



30 YEARS **FCJ REFUGEE CENTRE**
Shoulder to Shoulder, Side by Side
Walking with Uprooted People for more than 30 years



Navigating the Refugee System and Resources



30 YEARS
Shoulder to Shoulder,
Side by Side
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AGENDA

- Who is a Precarious Migrant?
- Making a claim: inland and at a land port of entry, what happens there? A quick view
- Refugee Claim Forms & Canadian Refugee Protection Portal
- Initial Key Steps: Legal Aid support, right to have a lawyer, medical exam and work permit
- ID Document and renewal
- Gathering Documents (preparation refugee hearing)
- Refugee Hearing
- After Refugee Hearing
- Accepted Refugees: ID updates (SIN, OHIP, PR application, Family reunification, etc.)
- Rejected refugees and status:
- Refugee Appeal: status and ID
- Judicial Review before the Federal Court
- PRRA (only by invitation)
- H&C as an option: implications
- Resources for refugee claimants and other Precarious Populations: FCJ Refugee Centre Services

WHO WE ARE

- We are a non-profit organization which serves refugees and others at risk due to their immigration status
- We welcome anyone asking for advice, counsel and support regarding these issues.
- We address systemic issues that newly arrived refugee claimants and persons with precarious immigrations status face in Canada including lack of resources, marginalization, and discrimination.
- 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”.

FCJ Refugee Centre serves refugees and others at risk due to their immigration status, and welcomes anyone asking for advice, counsel and support.



Settlement Program

**Immigration Help &
Refugee Protection**

Anti- Human Trafficking Program

Popular Education

Networking

30
YEARS

FCJ REFUGEE CENTRE
Shoulder to Shoulder, Side by Side...
Walking with Uprooted People
For 30 years

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

- ☎ 416-469-9754
- 📞 437-217-3786
- ✉ info@fcjrefugeecentre.org
- 🌐 fcjrefugeecentre.org
- 📘 @FCJRefugeeCentre
- 📷 @fcjrefugeecentre
- 🐦 @RefugeeCentre
- 📺 FCJ Refugee Centre

WWW.FCJREFUGEECENTRE.ORG

NON-STATUS & PRECARIOUS POPULATIONS

- The term precarious migrant refers to the vulnerabilities of individuals who do not have unconditional permanent residence in Canada and may possess some form of immigration status
Precarious migrants in Canada are vulnerable to many forms of abuse as the law often fails to protect them
- 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

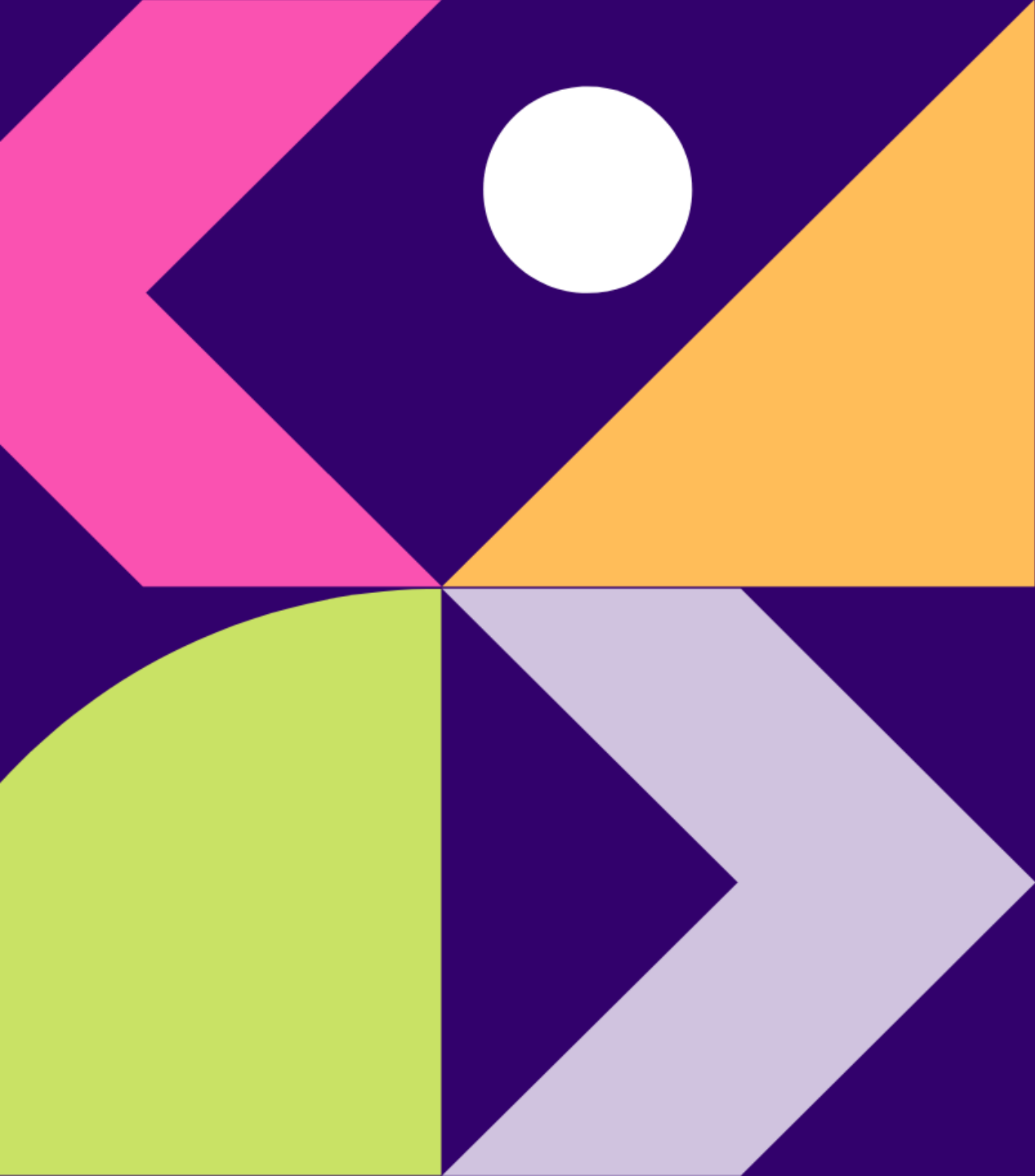
INTERSECTIONALITY

- 1 Race
- 2 Ethnicity
- 3 Gender identity
- 4 Class
- 5 Language
- 6 Religion
- 7 Ability
- 8 Sexuality
- 9 Mental health
- 10 Age
- 11 Education
- 12 Attractiveness (...and many more...)

