



What to Expect at a Refugee Hearing and How to Prepare

Presented by
FCJ Refugee Centre

This presentation is possible thanks to the support of:



Land Acknowledgement

We acknowledge that the land we are standing on today is the traditional territory of many nations including, the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples, and is now home to many diverse First Nations, Inuit and Métis peoples.

We also acknowledge that Toronto is covered by Treaty 13 signed with the Mississaugas of the Credit, and the Williams Treaty signed with multiple Mississaugas and Chippewa bands.



Questionnaire

Knowledge About Refugee Hearings and Free Resources for Refugee Claimants

This questionnaire is designed to assess the claimant's knowledge on the topic and identify areas where further guidance may be needed.

Kindly complete the questionnaire before we begin.

Access the questionnaire here:

<https://forms.office.com/pages/responsepage.aspx?id=Qq52Nqs0WEuUs6TIO6DgYEvBvni1ULJLi-OFRq53ee5UQUVZOEZVDFUS1NUWUJTT1g0WU9LMjE5UC4u>

Or by scanning the QR code in this page.



Disclaimer



The following presentation is for informational purposes only and does not constitute legal advice.

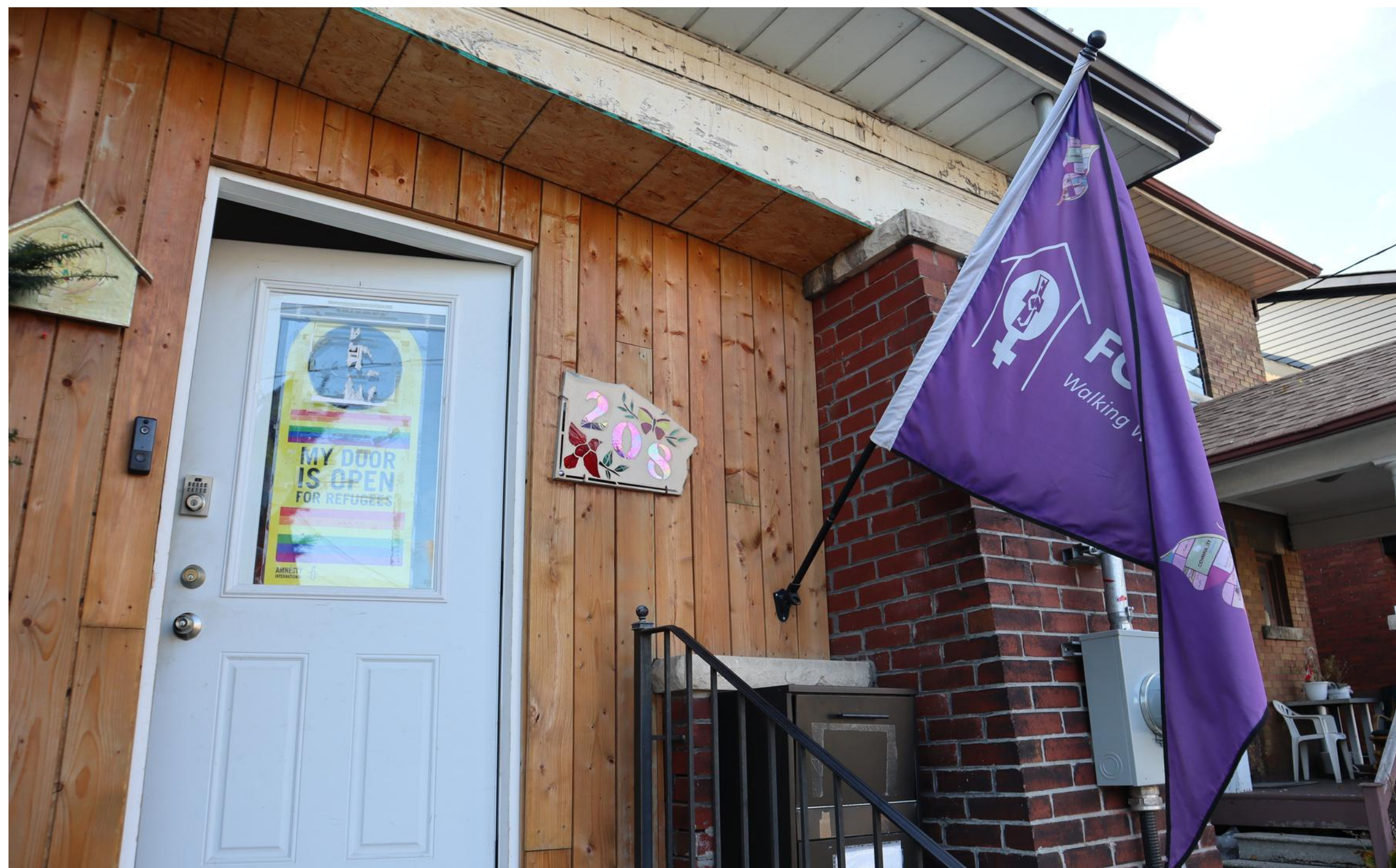


Who We Are


FCJ Refugee Centre serves refugees and other individuals and families at risk due to their immigration status.

We welcome anyone asking for advice, counsel and support regarding their refugee claim or immigration process.

We address systemic issues that newly arrived refugee claimants face in Canada including lack of resources, marginalization, and discrimination.



Our Programs and Services



FCJ Refugee Centre
Working With Displaced People

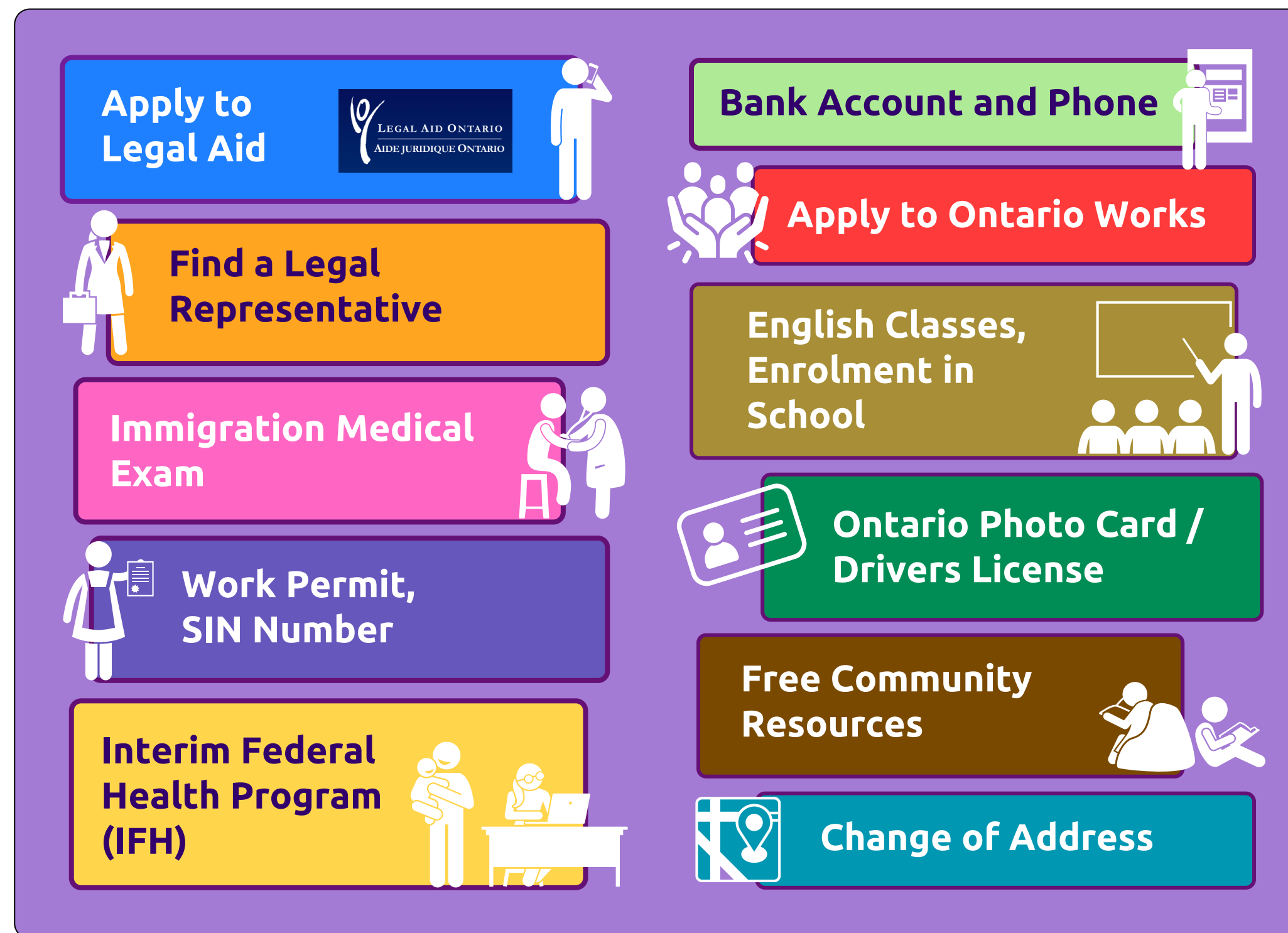
- SETTLEMENT & INTEGRATION**
 - Shelter for women & children
 - Refugee Housing Hub
 - Women's services
 - Food distribution
 - English Classes
 - Clinic
 - Youth
 - Access to Education
- IMMIGRATION SUPPORT**
 - Refugee process
 - Immigration orientation
 - PRRA (risk assessment)
 - Refugee appeal
 - H&C (Humanitarian & Compassionate App.)
 - Sponsorship
 - 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 & training sessions
 - Borderless Voices podcast
 - YouTube channel
 - Resources
 - Country research
 - Newsletter & annual reports

FCJ REFUGEE CENTRE

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- 📷 @fcjrefugeecentre
- 🐦 @RefugeeCentre
- 📺 FCJ Refugee Centre

Key Steps

Key Steps and Basic Resources After Applying for Refuge in Canada



Legal Help

Apply to Legal Aid

- Claimant's can apply to Legal Aid to seek funding for a representative.
- Legal Aid is a government program that helps low-income families to receive legal representation and advice.
- Every province has its own Legal Aid program.
- If the Claimant qualifies for Legal Aid, Legal Aid will pay a lawyer to represent them.
- Refugee claims are much more likely to be successful if they have legal counsel/support (lawyer/consultant).
- If you cannot afford a lawyer, ask community organizations for help or consider Legal Aid.



Legal Help

Apply to Legal Aid

Contact the Legal Aid office in your province

- The provinces of British Columbia, Alberta, Manitoba, Ontario, Quebec, and Newfoundland and Labrador, offer immigration and refugee legal aid services.
- This may include legal information, advice, assistance and representation for eligible persons related to immigration and refugee matters.
- For detailed information on services and eligibility, please contact the legal aid office in your province:
- [List of legal aid offices - Immigration and Refugee Board of Canada:
<https://www.irb-cisr.gc.ca/en/legal-policy/legal-concepts/Pages/legal-aid-office.aspx>](https://www.irb-cisr.gc.ca/en/legal-policy/legal-concepts/Pages/legal-aid-office.aspx)



Legal Help

Legal Representative

You can check if a person is licensed to represent immigrants or to give advice.

