



**FCJ
REFUGEE
CENTRE**

Walking With Uprooted People

Navigating the Refugee Process



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FCJ Refugee Centre



Land Acknowledgment

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.

Disclaimer

This presentation does not contain legal advice and should not be interpreted as such. It provides information available to the public and is for informational purposes.

FCJ REFUGEE CENTRE



WALKING
WITH
UPROOTED
PEOPLE



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.

About us

OUR MANDATE

FCJ Refugee Centre opens its doors to all women, children and men, who have been forced to leave their home, their family, their country, in search of a safe place.

We offer temporary housing for women and children, as well as counselling and assistance to refugees and refugee claimants, and to those in need of other services to help them integrate into Canadian society.



OUR HISTORY

FCJ Refugee Centre opened its doors in 1991 with two dormitories for women in need of protection. We currently offer a wide variety of programs to refugees and anyone who is at risk

The Centre has its origins in a project of the Faithful Companions of Jesus (FCJ sisters).

OUR PROGRAMS



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
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- 📺 FCJ Refugee Centre

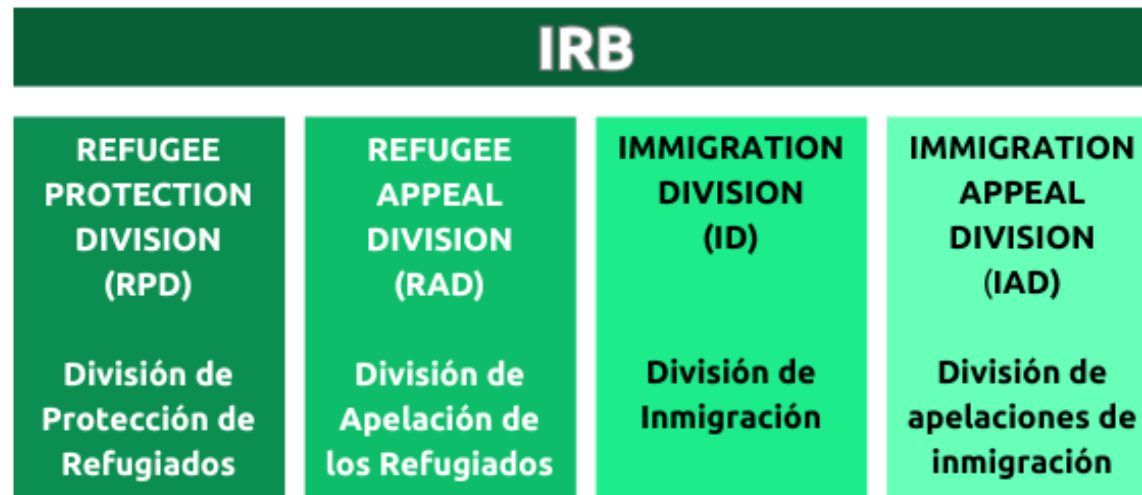
Government Institutions Involved in the Refugee Process

GOVERNMENT INSTITUTIONS INVOLVED IN THE REFUGEE PROCESS INSTITUCIONES GUBERNAMENTALES INVOLUCRADAS EN EL PROCESO DE REFUGIO

Immigration, Refugee and Citizenship Canada (IRCC)
Ministerio de Inmigración, Refugiados y Ciudadanía de Canadá

Canadian Border Services Agency (CBSA)
Agencia de Servicios Fronterizos de Canadá
(Procesamiento de solicitudes de refugio en la frontera)

Immigration and Refugee Board (IRB)
Consejo de Inmigración y Refugiados
(Tribunal administrativo -cuasi judicial- que determina el estatus de refugio)



ACRONYMS

IRB - Immigration and Refugee Board
RPD - Refugee Protection Division

BOC - Basis of Claim (your story)
NDP - National Documentation Package

CBSA - Canadian Border Services Agency
IRCC - Immigration, Refugee and Citizenship Canada

Get a Lawyer!