Intersectionality is a lens through which you can see where power comes and collides, where it locks and intersects. It is the acknowledgement that everyone has their own unique experiences of discrimination and privilege.

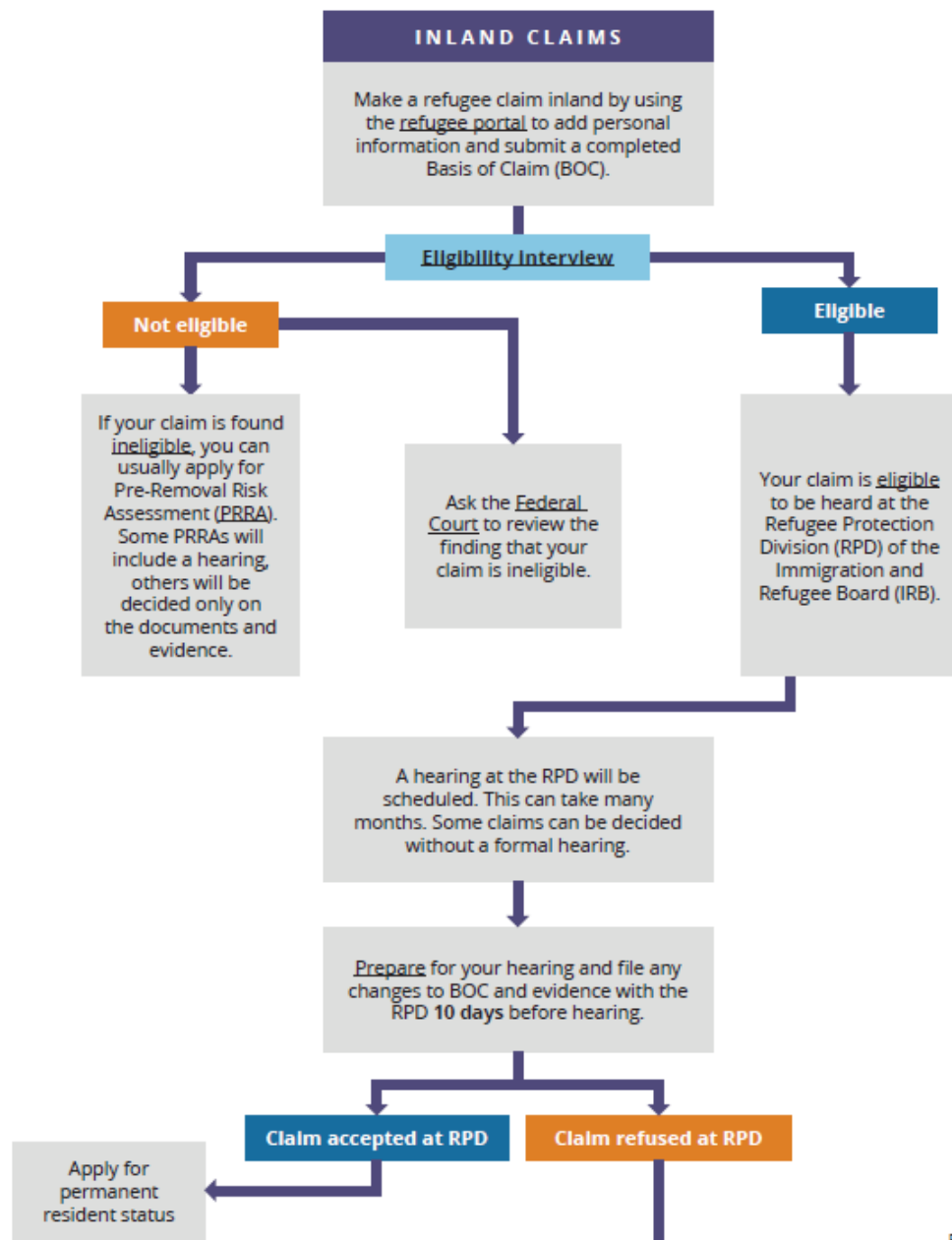
- Kimberlé Crenshaw -

@sylviaaducksworth



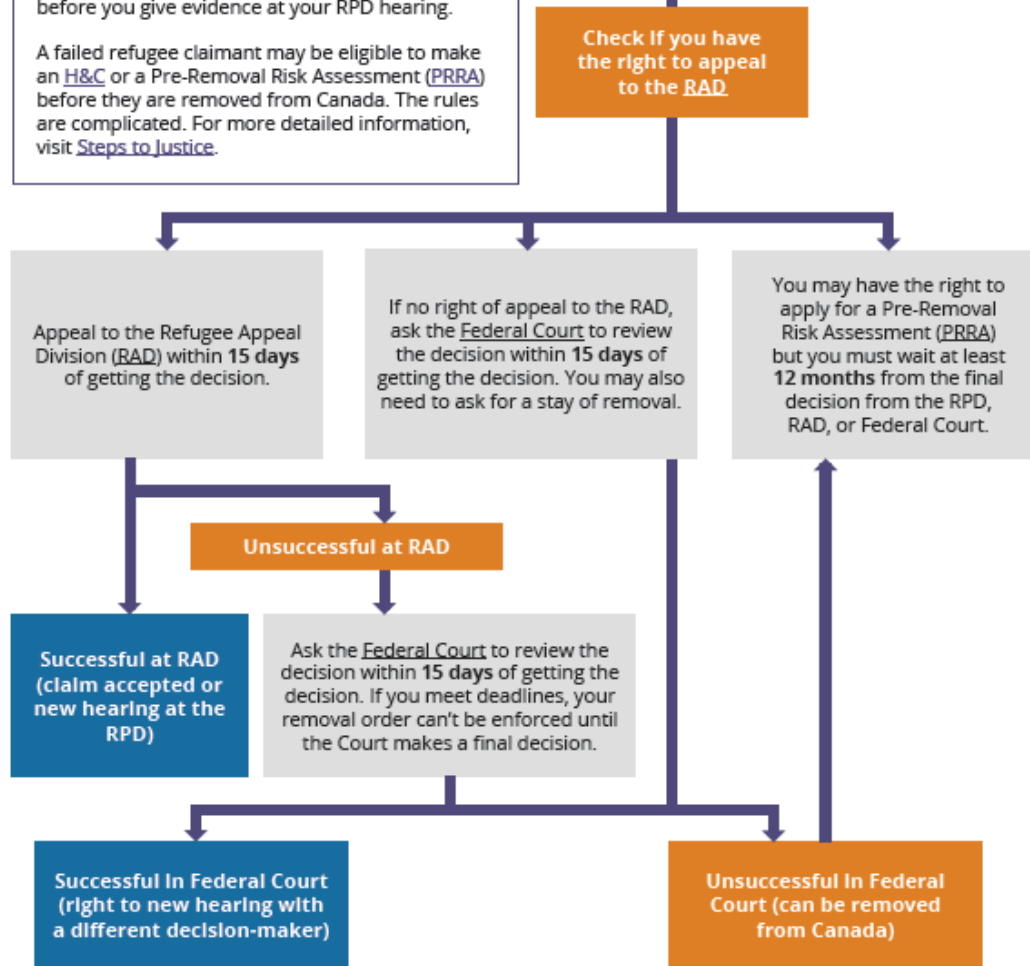
REFUGEE PROCESS OVERVIEW

THE REFUGEE CLAIM PROCESS



You may be able to make an application to stay in Canada based on humanitarian and compassionate (H&C) reasons. You can only make an H&C application if you **withdraw your claim** before you give evidence at your RPD hearing.

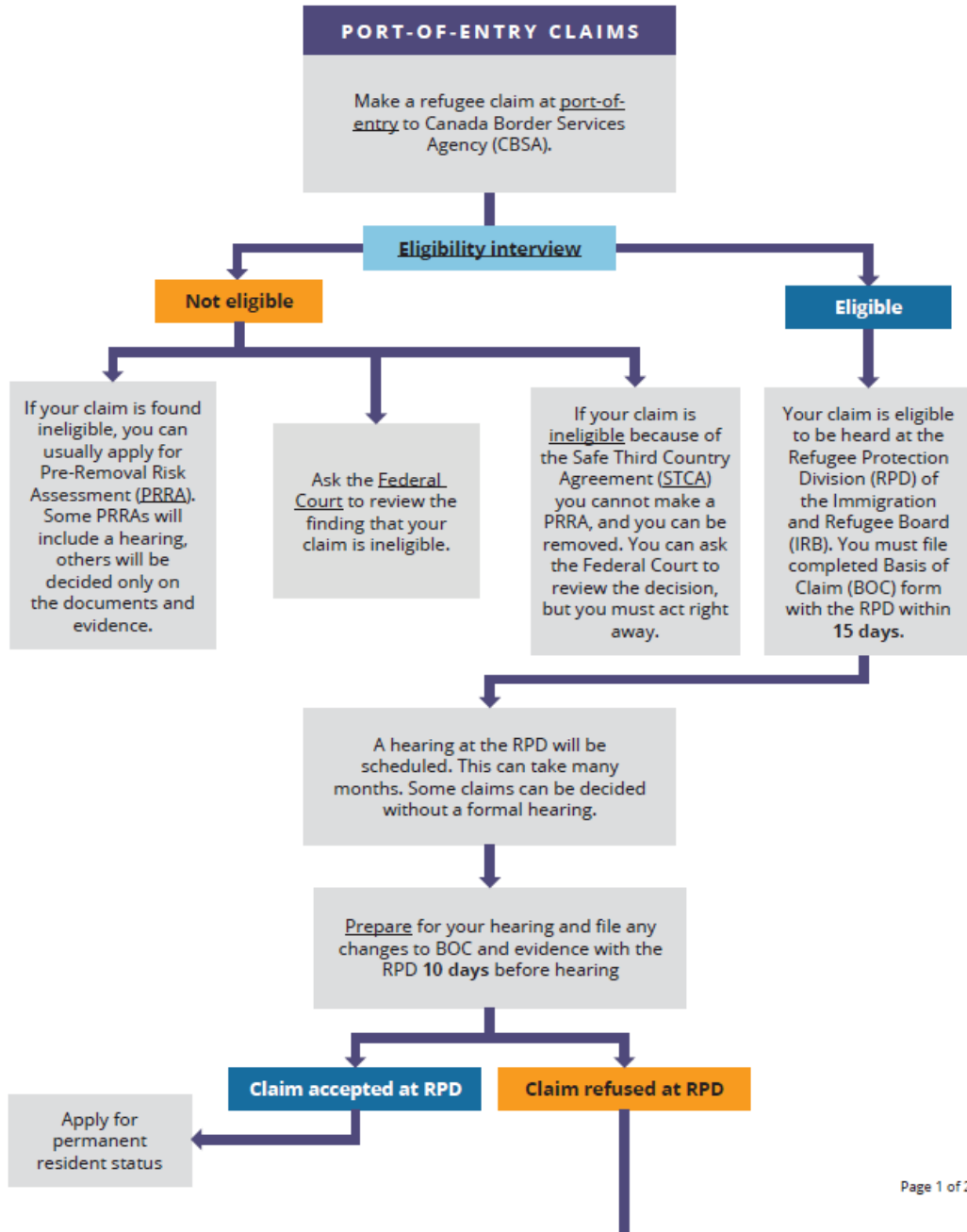
A failed refugee claimant may be eligible to make an **H&C** or a Pre-Removal Risk Assessment (PRRA) before they are removed from Canada. The rules are complicated. For more detailed information, visit [Steps to Justice](#).



Applying for refugee status in Canada is complicated. It is important to try to get legal help. This flow chart provides information about the refugee claim process and time limits. It is not intended to be used as legal advice. In some cases, time limits can be extended. For more information and where to get help, visit [Steps to Justice](http://www.stepsjustice.ca/legal-topic/refugee-law) at www.stepsjustice.ca/legal-topic/refugee-law.

