

Exceptions and Exemptions

- U.S citizens
- Habitual US residents who are stateless
- Close family members *
- Unaccompanied minors
- Valid visa or travel documents for Canada
- Visa exempt in Canada, but visa requiring in US (e.g. Mexico)
- "Public interest" (death penalty)

* Family member exception to the Safe Third Country Agreement applies to...

- Spouse / Son, daughter / Parent / Sibling / Grandparent / Grandchild / Aunt, uncle / Niece, nephew

The exception applies if the family member...

- is a Canadian citizen
- is a permanent resident of Canada
- is a protected person under Canadian immigration legislation
- has made a claim for refugee status in Canada that has been accepted by the Immigration and Refugee Board of Canada (IRB)
- has had his or her removal order stayed on humanitarian and compassionate grounds
- holds a valid Canadian work permit
- holds a valid Canadian study permit, or
- is over 18 years old and has a claim for refugee protection that has been referred to the IRB for determination. (This claim must not have been withdrawn by the family member, declared abandoned or rejected by the IRB or found ineligible for referral to the IRB.)

If your close family member is a refugee claimant in Canada, please you MUST VERIFY WHICH REFUGEE CLAIMANT DOCUMENT (REFUGEE ID – BROWN PAPER) they have, because they are very similar (see samples in this brochure).



**FCJ
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Walking with Uprooted People



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FCJ Refugee Centre
Walking With Uprooted People

Safe Third Country Agreement

Refugee Protection Claimant Documents

With the support of



：“Eligible”

If your close relative has this document, you may meet the family member exception. If your family member waiting to cross from United States to Canada may started an Asylum Claim in the USA or is not sure if they did it, please **you must look for legal advice.** If you started an asylum claim in the USA, you may encounter an issue to cross the border specially if you are coming with more members of the family.

：“Ineligible”

If your close relative has this document, this person can not be used as close family member because they were given a different document and application called Pre-Removal Risk Assessment (PRRA).

：“Acknowledgement of Claim

If your close relative has this document, this person can not be used as close family member because they still pending their eligibility interview. You must wait until they get the Refugee Claimant Document.