- It is highly advisable that you hire a lawyer to assist you with your refugee claim. Before paying for a lawyer out of your own pocket, we highly recommend you contact **LEGAL AID** to see if you qualify for coverage.
- Legal Aid is a government program that helps low-income families access legal representation and advice. If the claimant qualifies for Legal Aid, it will cover the costs of a lawyer to represent them.
- Legal Aid Ontario usually provides task specific certificates. A certificate will pay for a lawyer to perform a specific task for you, like completing your refugee claim (BOC/Narrative/Portal) or representing you at your hearing. Make sure you have the right certificate for whatever it is that you need.

<https://www.canada.ca/en/immigration-refugees-citizenship/services/immigration-citizenship-representative/choose/authorized.html>

How to Apply to Legal Aid

Calling Earlier in the morning is recommended to reduce waiting.

- Call Toll free # 1800-6688258
- Legal Aid # Toronto Only 416-979-1446

When 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. And provide you with client number.

Second Agent will ask more personal questions related to refugee claim reason and finances. At the end a certificate number (CE#) is provided. You will have to share this with your lawyer.



Components of a Refugee Claim

- **Basis Of Claim form** (commonly referred to as BOC) includes basic information about Claimant and their family, as well as questions about why you are seeking refugee protection.
 - Best practice is to write “see attached narrative” for questions 2(a) –(h) and then provide a separate detailed narrative statement.
- **Narrative:** detailed story setting out why the Claimant is in danger in their country
 - Need to explain who is persecuting you, why the state/police can’t protect you, why you can’t escape by moving to another part of the country.
 - Important to strike a balance between too much detail and not enough.
 - Get a lawyer to help you!
- **IRCC Portal or Forms** (Generic, Sched. 12 and Sched. A)
 - Requires general background info about the Claimants (family info, work history, education, etc.)
 - Make sure to indicate that you want a work permit here!
 - to fill out paper forms in lieu of portal, contact [IRCC.RefugeePortalExemption- ExemptionPortailRefugies.IRCC@cic.gc.ca](mailto:IRCC.RefugeePortalExemption-ExemptionPortailRefugies.IRCC@cic.gc.ca)