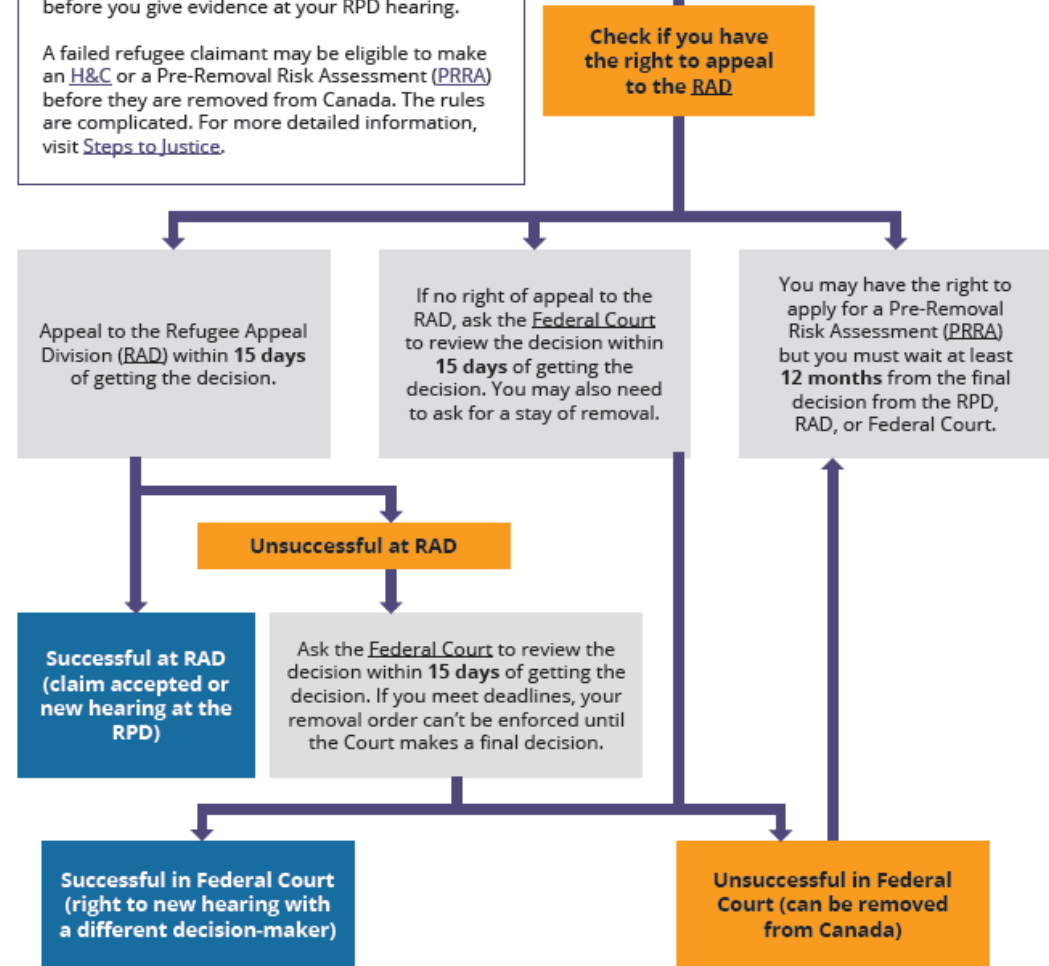
This is an adaptation of the Refugee Claim Flow Chart (December 2012) produced by Legal Services Society, British Columbia (LSS), with permission. CLEO is wholly responsible for the accuracy.

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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:

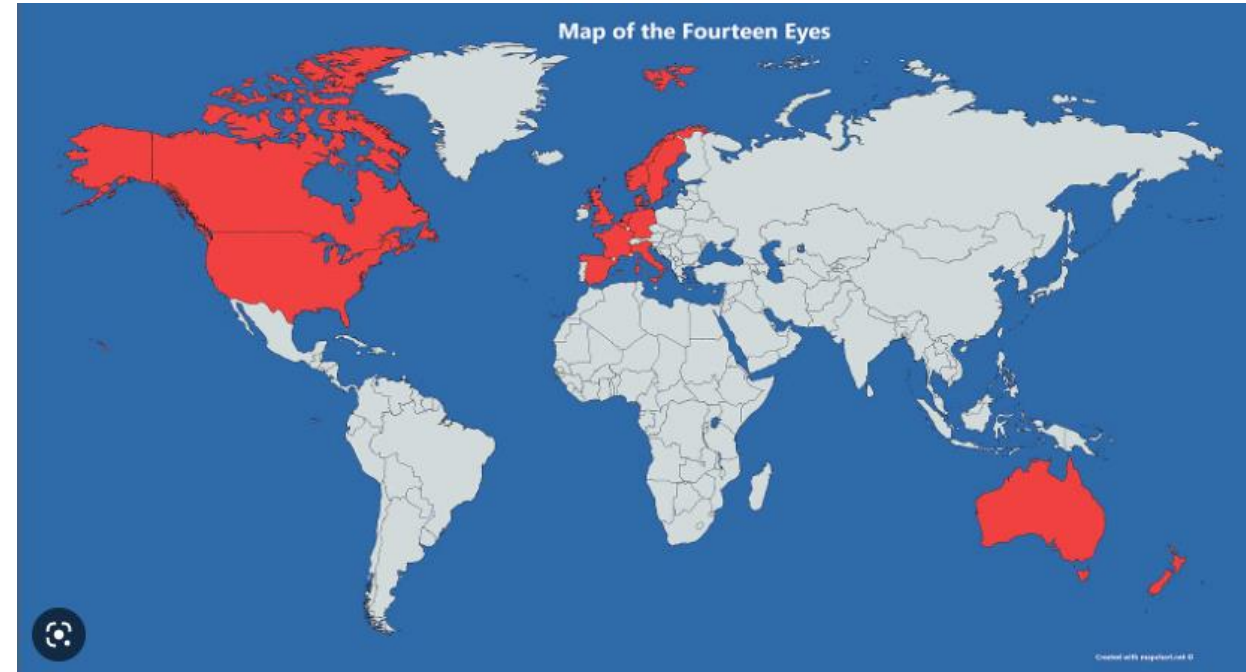
- ✓ Close family members,
- ✓ Unaccompanied minors,
- ✓ Document holder exception
- ✓ dead penalty

Three leading Canadian human rights organizations, the CCR, Amnesty International Canada, and The Canadian Council of Churches, together with eight individual applicants are challenging the STCA. They appeared before the Supreme Court of Canada on Oct 6 to call for an end to a policy that cruelly bars many people from seeking refugee protection in Canada.

FCJ REFUGEE CENTRE

FIVE EYES INELIGIBILITY

- A person is ineligible to make a refugee claim if they have initiated a refugee claim (asylum proceedings) in a Five Eyes country.
- The issue of ineligibility based on a claim made in U.S., U.K., New Zealand or Australia is technically based on whether there is a biometric match, not whether you made a claim. So sometimes a person who made a refugee claim turns out to be eligible to make a claim in Canada, because no biometric match is declared by the governments.