- Citizenship or immigration **consultants** must be members of the [College of Immigration and Citizenship Consultants](#).
- **Lawyers or notaries** must be members of a [Canadian provincial or territorial law society](#), or the Chambre des notaires du Québec.
- **Paralegals** (Ontario only) must be members of the [Law Society of Ontario](#).

Most law societies let you check online to see if a person is a member in good standing.



Claimant can find a lawyer by visiting these websites (Law Society of Ontario):
<https://lso.ca/home>



For a consultant, check Immigration Consultants of Canada Regulatory Council:
<https://college-ic.ca/>



Both the lawyer and the qualified consultant can help the claimant fill out the forms that they must send to the Government.

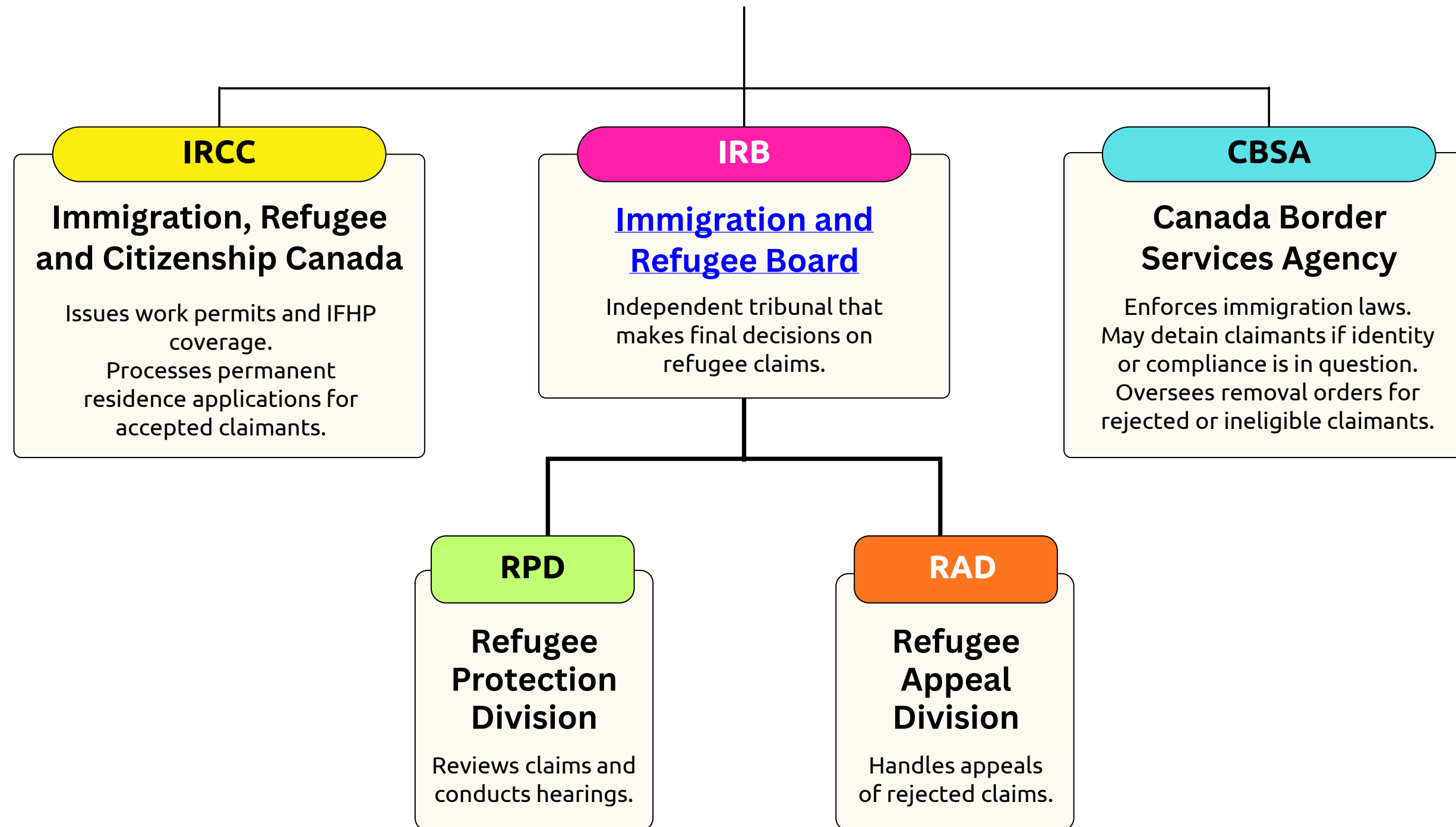
Law societies in each province and territory

- [Law Society of British Columbia](#)
- [Law Society of Alberta](#)
- [Law Society of Saskatchewan](#)
- [Law Society of Manitoba](#)
- [Law Society of Ontario](#)
- [Barreau du Québec](#)
- [Law Society of New Brunswick](#)
- [Nova Scotia Barristers' Society](#)
- [Law Society of Prince Edward Island](#)
- [Law Society of Newfoundland and Labrador](#)
- [Law Society of Yukon](#)
- [Law Society of the Northwest Territories](#)
- [Law Society of Nunavut](#)
- [Chambre des notaires du Québec](#)



Institutions

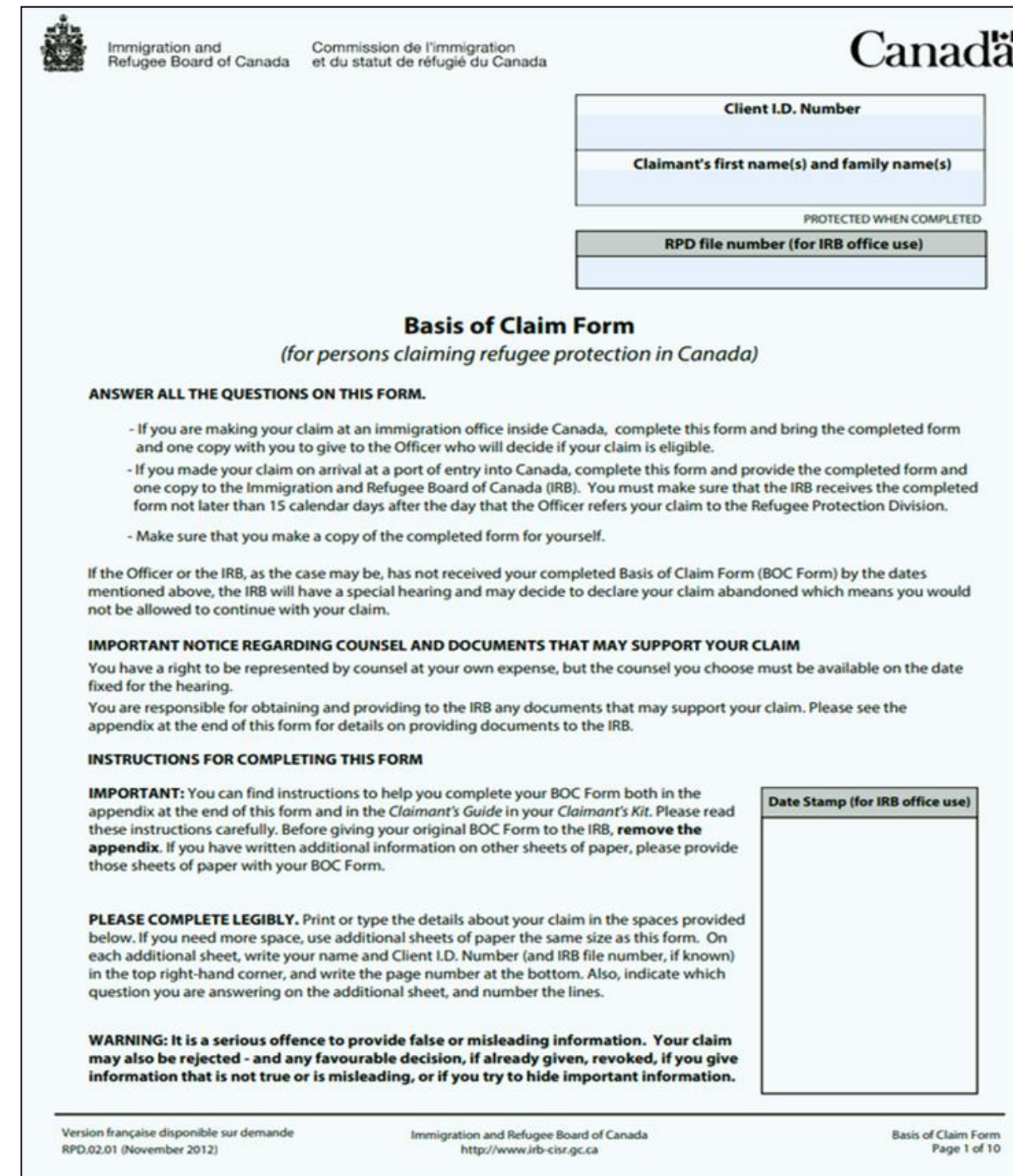
Canada Government Institutions Involved in the Refugee Process



The Basis Of Claim Form

A Key Refugee Claim Document: What Is the BOC Narrative?

- The Basis of Claim (BOC) form is one of the **most important documents** in your refugee process.
- It is used to **present your case** to the Refugee Protection Division (RPD) of the Immigration and Refugee Board (IRB).
- It explains who you are and **why you are seeking refugee protection** in Canada.
- It serves as **evidence** during your refugee hearing.



Immigration and Refugee Board of Canada / Commission de l'immigration et du statut de réfugié du Canada

Canada

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)

Version française disponible sur demande / RPD.02.01 (November 2012)

Immigration and Refugee Board of Canada / http://www.irb-cisr.gc.ca

Basis of Claim Form / Page 1 of 10

The Basis Of Claim Form

Narrative Letter / Affidavit

The BOC form asks you **why** you are seeking protection in Canada but... it is recommended to **write a narrative letter** that has:

- your story of why you are fleeing your country of origin
- dates and details about the events of what happened
- an explanation of what you did to seek your own safety
 - Did you go to the police? Why or why not? Did they help?
 - Did you try to relocate to another part of your country of origin?

BOC Amendment

You may want to change your story or add to it because:

- Subsequent events have occurred since you submitted your story or
- You've noticed a mistake or omission in your story (if this happens, you should be prepared to explain why there was a mistake or omission in the first place).

Examples of events that you should add to your story:

- Your family/friends back home receive threats or are attacked.
- You've received new threats not mentioned in your original claim.
- You participated in events in Canada that could lead to danger for you if you return home (religious conversion, demonstration, pride parade, etc.).

The Basis Of Claim Form

Remember

- ✓ When making corrections or updating your story send a copy of your story with anything you want to delete crossed out and anything you want to add underlined.
- ✓ Sign and date any page with a change.
- ✓ Sign a declaration at the end.
- ✓ If you require an interpreter, they should sign an interpreter's declaration.
- ✓ Your lawyer can help you with this!