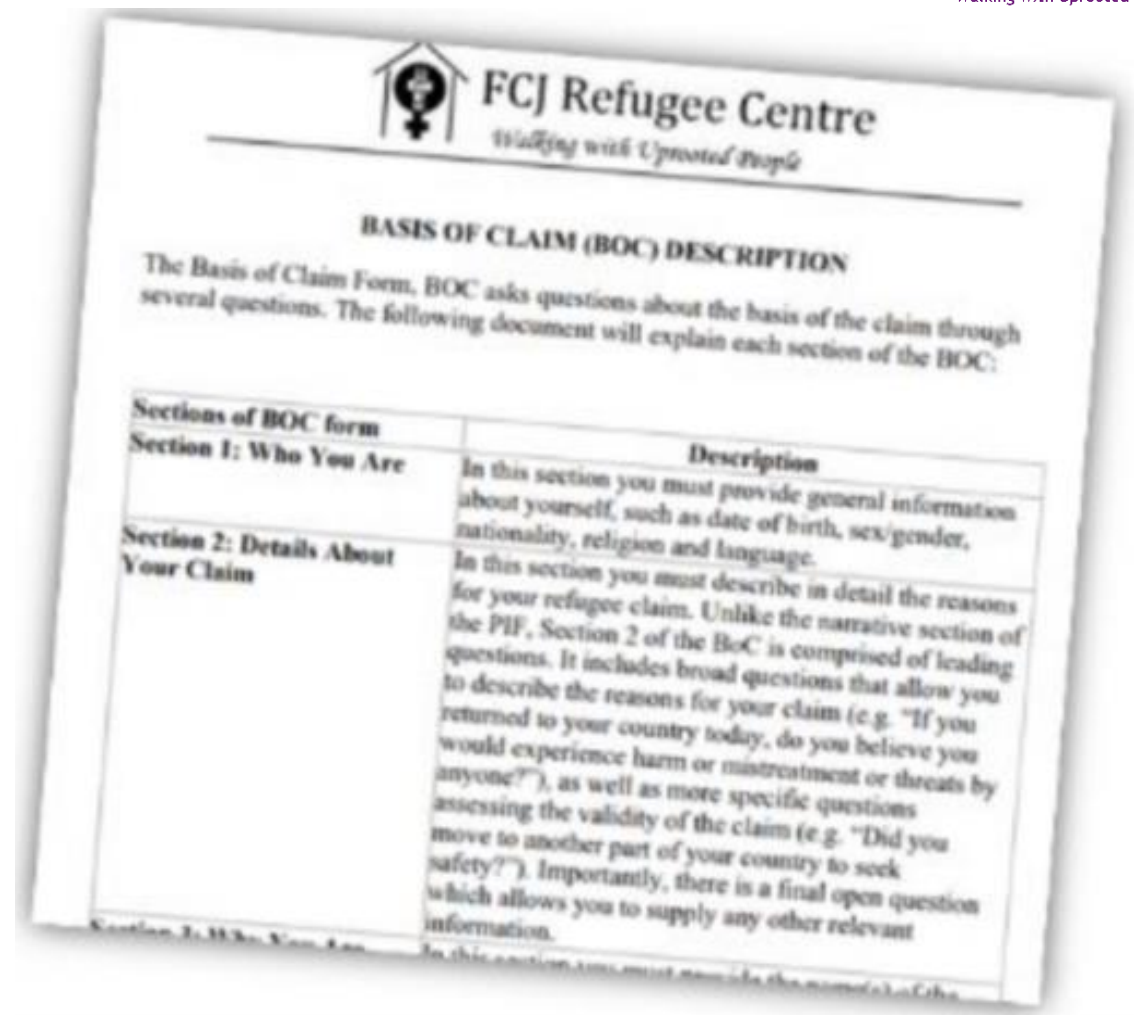
Resources on How to Fill the Basis of Claim (BOC)

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

Translation of refugee forms:

<https://www.fcjrefugeecentre.org/canadas-refugee-process/translation-of-refugee-forms/>

- Spanish
- Portuguese
- Amharic
- Slovakian
- Czech



Inland Claim

Who Makes an Inland Claim?

- Refugee claimants who are already in Canada!
- In practice, this means individuals who have entered Canada under some other immigration status (tourist visa, study permit, etc.), and people who have crossed into Canada in between official points of entry.
- For the latter, they need to wait at least 14 days before submitting their claim (because of the STCA)

Inland Claimants–Submitting the Refugee Claim Online

- For Inland claimants, **claim is not initiated** until portal and attached docs have been submitted.
- Portal MUST be accompanied by completed BOC/Narrative, as well as passport scan and signed Use of Representative form (if applicable).
- There is no deadline for inland claims. However, you should try to submit your claim as soon as possible. Excessive delays could cause problems for your claim later.
- Once you have initiated a claim on the portal, you will have 90 days to submit. For privacy reasons, claims that are not submitted within 90 days will be deleted, forcing you to begin again from scratch.

Inland Claimant Application Process: Once Portal is Submitted

- Documents that refugee claimant will receive:
 - These usually arrive <1 week after portal submitted.

Acknowledgment
of Claim
document

Medical Exam
instructions

Acknowledgment of Claim Document (AoC)

- This document is like your temporary proof of status as a refugee claimant.
- It confirms that the Claimant has initiated a refugee claim
- This document is proof that you are a refugee claimant, and that you are covered by the Interim Federal Health Program.
- This document may be used to apply for Social Assistance (depending on Province), enroll children in school, and access other government benefits.