- *Note: biometrics are not taken from children under 14. Therefore, even if children under 14 have started an asylum claim in the US, they will be eligible to make a refugee claim in Canada.*

FCJ REFUGEE CENTRE

ONE-TOUCH PILOT

The Canada Border Services Agency launched the One Touch Pilot to reduce the backlog of people waiting for eligibility and to speed up the process. Overview:

- Eligibility will be determined immediately at the Port of Entry and the Refugee Protection Claimant Document will be issued to the person.
- Claimants will be required to complete the forms (through the portal or otherwise) within 45 days after their initial “one touch” arrival process. (The Basis of Claim form will also be due at the IRB within 45 days).
- To be processed under “one touch” claimants must:
 - Not be considered “high risk” (includes identity not established)
 - Have a passport (could be expired but must be in their name)
 - Provide a valid email address
 - Not be inadmissible
 - Not be detained

NEW ASYLUM ONLINE APPLICATION (EAPP)

- Beginning September 13, 2022, individuals in Canada wishing to make a refugee claim can do so online through the new eApp. The new online asylum application will replace the Canadian Refugee Protection Portal and become the primary way for individuals to make a refugee claim in Canada. The new eApp is only applicable for those who are already in Canada.
- Officers will be able to communicate directly with clients or their legal representative. Claimants will also have the ability to track the status of their application.
- Claimants can submit their documents and those of their family members who are also in Canada. Applicants will have 90 days to submit a claim once it has been opened. For privacy reasons, incomplete claims that are not submitted within 90 days will be deleted.
- If claimant started a claim in the Canadian Refugee Protection Portal on or before September 12, 2022, but have not yet submitted it will have until December 31, 2022, to do so.

Sign in to the IRCC portal

* Email address (required)

* Password (required)

Sign in

Need an account? [Sign up](#)

[Forgot your password?](#)

Date modified: 2022-10-04

[Report a problem on this page](#)

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.

First agent provide the client number and after phone call is transfer to a second agent.

Second agent ask you more personal questions related to the refugee claim reason and finances. At the end a CE# is provided

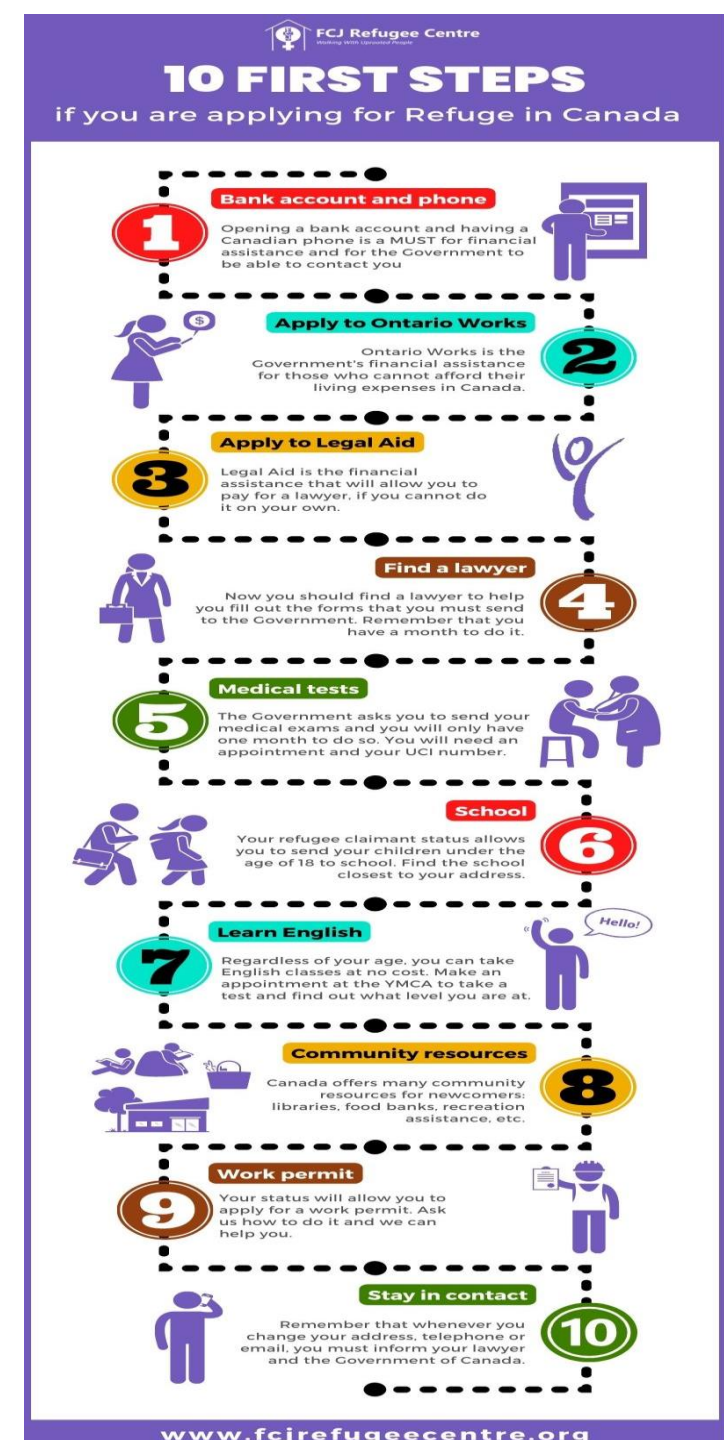
Legal Aid Application/ Key Questions

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

FINANTIAL 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



WHAT IS A BOC NARRATIVE

- The most important part of a refugee claim.
- The story of what happened to them; why they are in Canada.
- 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



Immigration and Refugee Board of Canada / Commission de l'immigration et du statut de réfugié du 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 / Immigration and Refugee Board of Canada
<http://www.irb-cisr.gc.ca>
Basis of Claim Form / Page 1 of 10