Eligibility Interview

Inland Claim

If you submit an inland claim (applied within Canada through the IRCC online portal or by mail) you will have to attend an eligibility interview to:

- confirm your **identity** (you are who you say you are)
- confirm you are **eligible** for a refugee claim
- hand over your **passport** and receive an official copy (save this document!)

Port of Entry

If you made a claim at a port of entry (airport, official border crossing), **sometimes** eligibility is done **automatically** (One Touch pilot program with the CBSA).

UCI: [REDACTED]
Application Number: [REDACTED]

ACKNOWLEDGEMENT OF CLAIM AND NOTICE TO RETURN FOR INTERVIEW

Family Name: [REDACTED]
Given Name: [REDACTED]
Date of Birth: [REDACTED] YYYY/MM/DD

This notice acknowledges that the Government of Canada received your **refugee claim** on [REDACTED] 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:
Time:
Address:

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/health-professionals>.



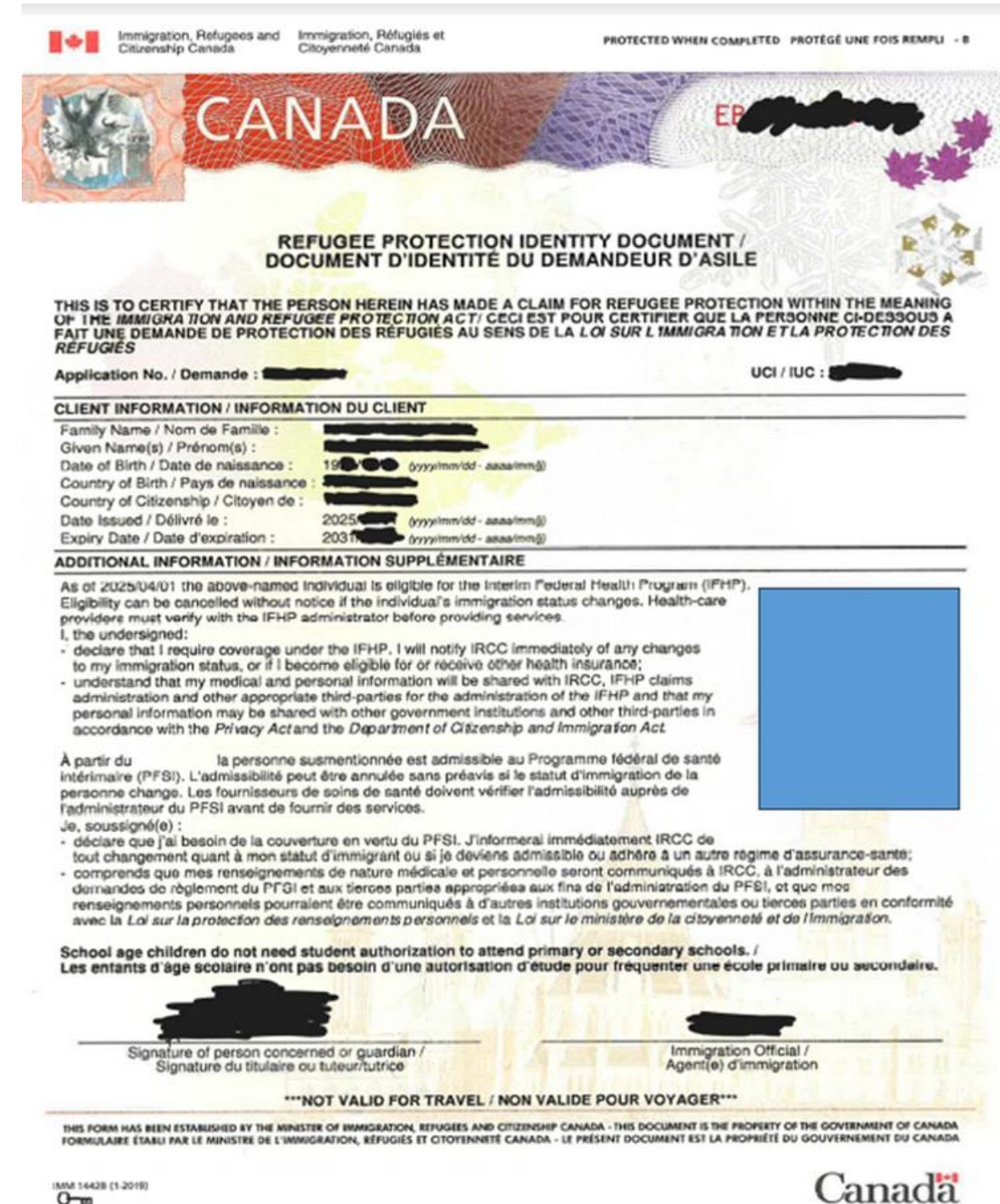
RPID

Refugee Protection Identity Document

The RPID (Refugee Protection Identity Document) is your status document:

“What is my immigration status?”

- You are now a “refugee claimant”
- Documents are mailed - “change of address” is important
- On any immigration forms, write “refugee claimant” as your status
- Until a decision is made (refused or approved) or the claim is withdrawn or abandoned you have this status



Canada Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada

PROTECTED WHEN COMPLETED / PROTÉGÉ UNE FOIS REMPLI - B

CANADA

REFUGEE PROTECTION IDENTITY DOCUMENT / DOCUMENT D'IDENTITÉ DU DEMANDEUR D'ASILE

THIS IS TO CERTIFY THAT THE PERSON HEREIN HAS MADE A CLAIM FOR REFUGEE PROTECTION WITHIN THE MEANING OF THE IMMIGRATION AND REFUGEE PROTECTION ACT / CECI EST POUR CERTIFIER QUE LA PERSONNE CI-DESSOUS A FAIT UNE DEMANDE DE PROTECTION DES RÉFUGIÉS AU SENS DE LA LOI SUR L'IMMIGRATION ET LA PROTECTION DES RÉFUGIÉS

Application No. / Demande : [REDACTED] UCI / IUC : [REDACTED]

CLIENT INFORMATION / INFORMATION DU CLIENT

Family Name / Nom de Famille : [REDACTED]
Given Name(s) / Prénom(s) : [REDACTED]
Date of Birth / Date de naissance : 19[REDACTED] (yyyy/mm/dd - aaaa/mm/jj)
Country of Birth / Pays de naissance : [REDACTED]
Country of Citizenship / Citoyen de : [REDACTED]
Date Issued / Délivré le : 2025[REDACTED] (yyyy/mm/dd - aaaa/mm/jj)
Expiry Date / Date d'expiration : 2031[REDACTED] (yyyy/mm/dd - aaaa/mm/jj)

ADDITIONAL INFORMATION / INFORMATION SUPPLÉMENTAIRE

As of 2025/04/01 the above-named individual is eligible for the Interim Federal Health Program (IFHP). Eligibility can be cancelled without notice if the individual's immigration status changes. Health-care providers must verify 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.

À partir du [REDACTED] la personne susmentionnée est admissible au Programme fédéral de santé intermédiaire (PFSI). L'admissibilité peut être annulée sans préavis si le statut d'immigration de la personne change. Les fournisseurs de soins de santé doivent vérifier l'admissibilité auprès de l'administrateur du PFSI avant de fournir des services.

Je, soussigné(e) :

- déclare que j'ai besoin de la couverture en vertu du PFSI. J'informerai immédiatement IRCC de tout changement quant à mon statut d'immigrant ou si je deviens admissible ou adhère à un autre régime d'assurance-santé;
- comprends que mes renseignements de nature médicale et personnelle seront communiqués à IRCC, à l'administrateur des demandes de règlement du PFSI et aux tierces parties appropriées aux fins de l'administration du PFSI, et que mes renseignements personnels pourraient être communiqués à d'autres institutions gouvernementales ou tierces parties en conformité avec la Loi sur la protection des renseignements personnels et la Loi sur le ministère de la citoyenneté et de l'immigration.

School age children do not need student authorization to attend primary or secondary schools. / Les enfants d'âge scolaire n'ont pas besoin d'une autorisation d'étude pour fréquenter une école primaire ou secondaire.

Signature of person concerned or guardian / Signature du titulaire ou tuteur/trice: [REDACTED]

Immigration Official / Agent(e) d'immigration: [REDACTED]

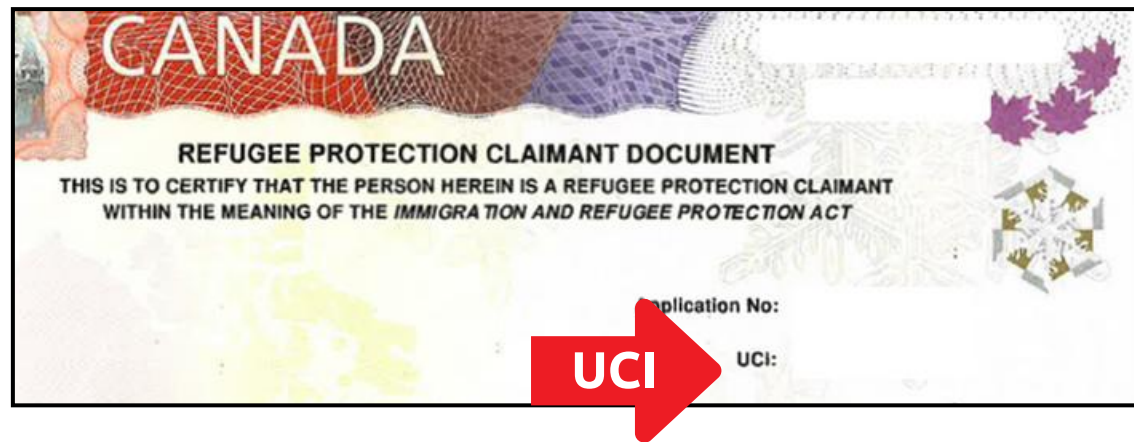
NOT VALID FOR TRAVEL / NON VALIDE POUR VOYAGER

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

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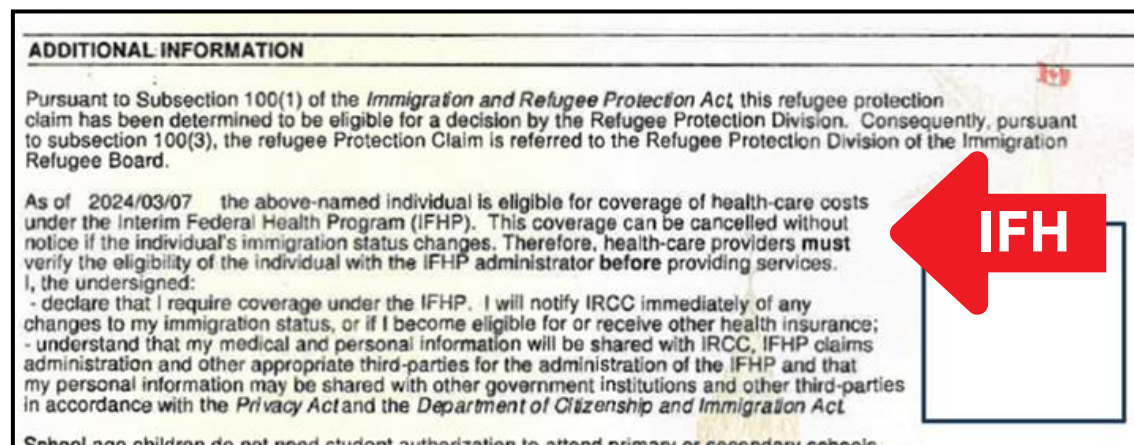
Canada

Refugee Protection Identity Document



UCI Number

- Stands for Unique Client Identifier.
- It is a number (10 digits) assigned by IRCC or CBSA to identify an individual in their system.
- You can find your UCI number on official documents like Refugee ID, PR, Work/Study permit, etc.