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>.

IFHP and Medical Care

- Refugee claimants often struggle to get health care services, because service providers do not recognize the Interim Federal Health Program (IFHP), or do not want to provide services to clients covered by IFHP. NGOs can play an essential role in advocating to health care service providers to give services to refugees.
- Note that IFHP will not reimburse fees already paid. NGOs can advise/assist claimants to call a health care provider ahead of time to ensure they accept IFHP coverage before attending an appointment.
- The coverage ends when you have a positive or negative decision regarding your claim. However, if you appeal a negative decision you are still covered.

Inland Claimant Application Process: Medical Exams and Work Permit

- The Claimant must complete their medical in 30 days (IMM1017 form). (Follow instructions on medical forms to find an authorized physician near you).
- Medical exam is free!!! (need to provide Acknowledgement of Claim document)
- If you requested a work permit when you completed the portal, you should be sent a work permit. wait for work permit to be mailed to the address you provided. **This can take several months.**
- Once you have received your work permit, you can take it and your Acknowledgement of Claim document to any SERVICE CANADA OFFICE to get a **SOCIAL INSURANCE NUMBER (SIN)** You need a SIN # before you can begin working legally.

Inland Claimant Application Process: The Eligibility Interview

The Claimant will be contacted by IRCC to attend an in-person biometrics appointment and Eligibility Interview with Immigration Refugees and Citizenship Canada (sometimes there are two separate appointments).

It usually takes at least a couple of months to get a date for an eligibility interview, but this can vary.

At the eligibility interview, IRCC Will confirm that the Claimant is not inadmissible to Canada and is therefore eligible to continue the refugee claim process.

Key considerations for most claimants are:

- Do you have a record of serious criminality?
- Have you made a previous refugee claim in one of the following countries: USA, UK, Australia, New Zealand

Inland Claimant Application Process: The Eligibility Interview (Cont.)

- After successfully completing the eligibility interview, the Refugee Claimant will get their Refugee Protection Claimant Document (RPCD), aka the “Brown Paper.”
- They should also receive a document confirming that their case has been referred to the IRB.
- If Claimant is found ineligible to make a refugee claim, they may be invited to do an “enhanced” Pre-Removal Risk Assessment (PRRA).
- Once your claim has been referred to the IRB, you will wait (usually at least six months, and often more) for a hearing date to be scheduled.



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

PROTECTED WHEN COMPLETED / PROTÉGÉ UNE FOIS REMPLI

CANADA EA021 050 072
D300632280

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: L010018052
UCI: 1126258732

CLIENT INFORMATION

Family Name:
Given Name(s):
Date of Birth:
Sex:
Country of Birth:
Country of Citizenship:
Date Issued:
Expiry Date:

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 and 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 of person concerned: Money in possession: Minister:

NOT VALID FOR TRAVEL

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

DATE TAKEN IN 2019

Canada

Port of Entry Claim

What is a Port of Entry (POE) Claim?

- Port of Entry claims are made upon arrival in Canada, at a land or sea border, or at the airport. POE claims are processed in different ways, depending on where you arrived.
- In practice, Port of Entry claims are usually made by people arriving at an airport, like Toronto Pearson, or at Canada's land border with the USA.
- The **Safe Third Country Agreement (STCA)** between Canada and the USA impacts who can make a Port of Entry claim at the Canadian Border.
- The STCA says that if you travel through the USA in route to Canada, you must make a refugee claim there, and you may not make a refugee claim in Canada. Only people who qualify for an exception to the STCA may make a refugee claim at Canada's border with the US.

STCA Exemptions

- Qualifying Family Members in Canada
- Unaccompanied Minors with no parent/legal guardian in the US or Canada
- Valid Canadian Visa holders
- Nationals from Visa-Exempt Countries for Canada but not for the US
- Subject to the Death Penalty
- Family Member Exception:
 - Definitions Spouse, Legal Guardian, Child, Parent, Sibling, Grandparent, Grandchild, Uncle/Aunt, Nephew/Niece, Common-law Partner, Same-sex Spouse.
 - Claimants must bring evidence to establish qualifying relationships.