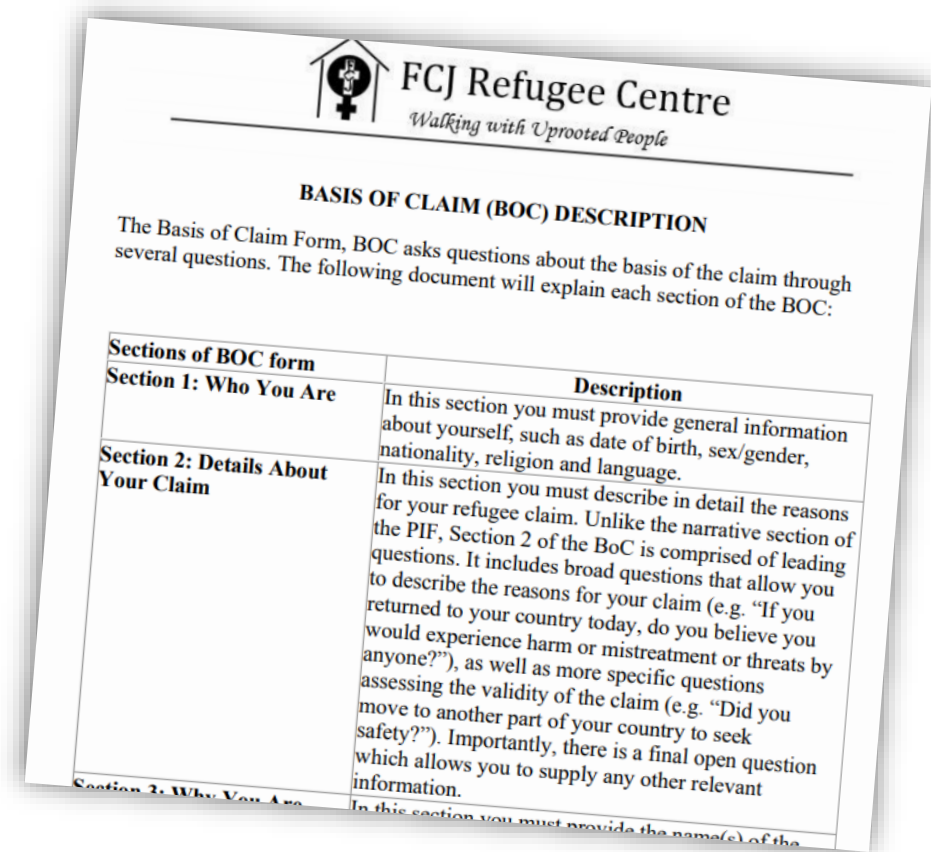
RPD.02.01 (November 2012)

Canada

Resources how to fill out the BOC:

Translation of refugee forms:

- Spanish
- Portuguese
- Amharic
- Slovakian
- Czech



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

Refugee Protection Claim Documents

- Starting on August 8, Immigration, Refugees and Citizenship Canada has resumed the renewal of expired Refugee Protection Claimant Documents (RPCDs), starting with RPCDs that expired on or after January 1, 2020.
- 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 about work permit available online : <https://www.fcjrefugeecentre.org/webinar-how-to-do-a-work-permit-online/>

Webinar | How to do a Work Permit Online

<https://www.canada.ca/en/immigration-refugees-citizenship/services/coronavirus-covid19/refugees.html#rpcd>

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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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: *[Signature]*

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

UPDATES: REFUGEE PROTECTION CLAIMANT DOCUMENTS

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/867/4651/faq/faq-ifhp-claims-vcf>

Canada

IMM 5965 (10-2019) E GCMS

Canada Border Services Agency / Agence des services frontaliers du Canada

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-POE/admissiondesrefugies-ASEC@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-POE/admissiondesrefugies-ASEC@cbsa-asfc.gc.ca

FCJ REFUGEE CENTRE

CHANGE OF ADDRESS

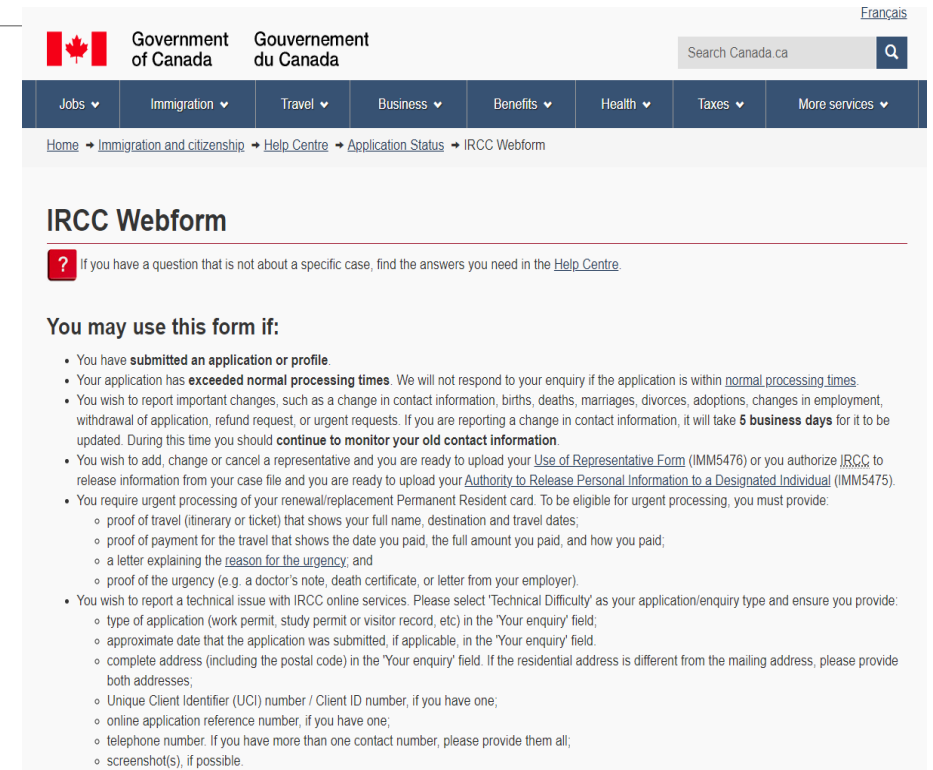
Change of Address for individuals who have their acknowledgement of claim document to secure the work permit would arrive to the proper address.

Web form Link - <https://secure.cic.gc.ca/enquiries-renseignements/canada-case-cas-eng.aspx>

In the text box please input your information that needs being updated, make sure to explain what you are updating (i.e.. Address, phone number, etc.)

You must input the requested information in the Applicant Information Section

If the applicant is the enquirer, select applicant option in the first box and all information will follow



The screenshot shows the top navigation bar of the Government of Canada website, including the Canadian flag, the text 'Government of Canada' and 'Gouvernement du Canada', and a search bar. Below the navigation bar is a menu with options: Jobs, Immigration, Travel, Business, Benefits, Health, Taxes, and More services. The breadcrumb trail reads: Home → Immigration and citizenship → Help Centre → Application Status → IRCC Webform. The main heading is 'IRCC Webform'. A red question mark icon is followed by the text: 'If you have a question that is not about a specific case, find the answers you need in the [Help Centre](#).' Below this is the section 'You may use this form if:' followed by a bulleted list of conditions for using the form.