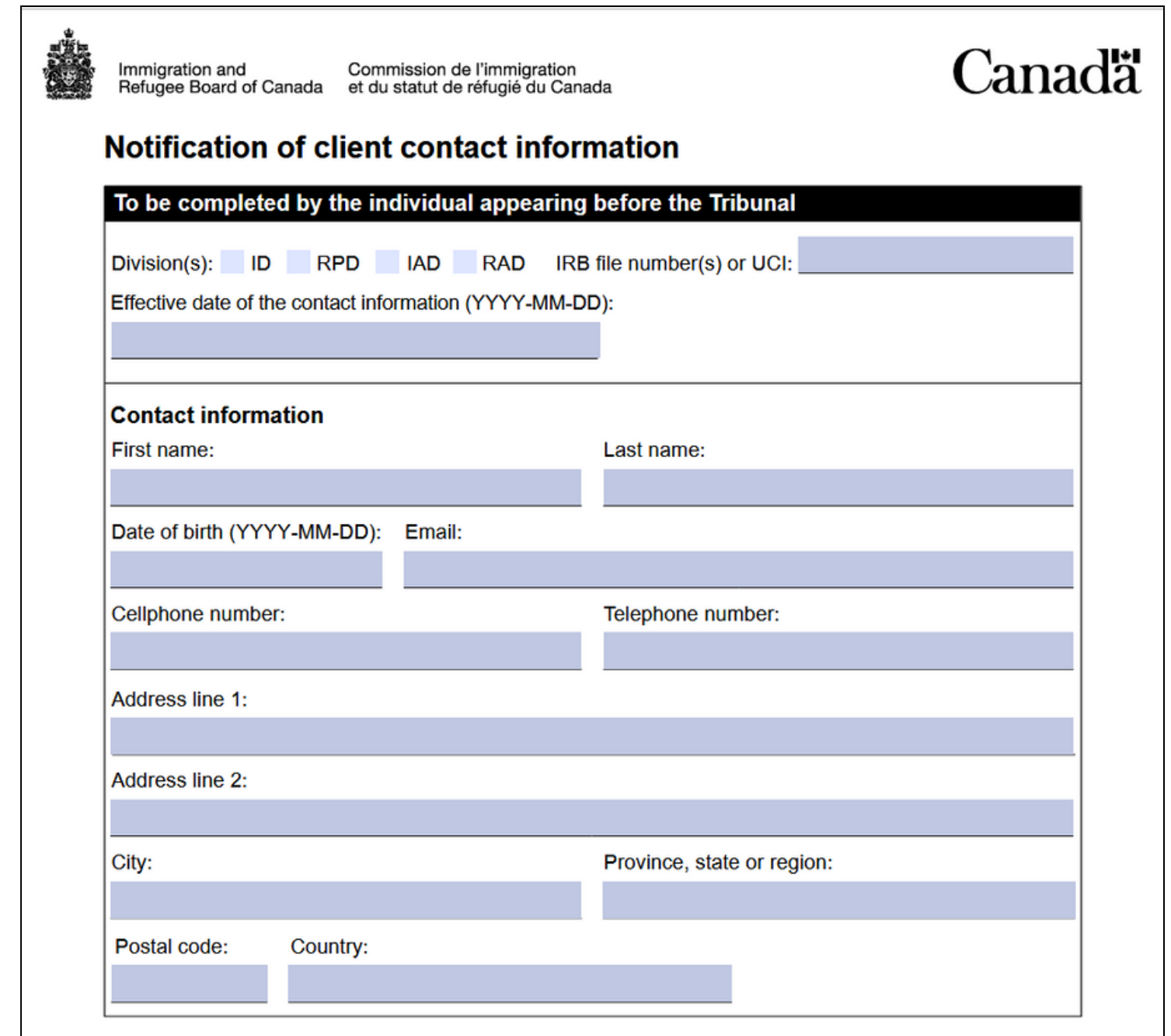


IFH

- Stands for Interim Federal Health Program.
- To have access to health care services you always need your RPID as a proof of your coverage.

Change of Address

- If the refugee claimant possesses a Refugee ID, and the case has been referred to the Refugee Protection Division (IRB), the claimant must **notify the IRB directly**.
- Complete the change of address form found on the Immigration and Refugee Board (IRB) website:
<https://irb-cisr.gc.ca/en/forms/pages/IrbCisr10101.aspx>
- IRCC change of address:
<https://www.canada.ca/en/immigration-refugees-citizenship/services/application/change-address.html>
- Please note that the IRB, IRCC, and CBSA are independent organizations. You must **notify each one separately** if you change your address.



Immigration and Refugee Board of Canada / Commission de l'immigration et du statut de réfugié du Canada

Canada

Notification of client contact information

To be completed by the individual appearing before the Tribunal

Division(s): ID RPD IAD RAD IRB file number(s) or UCI:

Effective date of the contact information (YYYY-MM-DD):

Contact information

First name: Last name:

Date of birth (YYYY-MM-DD): Email:

Cellphone number: Telephone number:

Address line 1:

Address line 2:

City: Province, state or region:

Postal code: Country:



Preparing for Your Hearing

Well-Founded Fear of Persecution

- Being a refugee is not simply saying you are in danger.
- Danger must be forward-thinking / ongoing: it should anticipate future risks, not just react to current or past ones.
- For example, if someone is fleeing due to political instability, the evaluation should consider how that instability might evolve and continue to pose danger
- Your narrative letter as well as your testimony should answer these factors.



Preparing for Your Hearing

Key Factors Considered During a Refugee Hearing

IDENTITY

Involves verifying personal information such as name, nationality, etc. This is typically done through official documents like passports, IDs, birth certificate, membership credentials, etc.



CREDIBILITY

Credibility assessment determines whether the claimant is telling the truth. It involves consistency and coherence on statements.



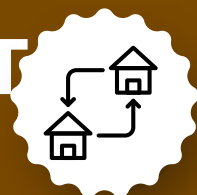
SUBJECTIVE FEAR

A genuine fear of persecution.



INTERNAL FLIGHT ALTERNATIVE

Is there another place in the claimant's country where the claimant could safely and reasonably relocate?



GENERALIZED RISK

Generalized risk (a dangerous situation affecting the general population) alone is not sufficient, unless it disproportionately affects the applicant due to their identity or circumstances.



STATE PROTECTION

Refers to the failure or reluctance of a claimant's home country to safeguard them from persecution: authorities or government cannot provide effective protection.



Preparing for Your Hearing

Preparation of Testimonies



CREDIBILITY

- **Review the narrative and the evidence** submitted or disclosed.
- Review the evidence you submitted or any evidence that was disclosed to you.



GENERALIZED RISK

- Review the **National Documentation Package (NDP)** about your country: Make sure your story lines up with the country evidence.



SUBJECTIVE FEAR

- During your hearing, you will have a chance to tell the decision maker **why you are afraid**, and about whom and what you fear. **Think about how you will do it.**
- Make sure your story shows that you have a genuine fear in your country (i.e., how did your actions reflect your fear).



Preparing for Your Hearing

Preparation of Testimonies



STATE PROTECTION

- Why cannot your country protect you?
- **Did you try and go to the police?** What was the result?
- Why do you think the police would not/could not protect you in the future?



INTERNAL FLIGHT ALTERNATIVE

- Why cannot you **move to another part of your country** and be safe?
- Why you fear relocating to another part of the country?
- Why it would be unreasonable for you to try to live there?



Preparing for Your Hearing

Gathering Evidence

Two Types

- **Personal Evidence:**
 - Documentary evidence that relates to your personal situation and incidents described in your narrative.
 - Good personal evidence should help establish that the events described in the narrative really happened.
- **Country Conditions Evidence:**
 - It relates to the conditions/situations in the country or countries affecting you.

How To

First, review your narrative, incident by incident, to make a list of possible evidence; then, think about how that evidence could be obtained.



Important:

- Start trying to obtain evidence ASAP
- Keep a written diary of:
 - who you contacted to ask;
 - how you contacted them;
 - on what date;
 - and their response or lack of response



Preparing for Your Hearing

Gathering Evidence

Examples of Personal Evidence

- **Proof of identity and relationships:** Birth Certificates, death certificates, marriage certificates, identity cards, affidavits of identity, etc.
- **Proof of membership in group** (political, religious, ethnic, etc.): Membership card, notarized letters or affidavits from officials, etc.
- **Documents that prove the incidents in your narrative:** Medical reports, police reports, notarized letters or affidavits from witnesses, warrants, text messages, etc.

All these pieces of evidence could be supported by photographs or videos.



Preparing for Your Hearing

Gathering Evidence

Psychological reports should:

- Explain the credentials of the person writing the report
- Talk about any diagnoses or symptoms you are experiencing
- Explain how they will impact:
 - your life
 - your ability to testify



Why Keeping a Diary (Take Notes) for Personal Evidence?



- The RPD will expect you to be able to answer questions at your hearing about the efforts you made to try to obtain supporting documents.
- Keep all envelopes and packaging that the documents arrive in. This helps to prove that the documents really came from your country.