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.)



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Walking with Uprooted People



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FCJ Refugee Centre
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Safe Third Country Agreement

Refugee Protection
Claimant Documents

<https://www.fcjrefugeecentre.org/stca-refugee-claimant-documents/>

Port of Entry Claim – One Touch Program

- OneTouch was launched by the Canada Border Services Agency (CBSA) at the end of 2022 and is aimed at streamlining the refugee process.
- It is slowly being introduced across Canada.
- Under OneTouch, eligibility is determined at the Port of Entry, so long as there are no concerns about the claimants' identity, they are not inadmissible to Canada, and they can provide CBSA with contact info. When Eligibility is determined the claimant is issued a Refugee Protection Claimant Document (aka the "Brown Paper").
- The claim is forwarded to the IRB-RPD. The claimant has **45 days** to complete their **portal**, and **45 days** to submit their **BOC/narrative** to the IRB-RPD. They must also complete their **medical exam** in **30 days**.
- You will still need to wait for a work permit.

PoE Refugee Claims (eligibility determined at PoE but not via OneTouch):

- This is increasingly rare but still happens to Claimants crossing into Canada at Rainbow Bridge, Niagara Falls. These Claimants have eligibility confirmed at the PoE and receive their Brown Paper there. They also complete the paper forms (Generic, Sched A, and Sched 12) and are **not required to complete the portal.**
- To do: Complete Medical Exam (30 days); Submit BOC/narrative directly to IRB (45 days); Wait for the work permit

Poe Claimants Whose Eligibility Is Not Determined At Poe

- This is common at Pearson Airport and other busy POEs.
- Claimants processed this way will receive:
 - Acknowledgment of Claim Document (AOC).
 - medical examination documents.
- CBSA will also collect biometrics and seize your passport.

POE Claimants Whose Eligibility Is Not Determined at POE - Actions Required:

- Fill out the IRCC portal: CBSA will provide written instructions along with a QR Code. This must be completed within 45 days, though an automatic 30-day extension is currently provided.
- Schedule and complete the medical exam within 30 days.
- Await the work permit and invitation to eligibility interview.
- Following a successful eligibility interview, claimants are issued their Refugee Protection Claimant Document (Brown Paper), and the claim is referred to the IRB.
- Claimants are then required to submit their Basis of Claim (BOC) form to the IRB within 45 days. Extensions may be granted on request.

Work Permit

Work Permit

Eligible Refugee Claimants: You can obtain a work permit if your claim is currently seen as eligible (and even some amid eligibility finalization—details below).

Appeal Stage Claimants:

- If you've faced rejection but are appealing to the Refugee Appeal Division, waiting on a Federal Court's judicial review, or have a Pre-Removal Risk Assessment (PRRA) on hold, you're not covered, and you must pay the fee. However, you are still eligible for a work permit.

Positive Outcomes:

- Anyone with a favorable result from a judicial review, a Refugee Appeal Division decision, or a PRRA is eligible.

Special Circumstances:

- If you're under an unenforceable removal order, including those ineligible for initial claims but can apply for PRRA, or if your claim was denied but you're from a country Canada typically doesn't send people back to, you are eligible for a work permit. **Humanitarian Considerations:**

- Those accepted on humanitarian and compassionate grounds or through in-Canada spousal sponsorship are also entitled to a work permit.



Steps to Obtain the First Work Permit

- Request for Work Permit: Initiate your application by requesting a work permit. Complete the Portal Application: Ensure your application is fully submitted through the designated portal. Submit Biometrics: Provide your biometric details as part of the application process. Undergo a Medical Exam: Complete the necessary medical examination to meet the health requirements. Determine Eligibility: Once all the above steps are fulfilled, your eligibility can be assessed, often through a virtual process.