Government of Canada / Gouvernement du Canada

Search Canada.ca

Jobs | Immigration | Travel | Business | Benefits | Health | Taxes | More services

Home → Immigration and citizenship → Help Centre → Application Status → IRCC Webform

IRCC Webform

? If you have a question that is not about a specific case, find the answers you need in the [Help Centre](#).

You may use this form if:

- You have **submitted an application or profile**.
- Your application has **exceeded normal processing times**. We will not respond to your enquiry if the application is within [normal processing times](#).
- You wish to report important changes, such as a change in contact information, births, deaths, marriages, divorces, adoptions, changes in employment, withdrawal of application, refund request, or urgent requests. If you are reporting a change in contact information, it will take **5 business days** for it to be updated. During this time you should **continue to monitor your old contact information**.
- You wish to add, change or cancel a representative and you are ready to upload your [Use of Representative Form](#) (IMM5476) or you authorize IRCC to release information from your case file and you are ready to upload your [Authority to Release Personal Information to a Designated Individual](#) (IMM5475).
- You require urgent processing of your renewal/replacement Permanent Resident card. To be eligible for urgent processing, you must provide:
 - proof of travel (itinerary or ticket) that shows your full name, destination and travel dates;
 - proof of payment for the travel that shows the date you paid, the full amount you paid, and how you paid;
 - a letter explaining the [reason for the urgency](#); and
 - proof of the urgency (e.g. a doctor's note, death certificate, or letter from your employer).
- You wish to report a technical issue with IRCC online services. Please select 'Technical Difficulty' as your application/enquiry type and ensure you provide:
 - type of application (work permit, study permit or visitor record, etc) in the 'Your enquiry' field;
 - approximate date that the application was submitted, if applicable, in the 'Your enquiry' field.
 - complete address (including the postal code) in the 'Your enquiry' field. If the residential address is different from the mailing address, please provide both addresses;
 - Unique Client Identifier (UCI) number / Client ID number, if you have one;
 - online application reference number, if you have one;
 - telephone number. If you have more than one contact number, please provide them all;
 - screenshot(s), if possible.

FCJ REFUGEE CENTRE

CHANGE OF ADDRESS

If the individual already has their Refugee ID and the case was referred to the Refugee Protection Division – IRB, they must also fill out the change of address form (yellow page provided on the refugee package) and fax over a copy to the IRB.

Fax number – use any of the following:

-416-973-4013
-416-954-1165
-416-973-9304

Email to Change Venue/Location of refugee claim from Montreal to Toronto

Send request to this email: CTU-PUBLIC@cbsa-asfc.gc.ca

Include the following information in your email:

- a) UCI#
- b) Full Name
- c) Date of Birth
- d) Email and Phone Number
- e) If possible, current address in Toronto
- f) Date and Location of Eligibility Interview (this can be found on your “Entry for Further Examination or Admissibility Hearing Form”)

New temporary measure that will accelerate work permit

Under this measure, a work permit will be issued for individuals in Canada following their eligibility determination, and prior to the in-person interview and referral to the Immigration and Refugee Board of Canada (IRB). This includes claims currently in the backlog and those submitted, going forward.

- provide their biometrics
- complete an immigration medical exam with a [panel physician designated by IRCC](#)

REFUGEE CLAIMANT RESOURCES

- The Immigration and Refugee Board of Canada is implementing the refugee hearing information sessions: VIRTUAL READY TOURS
- This is a unique opportunity for refugee claimants to learn what is going to happen during their refugee hearing.
- The Refugee Appeal Division, RAD, also facilitates the session for rejected refugees that want to learn how to appeal their negative decision.

ARE YOU A REFUGEE CLAIMANT?
JOIN ONE OF THE IRB-RPD VIRTUAL READY TOURS




VIRTUAL Ready TOUR

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>



REFUGEE HEARING ORIENTATIONS

A free program for refugee claimants

JAN 19
FEB 2
FEB 16
MAR 2
MAR 16

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

Learn:

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

Every other Thursday, 1:00 PM to 3:00 PM

What is going to happen during my refugee hearing?



REFUGEE APPEAL ORIENTATIONS

A free program for rejected refugee claimants

JAN 26
FEB 9
FEB 23
MAR 9
MAR 23

Learn about the refugee appeal process before the Refugee Appeal Division (RAD) through sessions facilitated by RAD officers

Including:

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

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

How can I be prepared for the the refugee appeal process?




REFUGEE APPEAL VIRTUAL INFO-SESSION

FREE ORIENTATION FOR REFUGEE CLAIMANTS APPEALING THEIR NEGATIVE DECISION TO THE REFUGEE APPEAL DIVISION (RAD) OF THE IMMIGRATION AND REFUGEE BOARD (IRB)



RAD Virtual INFO SESSION

STAFF FROM THE IRB/RAD WILL HELP YOU TO LEARN:
WHO CAN FILE AN APPEAL OF A DECISION RENDERED BY THE (RPD)?
HOW TO FILE AN APPEAL?
WHAT IS NEEDED TO PERFECT AN APPEAL?

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REGISTRATION visit our website: <https://www.fcjrefugeecentre.org>

*If interpreter is required we have volunteers who can support in some languages

PREPARATION OF TESTIMONY

- Review narrative, evidence submitted or disclosed.
- Review country IRB National Documentation Package.
- Key issues for refugee claimants:
 - Why your country cannot protect you
 - Did you try to go to the police? What was the result?
 - Why do you think the police would not/could not protect you in the future?
 - Why you cannot 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

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



There are two types of documents/evidence:

- Country conditions evidence**
- and personal evidence**

Country conditions speaks to the conditions/situations in country or countries affecting you and/or you fear persecution. That that. The RPD already has documents about your country, these documents are called the National Documentation Package (NDP).

<https://irb-cisr.gc.ca/en/countryinformation/ndp/Pages/index.aspx>

AT THE END OF THE REFUGEE HEARING



At the end of the hearing, the RPD member may:

- give the decision and reasons either positive/negative right there or,
- They may say that they need more time to arrive to their decision
- If IRB does not give a decision, refugee claimants can make an application to submit evidence after their hearing until they have a decision.
- The RPD Refugee Process finishes the day the IRB signed the decision in paper.

POSITIVE DECISION



- If a claim is accepted... that person is granted protected person status in Canada.
- Protected persons can apply for Landing (Permanent Residence) and family reunification (take in consideration the backlog increased with the COVID-19 emergency)
- When eligible, permanent residents can apply for Canadian Citizenship
- Refugees in Canada seeking to reunite with immediate family members overseas face very long processing delays.
- They seek reunification through:
- Dependents of refugees (DR2s) category (for people who were accepted as refugees in Canada OR

REFUGEE APPEAL DIVISION

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 & FEDERAL COURT

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 comeback 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 comeback to Canada for life.