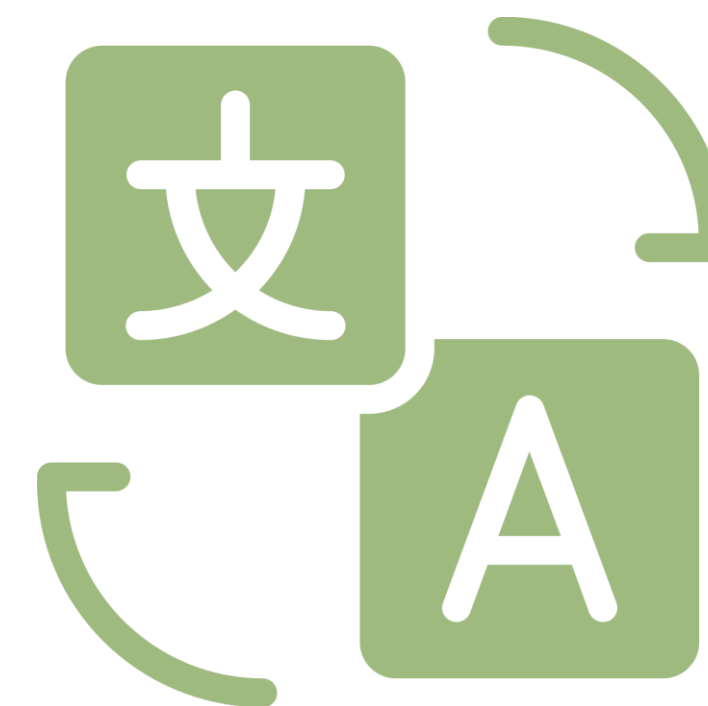


Preparing for Your Hearing

Gathering Evidence

Translations

- All documents not in **English or French** must be translated into one of those languages and be accompanied by a **declaration** from the translator.
- All translations must have a declaration with the name of the person who translated the document, which language it was translated to, and state that the translation is accurate.
- The translator can use the following certification (Spanish as an example):



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



Preparing for Your Hearing

Gathering Evidence

Affidavits/Notarized Letters

Affidavits/notarized letters from family and others inside or outside your country should include:

- Photo/scan of ID documents (passport, national ID, etc.);
- Your full name;
- Their full name, date of birth, nationality, how they know you;
- Their first-hand knowledge regarding events in your narrative

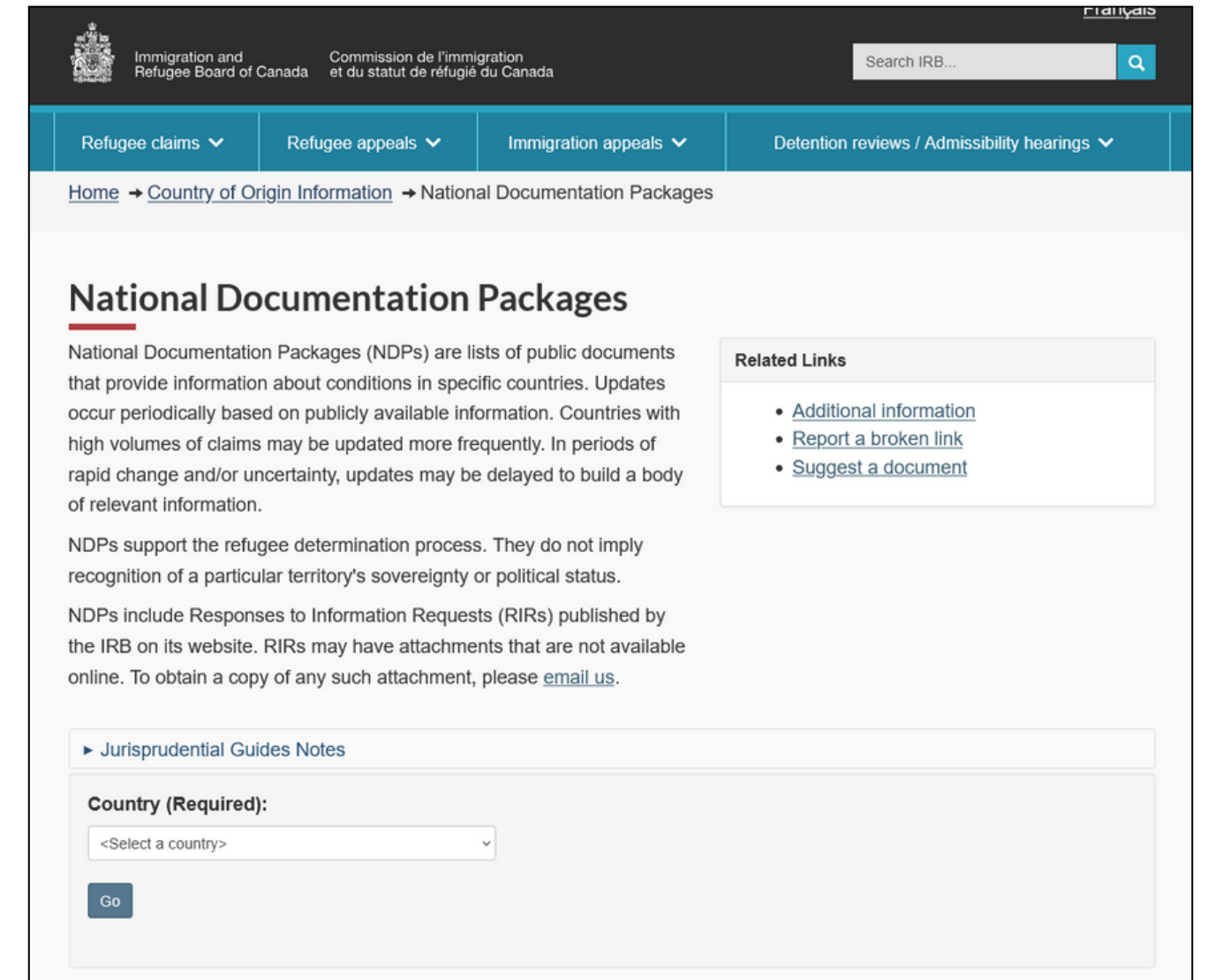


Preparing for Your Hearing

Gathering Evidence

Country Conditions Evidence

- Examples of country conditions include academic journals, reports written by experts, and reports produced by NGOs.
- News articles are useful, but preferably they should be from a reliable source.
- This evidence explains the conditions in the country or countries where you fear persecution.
- The RPD already has documents about your country; these documents are called National Documentation Package (NDP).
- Find your NDP here: <https://irb-cisr.gc.ca/en/country-information/ndp/Pages/index.aspx>
- Your lawyer should be able to help you gather country condition evidence.



The screenshot shows the website for the Immigration and Refugee Board of Canada. The page is titled "National Documentation Packages" and provides information about NDPs, including their purpose and how to find them. A search form is visible at the bottom of the page, with a dropdown menu for "Country (Required)" and a "Go" button.



Preparing for Your Hearing

Gathering Evidence

Musts For All Evidence (Personal Evidence or Country Conditions)

- It has to be either in **English or French**.
- You must submit your evidence at least **10 days before** your hearing date.
- If you want to submit evidence late you must make an application with an explanation for **why it is late and why the evidence is important**.
- When you submit the evidence, include a cover page with a **table of contents**, and number the pages.
- Submit scanned copies of the documents but **hold onto the originals**.
The decision-maker may want to see the originals to determine their authenticity.



Preparing for Your Hearing

Join Refugee Claim

- Sometimes, two or more people make a joint claim for refugee protection, such as when a family files a claim together.
- All adult claimants may speak for themselves during the hearing, but typically, one person acts as the family spokesperson.
- Children under 12 years old, accompanied by an adult making a claim, are usually not required to appear before the Refugee Protection Division (RPD) unless specifically requested by the presiding member.



Preparing for Your Hearing

Unaccompanied Minors

- Unaccompanied minors are refugee claimants under 18 years old that started the claim alone (no relatives in Canada).
- The IRB will appoint a person to help the minor with their case. This person is called a Designated Representative and will help to understand the process. The role of the Designated Representative is to ensure that the minor's interests are protected and advanced in proceedings at the IRB.
- There are agencies supporting unaccompanied minors, like the Centre for Refugee Children: <https://crcrefugee.ca/>



Preparing for Your Hearing

Refugee Claim Without a Hearing:

The FRP

- The RPD can sometimes approve a refugee claim without a hearing. It's what is called **File Review Process (FRP)**.
- This may be the case for some less complex claims cases.
- Instead of scheduling a hearing, the RPD reviews the submitted documents.
- If everything is clear and meets the criteria, the RPD may accept the claim without a hearing.
- The RPD can take a long time to answer. If refused, it only means that you have to go through a regular hearing or a shorter hearing.



Preparing for Your Hearing

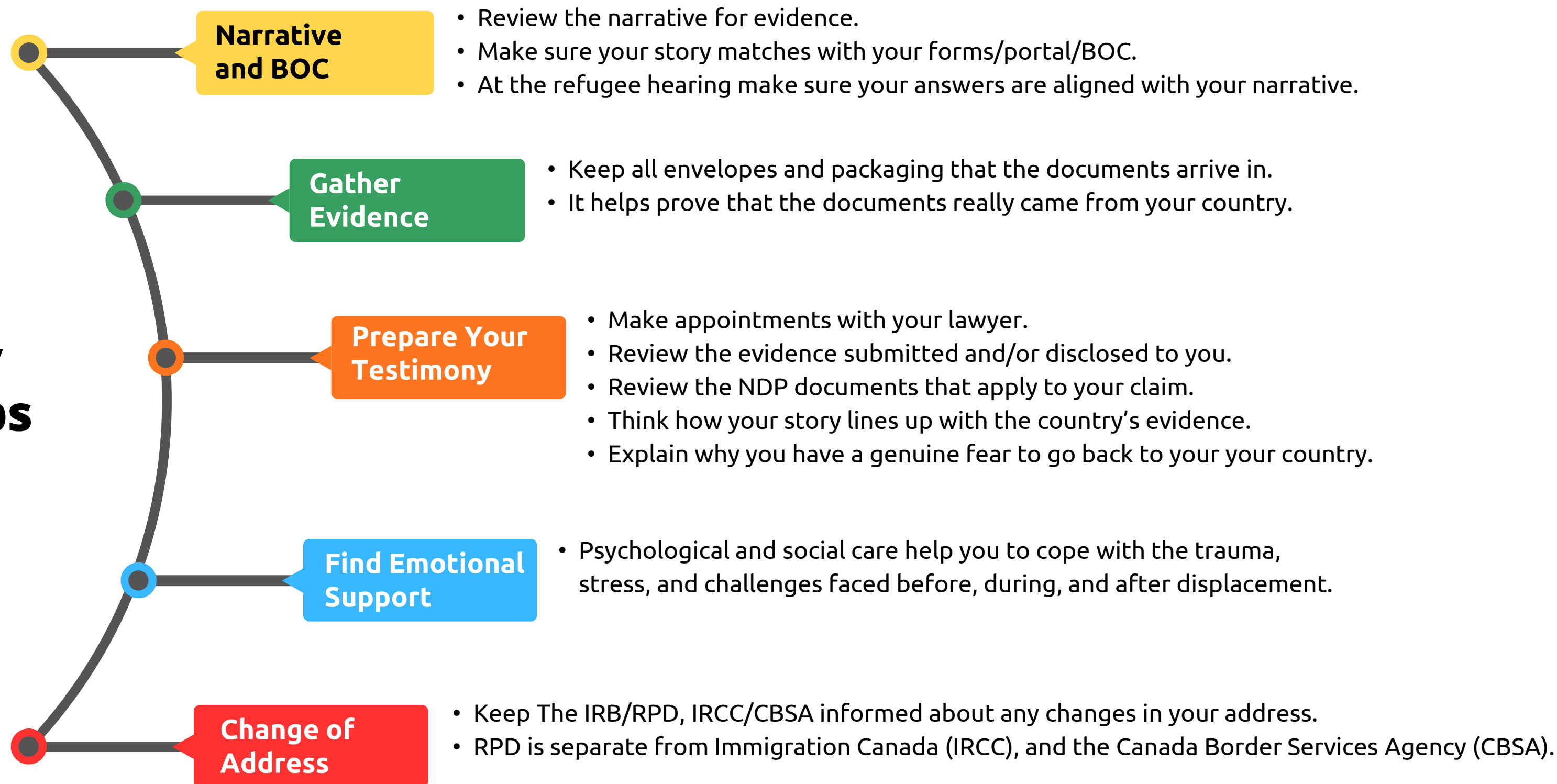
Communication

- **Keep a copy of all communications** with the RPD (including evidence disclosure, change of address, updates to your story, etc.)
- **Keep proof** that they received your communication (if handed in, ask them to stamp your copy; if faxed, keep the transmission receipt).



