicable integrated housing model for refugees living in and around Toronto. While we continue to adapt and respond to the emergent needs of our community, we see the opportunity for immediate intervention.
- Up to now since April 11, we have served/are serving 87 clients. 38 of them were singles and the remaining 49 are members of 20 different families.

SERVICES FOR PRECARIOUS POPULATIONS

PRIMARY CARE HEALTH & MENTAL CLINIC

The FCJ Refugee Center Primary Care Clinic and Mental Health Clinic Program has remained open during this COVID-19 pandemic.

COVID-19 Vaccination Clinics with the support of the University Health Network's Social Medicine Program and the Women's College Hospital's Crossroads Clinic for Refugees. The COVID vaccination clinics



COVID VACCINATION CLINIC
APRIL 30TH FROM 1 TO 4 PM
Location: 208 Oakwood Ave. Toronto ON

REQUIREMENTS:

- Register ahead of time (NO WALK-INS)
- 18 yrs. older
- Send your complete name, DOB, gender & phone number by email **before April 29th**
- ONLY available to those without OHIP

REGISTRATION
Please send the above information to vaccine@fcjrefugeecentre.org

For more details contact:
Elisa Ibarra (English, Spanish and Portuguese)
416-469-9754 ext.230



The Primary Care Clinic of the FCJ Refugee Centre has changed its services due to the COVID19, please note the changes as below:

Primary Care Services (by appointment only, NO walk-ins)

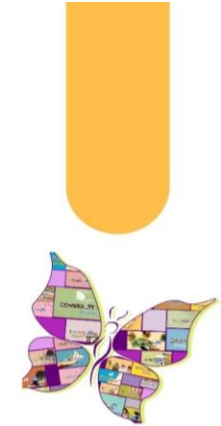
At this moment we're doing phone and video call appointments only, after the 1st assessment and depending on your Health Concern the Physician will determine if you need an in person appointment.



FCJ Refugee Centre
Walking with Uprooted People

Contact us at
(416) 469 9754 and ask for
Elisa Ibarra - Coordinator of the Clinic
at ext.: 230 or option 6, to be screened
for eligibility and booked for an
appointment.

Please note that this is a free service for uninsured clients or for those who don't have a care provider elsewhere.



Primary Care Clinic



SERVICES FOR PRECARIOUS POPULATIONS

Non Insured Clinics

- FCJ Refugee Centre – call for an appointment
208 Oakwood Ave, Toronto, Ontario Phone: 416-469-9754 ext. 230
- West End Non-Insured Walk-in Clinic (Access Alliance)
761 Jane Street, second floor. Phone: 416-760-8677
- Canadian Centre for Refugee and Immigrant Healthcare currently appointments only, no walk-ins, provides some dental services. 4158 Sheppard Ave East, Scarborough, Ontario Phone: 647-267-2176
- Sherbourne Health requires registration for new clients. 333 Sherbourne Street, Toronto, Ontario
Phone: 416-324-4100
- Muslim Welcome Centre Free Medical Clinics for the Uninsured has Scarborough and Mississauga locations, appointments only, no walk-ins. 100 McLevin Ave, Unit 2A, Scarborough, Ontario
Phone: 647-641-1027
- 780 Burnhamthorpe Road West, Unit 4, Mississauga, Ontario Phone: 647-641-1027
Email: freeclinic@muslimwelfarecentre.com

SERVICES FOR PRECARIOUS POPULATIONS

YOUTH SERVICES

The FCJ Youth Network has shaped a positive and inclusive space to welcome migrant and refugee youth from around the world.



The group strives to celebrate the resilience and potential of each of its members, and address the multiple barriers that impede their full and equitable participation in Canadian society.



**Want to connect
with other youth?**

The FCJ Youth Network
invites you to join our
online meetings!

When?

Wednesdays 4:30-6:00pm



For more information email us
at: fcjyn@fcjrefugeecentre.org
Contact us at: (437) 217-3786

ACCESS TO EDUCATION

The Uprooted U program is a semester based class, offering immersive education focusing on the current social, political, cultural climate we are in.

Junior Uprooted U: program to support young students who come to Canada and cannot access school immediately due to their status.

Supporting families and children in our networks by connecting with teachers, parents, and students to support school-at-home efforts – ensuring families have access to necessary subsidies, technological equipment, and personal supports



IMMIGRATION HELP & REFUGEE PROTECTION

- ✓ We welcome anyone asking for support regarding immigration issues.
- ✓ Offering timely and holistic case management and service provision for precarious migrant populations.
- ✓ During these emergency times, FCJ Refugee Centre keeps supporting precarious migrants by phone or through our Virtual Informative Sessions
- ✓ Through remote work practices we receive an average of 50 to 60 phone calls per day from people looking for support
- ✓ The programs we are providing to vulnerable populations are possible thanks to our supporters.

SERVICES

- Refugee Process support
- Travel Document
- Conditional Permanent Residence
- Family reunification/sponsorship
- Humanitarian and Compassionate
- Invitation Letter
- Permanent Residence application
- Work /study Permit
- Interpretation/translation
- Pre removal Risk Assessment
- Renew permanent residence Card
- Refugee Appeal
- Support making phone call /appealing to Legal Aid

SERVICES FOR PRECARIOUS POPULATIONS

Direct services to people who have been trafficked, taking into account the range of supports needed. Walking with survivors through legal processes, immigration procedures, settlement and recovery, we take a holistic approach to ensure people are informed and empowered to steer their own course out of the trafficking experience.

Migrant Workers Mobile Program

We are providing to Migrant Workers remote services, doing referrals, presenting cases to immigration and other authorities, and creating public awareness on human trafficking, particularly on international cases and labour exploitation.

HUMAN TRAFFICKING

#endhumantrafficking

WHAT IS HUMAN TRAFFICKING?

When someone earns profit from exploiting and taking advantage of someone else by either using threats, fraud, coercion and/or deception.

This type of exploitation of a person can occur in different forms, one being through sex or forced labour.

Can occur in manufacturing, agricultural/farm work, construction, domestic work and through the sex industry.

For people without legal status, you still have rights and can get support!
Our services are
FREE, CONFIDENTIAL & NON-JUDGMENTAL

ARE YOU IN SOME OF THESE SITUATIONS?

- Do you have control of your passport or personal documents? 📄
- Are you able to speak for yourself or are you told what to say? 🗣️
- Are you able to communicate freely with family or friends? 🗣️
- Do you have the freedom to go outside or travel? 🚶
- Did you come to do a specific job or purpose or are you working in conditions other than what you were promised?
- Have you or your family been threatened, verbally, psychologically, physically abused or treated disrespectfully?
- Do you have the basic needs like money, food, water, shelter, good sleep? 🏠
- Are you working very long hours, with little breaks, or without fair compensation?
- Has money been taken from you to pay for your travel? Or have you paid a fee to come and work?
- Do you have a large debt and have trouble paying it off? 💰

HUMAN TRAFFICKING HELP LINE:
📞 1-833-999-9211 OR 211

**FCJ REFUGEE CENTRE
MIGRANT WORKERS PROGRAM:**
📱 647-971-2153
www.fcjrefugeecentre.org