Renewing Work Permits and Continued Right to Work

- It is important to apply to renew the work permit before it expires. The work permit will continue to need to be renewed until the person has become a permanent resident.
- Note: If the person applies to renew the work permit before the previous work permit expires, the person retains the legal right to work, even if the new work permit has not yet been issued.

The Refugee Hearing

Scheduling of Hearing

- Notice to Appear will detail date, time, and location.
- Most hearings are now remote. You must join the Microsoft Teams LINK at the time indicated on your NOTICE TO APPEAR
- If you fail to show up for your hearing you will have to attend a special abandonment hearing within 5 days and provide a GOOD explanation for not attending the hearing (bring supporting evidence like a doctor's note).
- If you fail to show up a second time or cannot provide a credible explanation for missing your first hearing, your claim can be declared "abandoned" and you will have to leave Canada without having had your refugee protection claim considered.
- If you need any special accommodations at your hearing (due to physical or mental health issues) speak to your legal representative well in advance and be prepared to provide supporting evidence (e.g. a doctor's note)

Joint Claim

- Sometimes, two or more people make a joint claim for refugee protection.
- This would be the case when a family is making a claim together.
- All adult claimants may speak for themselves during the hearing but in most cases, one person acts as the spokesperson for the family.
- Children under the age of 12 who are accompanied by an adult making a refugee claim will not be required to appear before the RPD unless the presiding member requires their attendance

Preparing for the hearing

- Begin collecting Evidence well in advance of your hearing: this included **Personal Evidence** (text messages, photos, police reports, or medical documents, affidavits or sworn statements from witnesses, letters from medical providers) and **country condition evidence** (newspaper articles, reports from NGOs, government reports).
- Reflect on whether the evidence supports the narrative: Does the personal evidence make the events in your narrative more likely to be true? Does your personal experience fit with what's happening back home as explained via country condition documents?
- Show your fear is real: Through your actions and choices, illustrate your genuine fear for your safety (for instance, don't delay unnecessarily in submitting a refugee claim).

Gathering Evidence

- All documents not in English or French must be translated into one of those languages and be accompanied by declaration form the translator
- The translator can use the following certification template:

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, _____, 2024.

Updating Your Story

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

- BOC amendments: You have noticed a mistake in your story (if this happens, you should be prepared to explain why there was a mistake in the first place). Be careful when making changes. Check with your legal representative.
- Subsequent events have occurred since you submitted your (Examples of events);
 - Your family/friends back home receive threats or are attacked
 - Your participation in events in Canada that could lead to danger for you if you return to your home country.
- 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

Critical Questions to Consider

- Protection at home: Can your country keep you safe? If not, why?
- Police interactions: Did you seek help from law enforcement? What happened? If you didn't, why not?
- Future safety concerns: What will happen to you if you return to your country? Why do you believe the police won't be able to protect you going forward?
- Relocating internally: Why is moving within your country not a viable option for safety? Did you try to move? If so, what happened? If not, why didn't you?

Preparing for Refugee Hearing

- The RPD will expect you to be able to answer questions at your hearing about the efforts you made to try to obtain missing critical evidence.
- Keep all envelopes and packaging that the documents arrive in. this helps prove that the documents really came from your country.
- Review the narrative.
- Make appointments with lawyer. Your lawyer can help you prepare by holding a mock hearing.
- Keep The IRB informed about changes in your address

At the Refugee Hearing

- Most of the hearings are half a day (~3 hours)
- Decisions are based only on evidence presented, as well as your testimony.
- You can request breaks if need.
- Board member should state how they will accommodate vulnerable persons/gender guidelines.
- Children under the age of 12 who are accompanied by an adult making a refugee claim will not be required to appear before the RPD unless the presiding member requires their attendance.

