

The Refugee Claim Process in Canada

Under Canada's immigration laws, a person in Canada can claim status as a Convention Refugee or a Person in Need of Protection.

Convention Refugees are people who are outside of their country who have a well-founded fear of persecution due to their race, religion, political opinion, nationality, or membership in a particular social group.

Persons in Need of Protection are people who face torture, risk to life, or risk to cruel and unusual treatment or punishment, if they return to their country of nationality or residence

Designated Countries of Origin

A Claimant may be categorized as an individual from a Designated Country of Origin (DCO). Refugee Claimants from DCO countries should be aware that timelines differ for claimants from DCO countries.

It is important for you to know if your country is on the Designated Country of Origins list. To find out if your country is listed, visit <http://www.cic.gc.ca/english/refugees/reform-safe.asp>

If you require assistance with this, please call the First Contact program and a volunteer will be able to assist you.

Important Government Agencies

These 3 Government agencies are directly involved during your claim process. If you change your address or phone number, you must contact each of the agencies separately with your new information.

Immigration and Refugee Board —Refugee Protection Division (IRB-RPD)

- Reviews your Basis of Claim (BOC) Form
- Conducts your refugee hearing
- Decides whether your refugee claim is accepted or rejected

Contact:

Library Square, 16th Floor
300 West Georgia Street
Vancouver BC V6B 6C9

Phone: 604-666-5946 or 1-866-787-7472

Fax: 604-666-3043

Website: www.irb-cisr.gc.ca

Canada Border Services Agency (CBSA)

- Decides if you're eligible to make a claim at a Port of Entry
- Controls the Canadian borders
- Arranges removal from Canada if you receive a negative decision on your refugee claim
- Has the right to detain if they cannot confirm your identity, if they believe you may be a danger, or if they believe you may not comply with Canada immigration laws

Contact:

Library Square, 7th Floor
300 West Georgia Street
Vancouver BC V6B 6C9

Phone: 1-800-461-9999

Website: www.cbsa.asfc.gc.ca

Immigration, Refugees and Citizenship Canada (IRCC)

- Decides if you're eligible to make a refugee claim from within Canada
- Processes work permits and Interim Federal Health Insurance (IFH)

Contact:

1148 Hornby Street
Vancouver, BC V6Z 2C3

Phone: 1-888-242-2100

Website: www.cic.gc.ca

Call the Red Cross if you have questions: 604-787-8858 or 1-866-771-8858

The Refugee Claim Process in Canada

Find Legal representation to help you fill out the refugee forms and for all steps in the refugee process. If you need help with this, call the First Contact phone line and a volunteer will help you

There are 2 timelines for refugee claimants in Canada. Choose which timeline you fall under:

I made a refugee claim at a Port of Entry (airport, land border, seaport) with Canada Border Services Agency (CBSA)

Day 0

Complete your Eligibility Interview at the Port of Entry.

If you are Eligible to make a refugee claim, you will receive the following:

- Basis of Claim Form (BOC) which is due in 15 days to the Immigration and Refugee Board office
- Date for your Refugee Hearing (within 45 days if you're from a Designated Country of Origin (DCO) and within 60 days if you're from any other country)

Day 15

Submit your Basis of Claim form to the Immigration and Refugee Board

10 Days before your Hearing

Submit your evidence to the Immigration and Refugee Board

Day 45 (DCO) or Day 60 (Non DCO)

Refugee Hearing at the Immigration and Refugee Board

Claim Accepted

- If the Minister does not appeal your decision within 15 days, you may apply for Permanent Residence to Immigration, Refugees & Citizenship Canada (IRCC)
- If you are a Designated Foreign National you will have to wait 5 years before applying for Permanent Residency

I made a refugee claim inside of Canada with Immigration, Refugees & Citizenship Canada (IRCC) - or - I want to make a claim with IRCC

Day 0

Go to the IRCC office or download the refugee forms online at: <http://www.cic.gc.ca/english/refugees/inside/apply-how.asp>

Go to IRCC office and submit your forms. Arrive early in the day (before 10AM) and with an interpreter if you do not speak English or French. Your forms will be reviewed and an Eligibility Interview will be scheduled.

Attend your Eligibility Interview. If you are Eligible you will be given a Hearing Date no later than 30 days for DCO's and no later than 60 days for Non DCO's

Day 30 (DCO) or Day 60 (Non DCO)

Refugee Hearing at the Immigration & Refugee Board

Claim Denied (DCO and Non DCO)

- Seek Legal Assistance
- Apply within 15 days to the Refugee Appeals Division (RAD)
- Apply for a Pre-Removal Risk Assessment (PRRA)
- Apply for Humanitarian and Compassionate Grounds

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