Preparing for Your Hearing

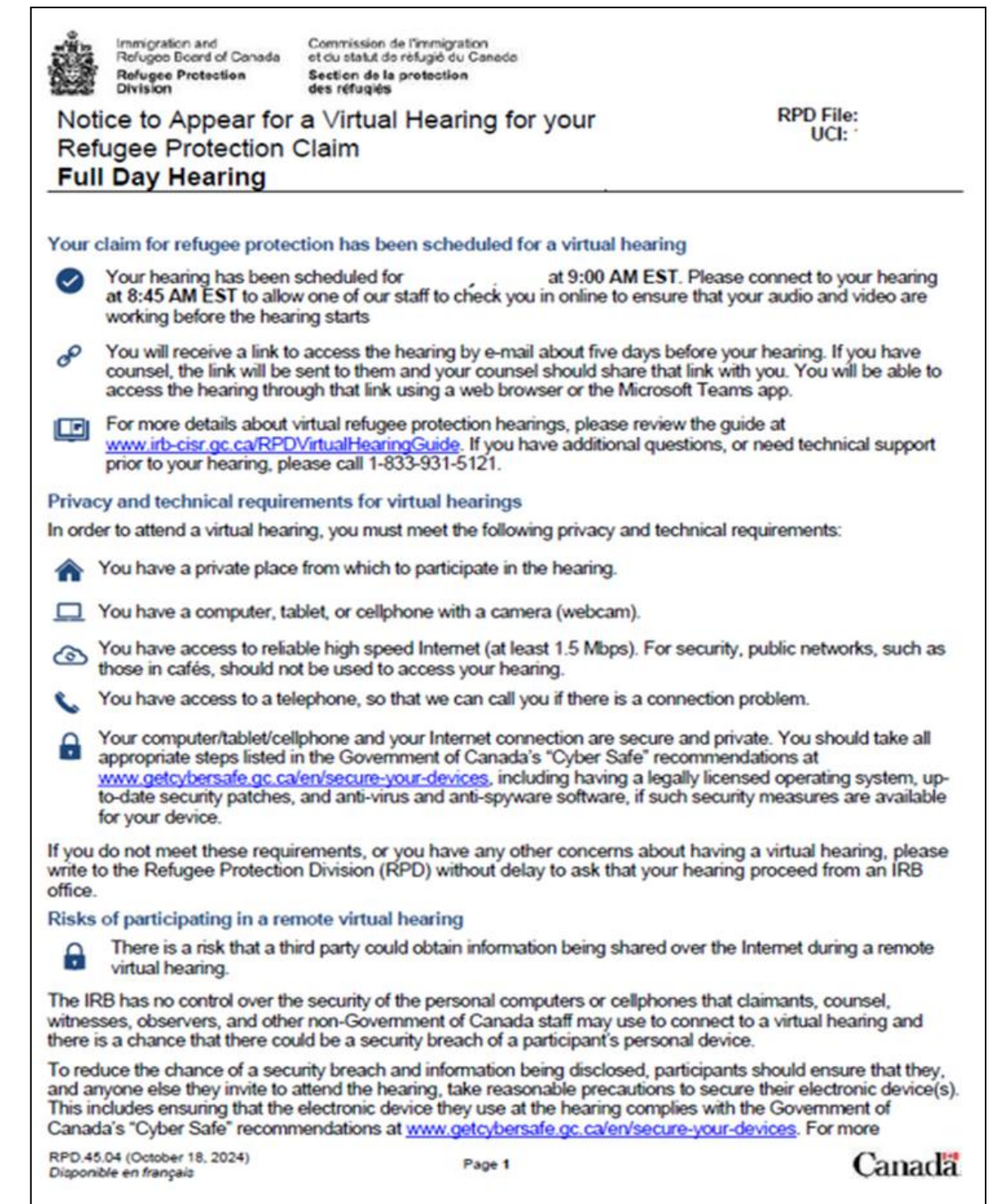
Summary of Key Tips



Preparing for Your Hearing

Scheduling of Hearing: Notice to Appear

- You or your representative will receive the Notice to Appear
- It provides details on the date, time, and location of your hearing.
- Missing your hearing will require attending a special abandonment hearing **within 5 days**, where you must provide a valid explanation (e.g., a doctor's note).
- A second failure to attend or lack of a credible explanation may result in your claim being declared abandoned, meaning you must leave Canada without having your refugee claim considered.
- If you need accommodations (e.g., for health reasons), inform your legal representative well in advance and provide supporting evidence like a doctor's note.



Immigration and Refugee Board of Canada / Commission de l'immigration et du statut de réfugié du Canada
Refugee Protection Division / Section de la protection des réfugiés

Notice to Appear for a Virtual Hearing for your Refugee Protection Claim
Full Day Hearing

RPD File: _____
UCI: _____

Your claim for refugee protection has been scheduled for a virtual hearing

- ✓ Your hearing has been scheduled for _____ at 9:00 AM EST. Please connect to your hearing at 8:45 AM EST to allow one of our staff to check you in online to ensure that your audio and video are working before the hearing starts
- 🔗 You will receive a link to access the hearing by e-mail about five days before your hearing. If you have counsel, the link will be sent to them and your counsel should share that link with you. You will be able to access the hearing through that link using a web browser or the Microsoft Teams app.
- 📺 For more details about virtual refugee protection hearings, please review the guide at www.irb-cisr.gc.ca/RPDVirtualHearingGuide. If you have additional questions, or need technical support prior to your hearing, please call 1-833-931-5121.

Privacy and technical requirements for virtual hearings
In order to attend a virtual hearing, you must meet the following privacy and technical requirements:

- 🏠 You have a private place from which to participate in the hearing.
- 💻 You have a computer, tablet, or cellphone with a camera (webcam).
- 🌐 You have access to reliable high speed Internet (at least 1.5 Mbps). For security, public networks, such as those in cafés, should not be used to access your hearing.
- ☎️ You have access to a telephone, so that we can call you if there is a connection problem.
- 🔒 Your computer/tablet/cellphone and your Internet connection are secure and private. You should take all appropriate steps listed in the Government of Canada's "Cyber Safe" recommendations at www.getcybersafe.gc.ca/en/secure-your-devices, including having a legally licensed operating system, up-to-date security patches, and anti-virus and anti-spyware software, if such security measures are available for your device.

If you do not meet these requirements, or you have any other concerns about having a virtual hearing, please write to the Refugee Protection Division (RPD) without delay to ask that your hearing proceed from an IRB office.

Risks of participating in a remote virtual hearing


- 🔒 There is a risk that a third party could obtain information being shared over the Internet during a remote virtual hearing.

The IRB has no control over the security of the personal computers or cellphones that claimants, counsel, witnesses, observers, and other non-Government of Canada staff may use to connect to a virtual hearing and there is a chance that there could be a security breach of a participant's personal device.

To reduce the chance of a security breach and information being disclosed, participants should ensure that they, and anyone else they invite to attend the hearing, take reasonable precautions to secure their electronic device(s). This includes ensuring that the electronic device they use at the hearing complies with the Government of Canada's "Cyber Safe" recommendations at www.getcybersafe.gc.ca/en/secure-your-devices. For more

RPD-45.04 (October 18, 2024)
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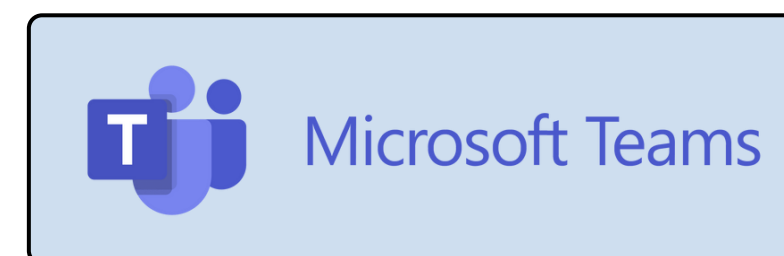
Page 1



Preparing for Your Hearing

Technical Requirements for a Virtual Hearing

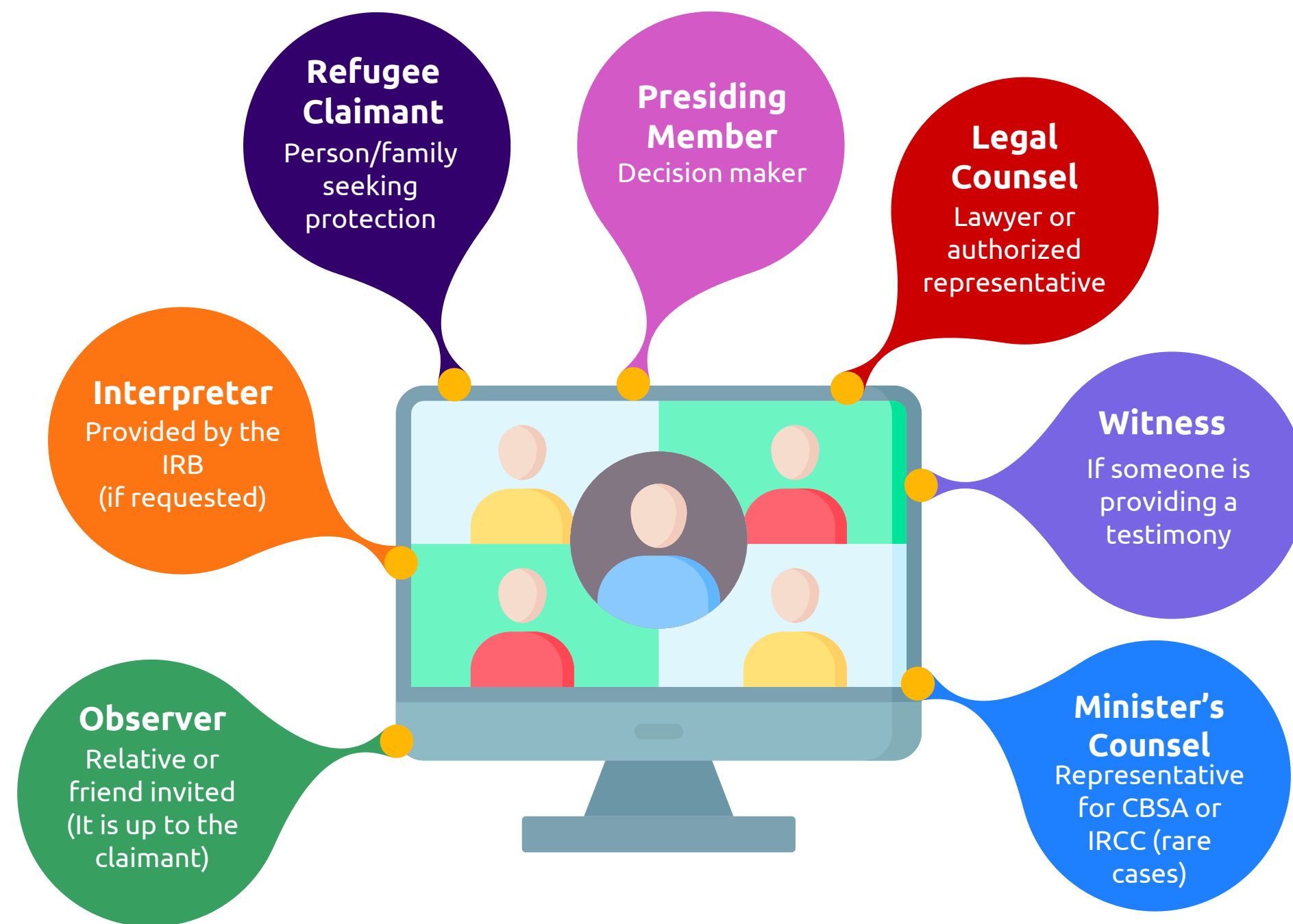
- Most hearings are now remote.
- Join the Microsoft Teams link at the time specified in your notice.
- You need access to a private and quiet place: your house, the lawyer's office, a friend house.
- You must have a computer, a tablet, or a smartphone with a functioning web camera.
- You must have a strong internet connection.
- This can be arranged in advance with the lawyer and/or the RPD.
- Some agencies supporting refugees can also help you.



