

Getting Started as a Refugee Claimant

Your first couple of weeks in Canada may be challenging. Below are 9 steps we recommend you follow in your first weeks. If you need help, please call 2-1-1.

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WEEK 1:

Read the Information Kit for Refugee Claimants or call 2-1-1



The Information Kit contains an information booklet, a map of Metro Vancouver, and an overview of the refugee claims process. You can get a kit from CBSA, IRCC offices, airports, land borders, and many settlement agencies. You can also download the kit at www.bc211.ca/resources in several languages. If you need help finding a copy, please call 2-1-1 and an agent will try to assist you.

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WEEK 1:

Get a Housing Assistance Worker and Settlement Support

When you first arrive, you may need to stay in a hotel or hostel. The map in the Information Kit shows several hotels and hostels and their phone numbers. If you need more help finding accommodations, please call 2-1-1.

The Information Kit also tells you how to get a housing assistance worker and general settlement support. Visit these agencies as soon as you arrive in Canada as there is a shortage of housing and housing workers may need several days to find you appropriate accommodations.

If you have limited funds and are unable to pay for your own housing, you may have to move several times before you are placed in more permanent housing.

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WEEK 1:

Get a Lawyer

Legal assistance is very important! Legal Services Society may be able to provide a free lawyer. Call 604-601-6076 to find out if you qualify for free legal assistance. When you phone, an intake worker will ask you a series of questions about your financial situation and the reason you are making a refugee claim.

If you are not eligible for a free lawyer or you would like to hire your own paid private lawyer, call 2-1-1 and an agent can assist you.

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WEEK 1, 2: Fill out your Basis of Claim (BOC) form

If you made your refugee claim at a Port of Entry (airport, land border, seaport) with CBSA, then you must return the Basis of Claim (BOC) form provided to the IRB-RPD (16th floor, 300 West Georgia St, Vancouver) within 15 days.

If you made your claim inside of Canada at the IRCC office (1148 Hornby Street, Vancouver) or intend to make a refugee claim, then there is no deadline to submit your BOC form. Download the form from the website (www.cic.gc.ca) and seek legal assistance.

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ALWAYS: Keep all Appointments with CBSA and IRCC



CBSA and IRCC may ask you to return for appointments or to check in. It is very important that you keep these appointments. If you are unable to keep an appointment, phone them immediately. You can find the phone numbers in the Information Kit. If you need assistance contacting them, please contact your lawyer or settlement worker.

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WEEK 2,3: Submit your BOC and start the official Refugee Claim Process



Once you have submitted your BOC and completed your Eligibility Interview, you will receive a Refugee Protection Claimant Document. With this document, you are eligible for healthcare, financial assistance, a work permit, and other benefits. Please have a lawyer help you complete your BOC. Return your BOC to either the IRB-RPD (for Port of Entry Claims) or IRCC (for Inland Claims). See the Claims Process Overview in the Information Kit for more information

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WEEK 2-4: Go on a READY Tour and Prepare for your Refugee Hearing



READY tours are free and very helpful. The tours let you see inside an actual refugee hearing room, meet the staff at the IRB-RPD, and learn what happens during a refugee hearing.

You will also have a chance to ask questions about the process and preparing for your hearing. To register for a READY tour and to download their free guide, visit www.refugeeclaim.ca

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WEEK 4-8: Attend your Refugee Hearing



The IRB-RPD will schedule your refugee hearing for 4-8 weeks after you officially start your refugee claim. The exact date will depend on how you made your claim (at a port of entry or inland at the IRCC office), what country you are from, and how busy they are at the IRB-RPD. You will be informed of your Hearing Date when you get your Refugee Protection Claimant Document.

Your Hearing will determine whether you are accepted as a Refugee or not. The IRB-RPD will make the decision either orally at the end of the hearing, or they will send you a Notice of Decision in the mail.

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After the Hearing: Apply for Permanent Residency or Appeal the Decision

After your Hearing, you will receive either a Positive Decision or a Negative Decision. If you receive a Positive Decision, this means that you have been accepted a Refugee into Canada. You can now apply for Permanent Residency. Ask your Settlement Worker about making this application, or call 2-1-1 and an agent can help you find a settlement agency.

If you receive a Negative Decision, you should speak to a lawyer about the options you have available. Options include either leaving Canada, or submitting an appeal. This should be done with the assistance of a lawyer. If you require assistance in obtaining a lawyer, please call 2-1-1.

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>

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)

- Determines eligibility 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)

- Determines eligibility 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 2-1-1 if you have questions

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 2-1-1 and an agent 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)

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

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 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.

Day 15

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

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

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

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

Refugee Hearing at the Immigration & 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

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

Call 2-1-1 if you have questions