OTHER OPTION:

Make an application to the Federal Court for Judicial Review

RAD INFO SESSIONS
A FREE PROGRAM FOR REJECTED REFUGEE CLAIMANTS
Every other Thursday, 2:30 PM to 3:00 PM



REFUGEE APPEAL ORIENTATIONS ONLINE

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



This is an evaluation done by IRCC to determine your risk of being removed from Canada to your country of origin, called a Pre-Removal Risk Assessment or PRRA.

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.

FCJ REFUGEE CENTRE

REMOVAL PROCESS

- The removal process is different in every case. It could take weeks, months, or years.
- You will know that CBSA is taking steps to remove you when you receive a letter telling you to attend an interview with CBSA
- There is a report aimed at frontline organizations, a guide for people in the deportation process, relating to removals and legal options.
- The guide answer questions like: : What to do after receiving a letter for an interview with CBSA? What does the CBSA removal officer do? What are the legal options, etc.
- If you want to learn more about removal the topic these are the links:

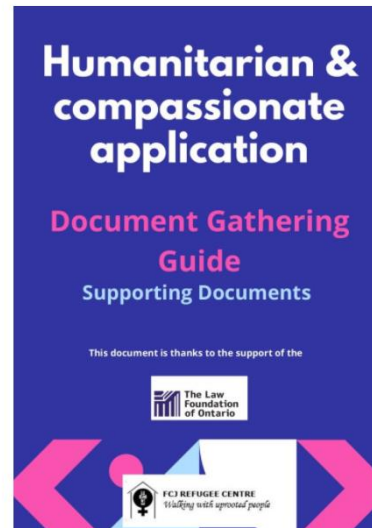
<https://romerohouse.org/wp-content/uploads/2022/08/Know-your-rights.pdf>

Humanitarian and Compassionate Application

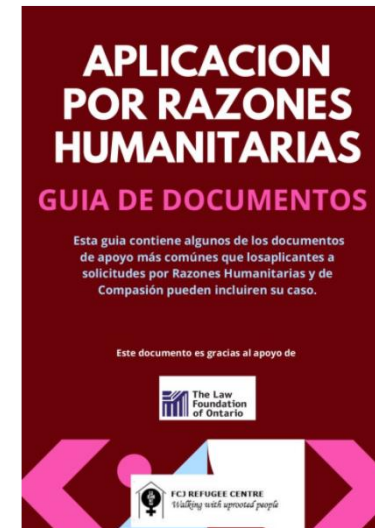
WHAT IS THE H&C

- People who would not normally be eligible to become permanent residents of Canada may be able to apply on humanitarian and compassionate grounds
- When it is justified by humanitarian and compassionate considerations relating to the foreign national, considering the best interests of a child directly effected
- H&C does not stop removal procedures
- 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

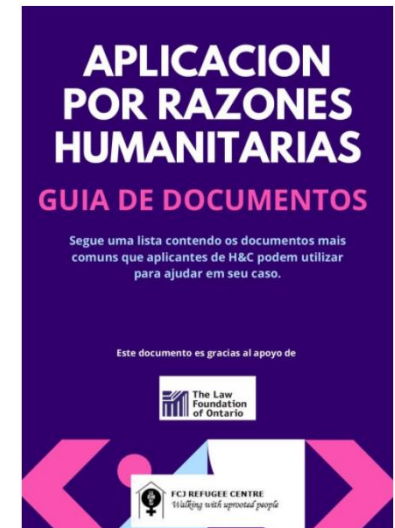
A list containing some of the most common documents that Humanitarian and Compassionate (H&C) applicants can use to support their case.



English



Español



Português

WHO CAN NOT APPLY

- A refugee claim that is pending before the RPD
- 12 Months bar: if a person has filed a refugee claim with the RPD that was :
Rejected - Abandoned - Withdrawn

The latest decision in any process in cases where there has been:

A Rejected Decision on your Refugee Claim (RPD)

An appeal to the Refugee Appeal Division (RAD)

An application for leave and judicial review submitted to the Federal Court



Webinar | A path for regularization: Humanitarian and Compassionate Application

KEY ELEMENTS

- Establishment :
 - Community
 - Financial
 - Education
 - Family
- Hardship
- Best Interest of the Child(dren)
- Letters of Support

<https://www.fcjrefugeecentre.org/webinar-a-path-for-regularization-humanitarian-and-compassionate-application/>

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)

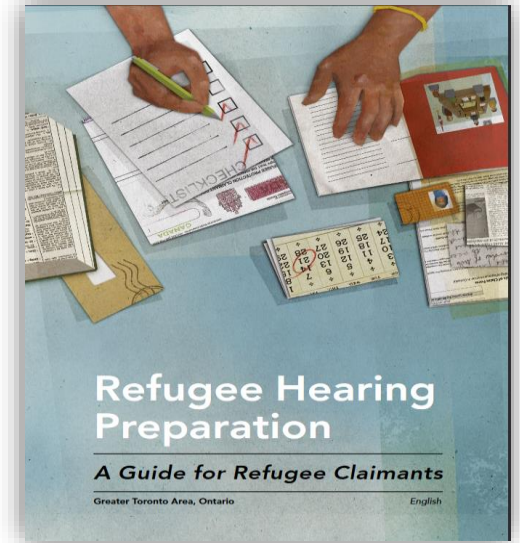
ACCESS TO



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



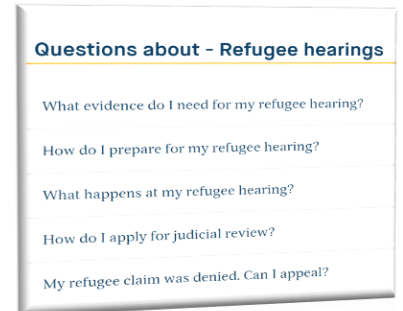
<https://refugeehouses.ca/>



<https://myrefugeeclaim.ca/en/>



<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>



Webinar | Navigating the Refugee Process, Hearing, Preparation and Resources



Webinar | Conociendo el Proceso de Refugio: Qué hacer y qué esperar



Webinar | Sponsorship Changes 2022



Webinar | International Women's Day Conversation: Art Therapy to Heal



Webinar | Library Resources for Refugee Claimants & Non-Status People

THANK YOU



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