At the Refugee Hearing

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 police or any other organizations, in your country?
- Did you try to move to another part of your country?
- Lengthy process – the Board member may ask tricky questions, or ask similar questions in different wording to make sure you don't contradict yourself.

Golden Rule for Answering Questions

- Do not attempt to answer a question unless you understand the question.
- if you don't know the answer... say I don't know or do not remember
- Before you answer, get them to clarify until you understand or say that you don't know the answer.
- You will be asking similar questions in different wording... answer same way
- 'when,' 'where,' or 'who' provide short answers.
- For questions asking 'explain,' 'tell me about,' or 'describe' provide a longer answer.

At the End of the Refugee Hearing

At the end of the refugee hearing, the RPD member

- 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.
- When eligible, permanent residents can apply for Canadian Citizenship
- Refugees in Canada seeking to reunite with immediate family members
- These processes can take time. You may have to wait several years to obtain PR and reunite with family.

Refugee Appeal Decision

- 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; claims made at a land border as exceptions to STCA.
- At the RAD, you can argue that the RPD made the wrong decision. In addition to arguing that the first decision was wrong, you may be able to submit new evidence (but only evidence that was not available at initial hearing).
- In most cases, submissions will be entirely in writing.

Refugee Appeal Division, RAD and 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 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, this will be considered forced removal, and it will be difficult to return to Canada.

Other options

- Make an application to the Federal Court for Judicial Review (get legal advice).



Pre-Removal Risk Assessment PRRA

- 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 date the last IRB decision was received.

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.
- Removal is a process. It is extremely unlikely that you will be immediately removed from the country at your first interview with CBSA.
- When you meet with CBSA, make clear that you are willing to follow the rules and obey the law. If they think you may try to disappear, they may detain you.

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 of the most common documents that H&C applicants can use to support their case:

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

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

RESOURCES FOR REFUGEE CLAIMANTS

Refugee Claimant Resources

- The Immigration and Refugee Board of Canada is implementing the refugee hearing information sessions: Virtual Ready Tours
- This 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 the negative decision

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>

A free program for refugee claimants

REFUGEE HEARING ORIENTATIONS

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




FEB 1 **FEB 15** **APR 4** **APR 18**
MAR 7 **MAR 21** **MAY 2** **MAY 16**

What is going to happen during my refugee hearing?

You will learn:

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

A great opportunity to meet the RPD officers who will explain what is going to happen during your refugee hearing and how to be ready.

REFUGEE APPEAL VIRTUAL INFO-SESSION
FREE ORIENTATION FOR REFUGEE CLAIMANTS APPELLING THEIR NEGATIVE DECISION TO THE REFUGEE APPEAL DIVISION (RAD) OF THE IMMIGRATION AND REFUGEE BOARD (IRB)



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

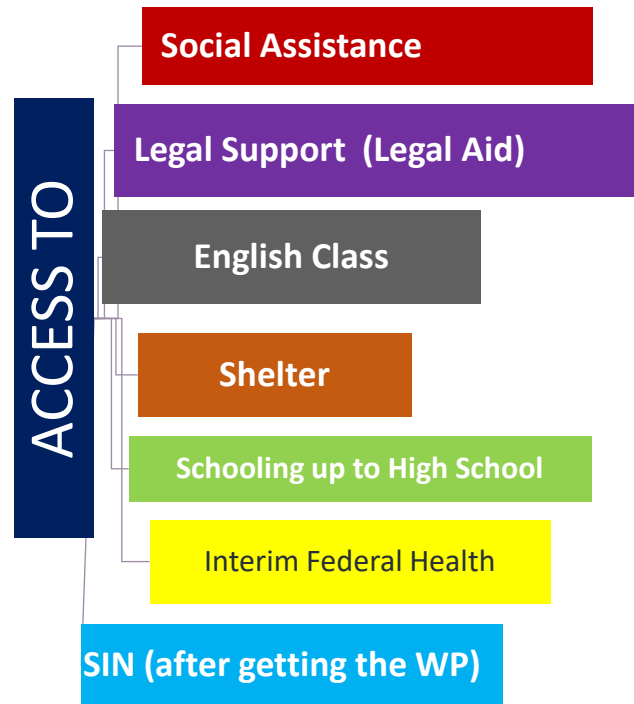
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FCJ REFUGEE CENTRE
Walking with uprooted people