At The Refugee Hearing

Who Is Attending the Refugee Hearing?

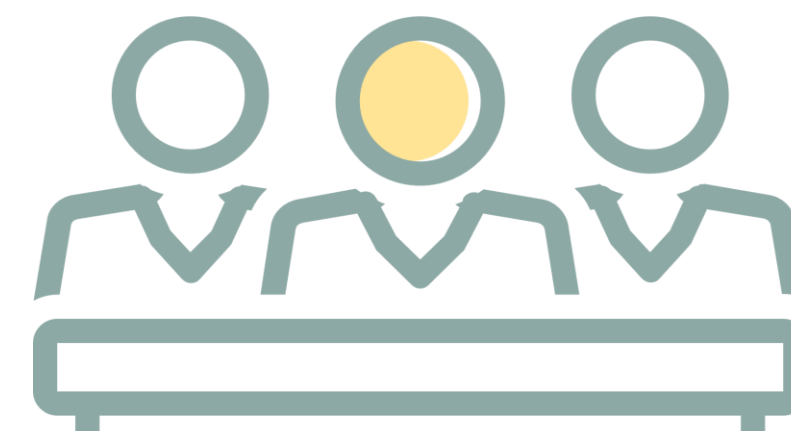
- Hearings are generally scheduled for **2 or 3 hours**, although they may be longer or shorter.
- **The member** will review the BOC and the evidences, and will ask you questions about your refugee claim.
- **The observer** could be a family/friend who you would like to have there for emotional support. They can attend the hearing, but do not participate.
- You can invite **witnesses** to provide testimony at your hearing, but you must notify ahead of time with your lawyer.



At The Refugee Hearing

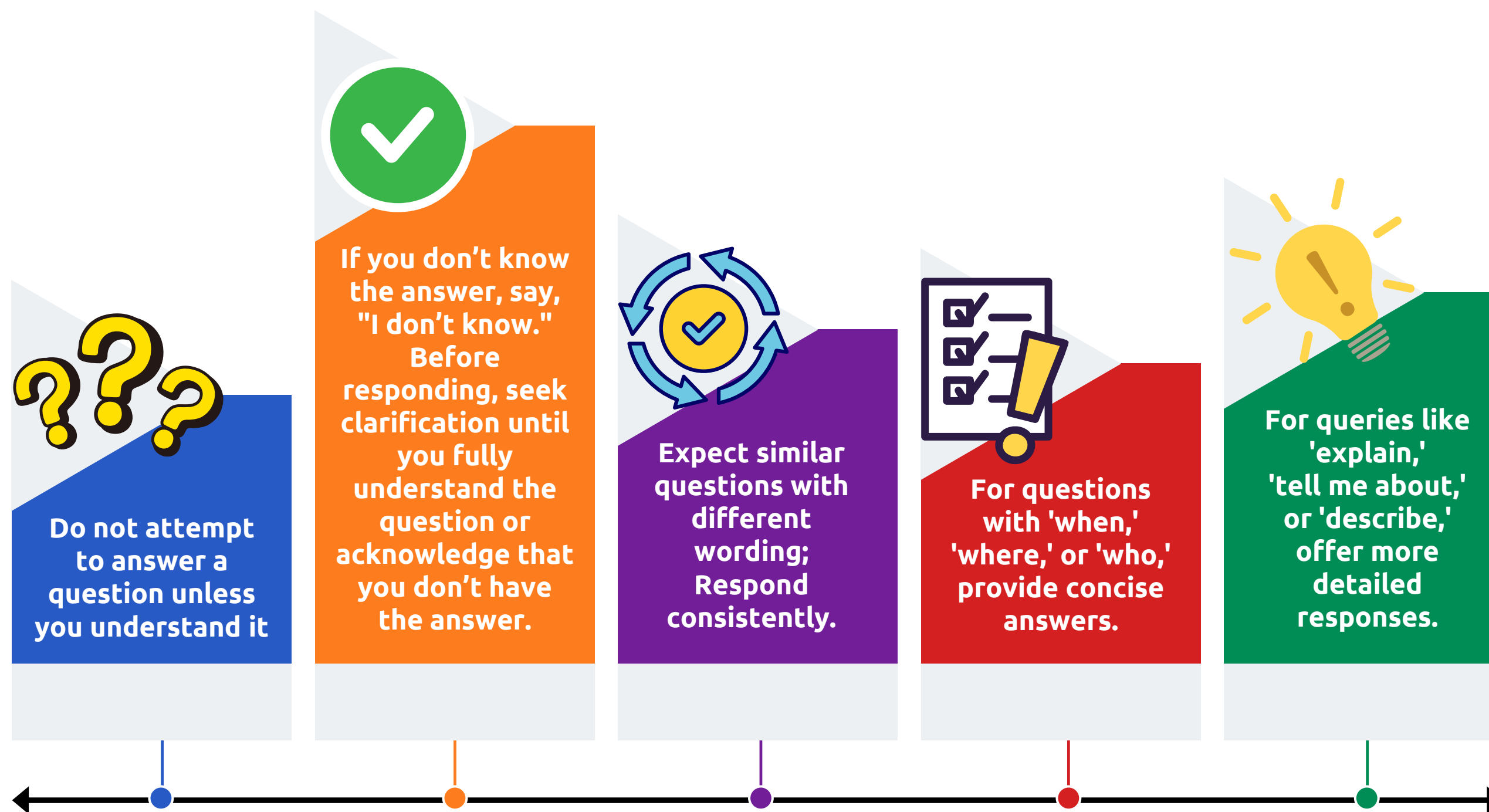
What Happens at the Refugee Hearing?

- The member introduce everyone and **explain the hearing process**.
- If there is an interpreter, the member confirms that **you and the interpreter can understand each other**: make sure you understand them, and they understand you.
- The member **goes over all the documents** that will be used as evidence at your hearing. Make sure they have everything you submitted (BOC, originals of all evidence, notice to appear).
- Once the documents have been reviewed, the member asks you to make a promise to **tell the truth** in a solemn affirmation.
- The member will expect you to be able to answer questions at your hearing about **the efforts you made** to try to obtain the supporting document.
- You should **keep your evidence close by** in case the member asks to see the document.
- Inform the RPD member of any **relevant considerations**: If you are nervous... if you are feeling ill... If you will require medicine...
- Be aware that **you can request a break**; ask for a break at any time.



At The Refugee Hearing

Golden Rules for Answering Questions



At The Refugee Hearing

Decision Maker Expectations

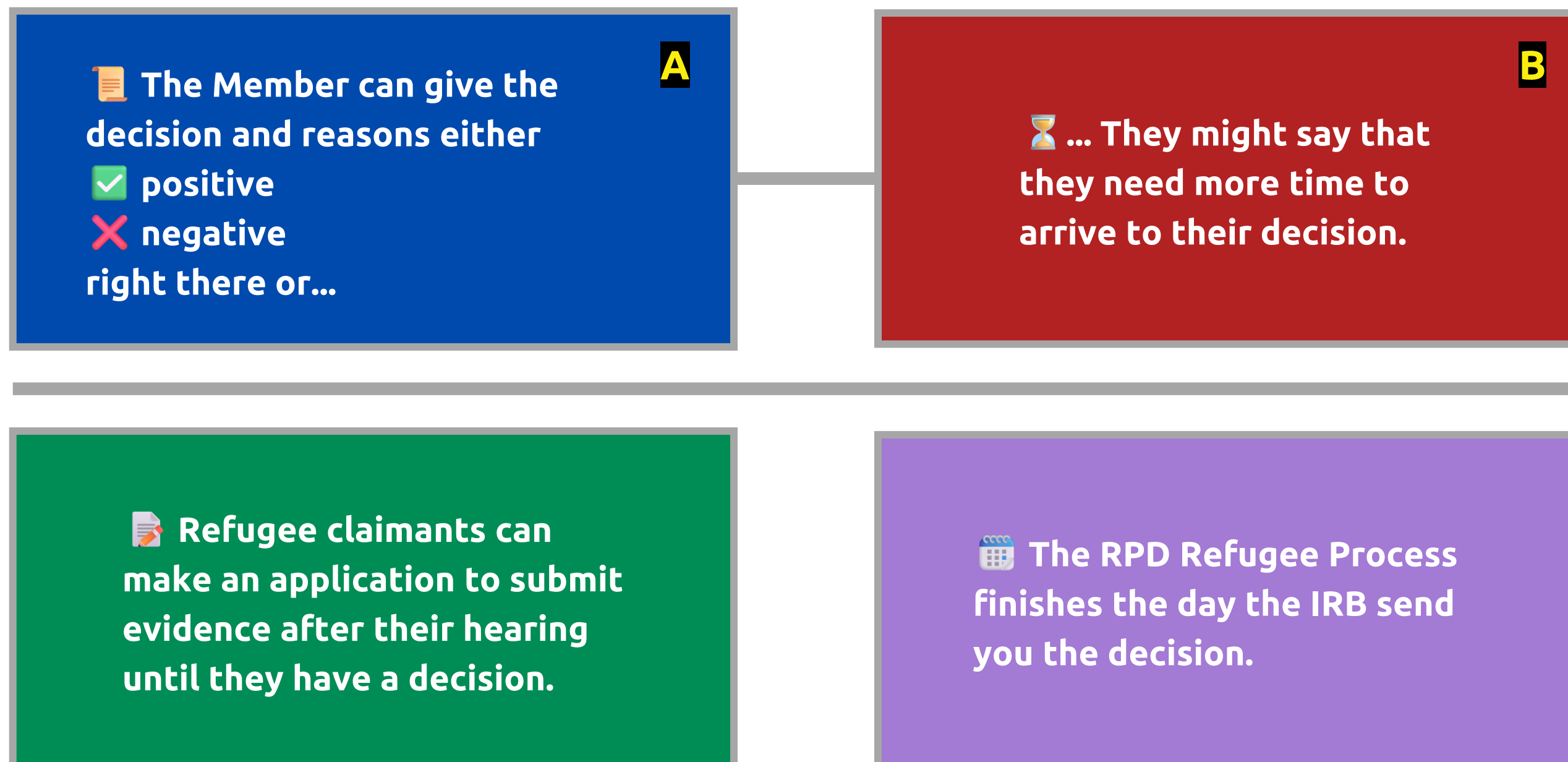
The decision maker will expect you to be able to answer several important questions at your hearing, such as:

- What do you fear will happen to you if you return to your country of origin?
- Do you think you will be harmed if you return to your country of origin?
- Did you seek help from authorities, including the police or any other organizations, in your country?
- Did you try to move to another part of your country?



At The Refugee Hearing

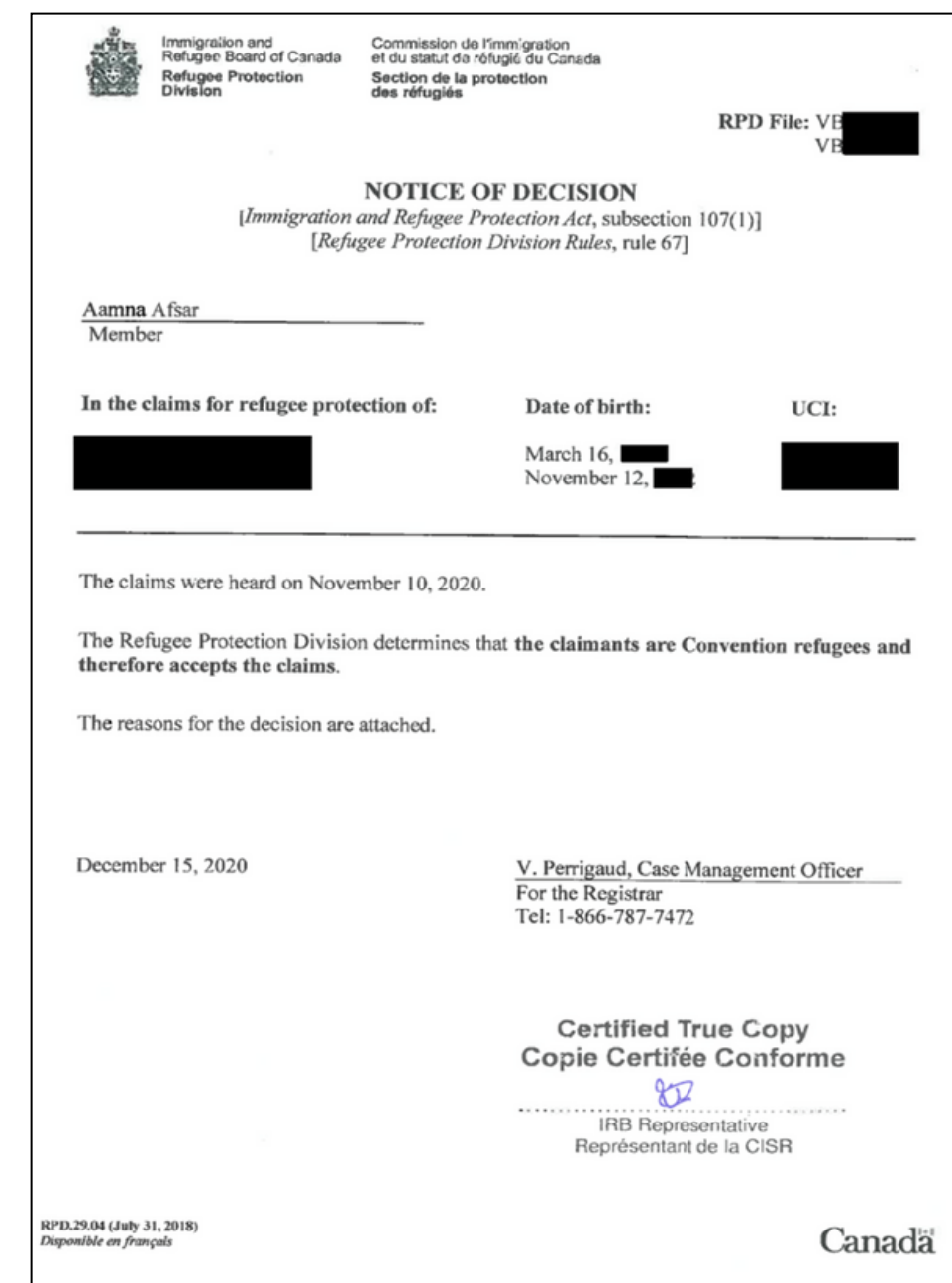
At the End of the Refugee Hearing



After The Refugee Hearing

Positive Decision

- **You will be given an official signed document:** “Notice of Decision with reasons”. This document explains why you were accepted or refused.
- If a claim is **accepted**, that person is granted **Protected Person** status in Canada.
- Protected persons can apply for **Permanent Residence**.
- You **cannot travel to the country you are fleeing from** (country of origin).
- You must be a citizen of Canada to travel back to your country of origin (always consult first, just in case).



Immigration and Refugee Board of Canada
Refugee Protection Division

Commission de l'immigration et du statut de réfugié du Canada
Section de la protection des réfugiés

RPD File: VE [REDACTED]
VE [REDACTED]

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

Aamna Afsar
Member

In the claims for refugee protection of: [REDACTED] Date of birth: March 16, [REDACTED]
November 12, [REDACTED] UCI: [REDACTED]

The claims were heard on November 10, 2020.

The Refugee Protection Division determines that the claimants are Convention refugees and therefore accepts the claims.

The reasons for the decision are attached.

December 15, 2020

V. Perrigaud, Case Management Officer
For the Registrar
Tel: 1-866-787-7472

Certified True Copy
Copie Certifiée Conforme

IRB Representative
Représentant de la CISR

RPD.29.04 (July 31, 2018)
Disponible en français

Canada

After The Refugee Hearing

Negative Decision

- **You can appeal** a negative decision before the RAD, with some **exceptions**:
 - The claim was withdrawn or abandoned
 - The decision says that your claim has no credible basis or is manifestly unfounded
 - The claim was made at a land border
- Some cases can only make an application to the **Federal Court** for Judicial Review
- **Time sensitive**: The first step has to be done before 15 days after receiving the decision.
- **The Minister can also appeal** a positive refugee determination.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 RPD DECISION RECEIVED	2 X	3 X	4 X
5 X	6 X	7 X	8 X	9 X	10 X	11 X
12 X	13 X	14 X	15 X	16 SUBMIT NOTICE OF APPEAL	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	




After The Refugee Hearing

RAD

- 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.
- **Time- sensitive: 45 days.**

Two Steps to Appeal to the RAD

1. Filing your **notice of appeal form**
(15 days after receiving negative decision)
2. Filing the **appellant's record**
(45 days after receiving negative decision)



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)
<input type="text"/> <small>Last name, middle name, first name</small> <input type="text"/> <small>Date of birth</small> <input type="text"/> <small>Country of nationality/Country of citizenship</small>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> English <input type="checkbox"/> French	<input type="checkbox"/> None <input type="checkbox"/> Yes. Provide information on page 2.	<input type="text"/>
<input type="text"/> <small>Last name, middle name, first name</small> <input type="text"/> <small>Date of birth</small> <input type="text"/> <small>Country of nationality/Country of citizenship</small>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> English <input type="checkbox"/> French	<input type="checkbox"/> None <input type="checkbox"/> Yes. Provide information on page 2.	<input type="text"/>
<input type="text"/> <small>Last name, middle name, first name</small> <input type="text"/> <small>Date of birth</small> <input type="text"/> <small>Country of nationality/Country of citizenship</small>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> English <input type="checkbox"/> French	<input type="checkbox"/> None <input type="checkbox"/> Yes. Provide information on page 2.	<input type="text"/>
<input type="text"/> <small>Last name, middle name, first name</small> <input type="text"/> <small>Date of birth</small> <input type="text"/> <small>Country of nationality/Country of citizenship</small>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> English <input type="checkbox"/> French	<input type="checkbox"/> None <input type="checkbox"/> Yes. Provide information on page 2.	<input type="text"/>

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RAD.00 (2021.04)

Immigration and Refugee Board of Canada
<http://www.irb-cisr.gc.ca>
 Notice of Appeal from a Refugee Protection Division Decision
 Page 1 of 3



Refugee Hearing Resources

Virtual Ready Tour

- The Immigration and Refugee Board of Canada, IRB, facilitates refugee hearing information sessions online: **Virtual Ready Tours**.
- This is a unique opportunity for refugee claimants to learn what is going to happen during their refugee hearing.
- The sessions are scheduled twice a month. You can check the calendar online at the FCJ Refugee Centre website, and choose the day you can join:
<https://www.fcjrefugeecentre.org/refugee-orientations-online/>



Virtual Ready TOUR

REFUGEE HEARING ORIENTATIONS

Every other Thursday, 12:00 PM to 2:30 PM

A free program for refugee claimants

ONLINE

What is going to happen during my refugee hearing?

SCAN TO REGISTER

Check the calendar and register for the next available session!

FCJ REFUGEE CENTRE

REGISTRATION AND CALENDAR:
[fcjrefugeecentre.org/refugee-orientations-online](https://www.fcjrefugeecentre.org/refugee-orientations-online)

CONTACT:
 Carolina Teves: cteves@fcjrefugeecentre.org

Learn:

- What is a virtual refugee hearing
- How to be prepared
- What to expect
- Who participates

A great opportunity to meet IRB/RPD officers who will explain the refugee hearing process.

Refugee Hearing Resources


Guide

Refugee Hearing Preparation

Prepared by the FCJ Refugee Centre, this toolkit includes all the information covered in this presentation, plus an additional extensive section with refugee claimants resources.

Download it here:

<https://www.fcjrefugeecentre.org/toolkit-refugee-hearing-preparation-what-to-expect-and-how-to-prepare/>



FCJ
REFUGEE
CENTRE

REFUGEE HEARING PREPARATION

What to Expect at a Refugee
Hearing and How to Prepare

- ✓ The Basis of Claim Form and your narrative letter
- ✓ How to answer questions
- ✓ Making changes to my claim
- ✓ Preparing evidence
- ✓ Who needs protection in Canada?
- ✓ What questions will be made at the hearing?
- ✓ What am I allowed to do at a hearing?
- ✓ Refugee claimants resources
- ✓ And much more

TOOLKIT

Questionnaire

FCJ Refugee Center Webinar Feedback

To continue improving and delivering meaningful experiences, we'd greatly appreciate it if you could take a few minutes to fill out our feedback form. Your insights are incredibly important to us—they help us understand what worked well and where we can do better.

Access the questionnaire here:

<https://forms.cloud.microsoft/r/wY0BaCxtfZ>

Or by scanning the QR code in this page.



THANK YOU!

QUESTIONS?

Connect with us:

-  **208 Oakwood Avenue
Toronto, ON M6E 2V4**
-  **416-469-9754**
-  **437-217-3786**
-  **info@fcjrefugeecentre.org**
-  **fcjrefugeecentre.org**