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

Refugee rights / Resources

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



- **Social Assistance:** Applying to Ontario Works
<https://www.ontario.ca/page/social-assistance>
- **English classes/ Language assessment** (YMCA Language Assessment and Referral Services provide immigrants with English or French assessments and referrals to language training programs.
<https://ymcagta.org/immigrant-services-new/language-assessment-and-referral-services-new>
- **Job or training:** Employment Services
- **Apply for Social Insurance Number (SIN)**
<https://www.canada.ca/en/employment-social-development/services/sin/apply.html>

Other resources online: webinars for refugee claimants and other precarious populations:
<https://www.fcjrefugeecentre.org/our-programs/settlement-programs/workshops/>

LATEST WEBINARS AND PRESENTATIONS



Webinar | Cómo regularizar tu situación migratoria a través de la aplicación por razones humanitarias (HC)



Webinar | Employment 104: How to apply for jobs through the Government of Canada's Job Bank



Webinar | Pathways to Permanent Residence for Migrant Workers (English and Spanish)



Webinar | Work Permit Application Guide



Webinar | The new humanitarian pathway for Colombian, Haitian and Venezuelan foreign nationals (English and Spanish)

Free programs: simulated refugee hearings

Re-Course, RHP It is a free program that allow refugee claimants to participate in a simulated hearing. The RHP mirrors the IRB hearing process, with the aim of alleviating claimant fears, promoting emotional stability, and providing practical experience through a simulated hearing.

<https://www.refugeerecourse.ca/>

For more details contact: 647 622 6410 or hello@refugeerecourse.ca

Get professional support and guidance as you prepare for your Immigration & Refugee Board (IRB) Hearing. Mock hearings are facilitated by trained immigration and refugee lawyers, law students from Pro Bono Students Canada, and The 519 staff.

[The 519 Mock Hearing Program](#)

MockHearingProgram@the519.org or 416-392-6874

Re—Course

Simulated Refugee Hearing

Re-Course provides real-time practice in a simulated hearing with volunteers.

[Learn about Re—Course](#)

[Volunteer to help](#)



Connecting with Settlement Services

Services	Website
Employment, Education, Community, Housing	https://settlement.org/
Training, resources, job search, etc	https://www.torontopubliclibrary.ca
Skills training and settlement support to newcomers	https://newcircles.ca/
Bridging programs	https://mnlct.org/
English classes, pre-apprenticeship programs, etc.	https://skillsforchange.org/
YMCA Language Assessment and Referral Services	https://www.ymcagta.org/immigrant-services/language-assessment-and-referral-services
Search volunteer opportunities in Toronto	https://www.volunteertoronto.ca/
Helpline that easily connects people to the social services, programs and community supports they need	https://211ontario.ca/



Refugee Resources: Refugee Process

Service	Agency Link
Navigating the Refugee Process Information Session	https://www.fcjrefugeecentre.org/events/webinar-navigating-the-refugee-process-what-to-expect-updates-and-resources/
Coalition of Service Providers for Refugee Claimants Network	https://refugeehouses.ca/
Refugee Hearing Program: Simulated/Mock hearing	https://www.matthewhouse.ca/simulated-hearings
Mock Hearing for LGBTQ Refugee Claimants	https://www.the519.org/programs/mock-hearing-program/
Community Legal Education Ontario	https://www.cleo.on.ca/en

Connect with us:

 **416-469-9754**

 **437-217-3786**

 **info@fcjrefugeecentre.org**

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