

# Starting a Refugee Claim

This fact sheet is for people who are starting a claim for refugee status in Canada.

It describes —

- Who is a refugee or a “person in need of protection”
- How to start the process of making a refugee claim
- What forms you have to fill out
- What you need to take to your medical exam
- What happens at the eligibility interview
- How to get help from a settlement agency

For an overview of the refugee claim process, see the flow chart on page 7.

Citizenship and Immigration Canada (CIC) makes the decisions about who is eligible to make a refugee protection claim in Canada. If CIC decides that a person is eligible, it will refer him or her to the Refugee Protection Division (RPD) of the Immigration and Refugee Board for a hearing. The information in this fact sheet explains the procedures at the CIC Vancouver Admissions office.

## Who is a refugee or a “person in need of protection”

Under Canada’s Immigration and Refugee Protection Act, a person in Canada can claim status as a Convention refugee and/or a person in need of protection.

Canada uses the same definition of a refugee that appears in the United Nations *Convention Relating to the Status of Refugees*.

**Convention refugees** are people outside their country of nationality or residence who are unable or unwilling to return to that country because of a well-founded fear of persecution. They may fear persecution because of race, religion, political opinion, nationality, or membership in a particular social group.

A **person in need of protection** is anyone who would face possible torture, a risk to his or her life, or a risk of cruel and unusual treatment or punishment if the person was returned to his or her country of nationality or residence.

### **A settlement worker can help**

Settlement agencies provide services to anyone who is making a refugee claim.

Before you start your refugee claim, contact a settlement agency. The staff can give you more information about the refugee process. See page 6 of this fact sheet for a list of settlement agencies you can call.

## How to start the process of making a refugee claim

The first part of the refugee claim process is to establish your identity. To do this, you have to fill out some forms that explain who you are, where you come from, who is in your family, and why you are making a refugee claim.

These forms will become part of your file for your refugee claim. Make sure all the information you provide is accurate. Make copies of these forms to refer to later.

If you did not make a refugee claim when you entered Canada (at a port of entry), do the following:

1. Go to the CIC Vancouver Admissions office at 1148 Hornby Street (this is the only office in BC that does refugee claims). You must go between 8:00 a.m. and 10:00 a.m.
2. At the office, pick up a Convention Refugee Claim Procedures form. The form asks for details that establish your identity. Get a separate form for each family member.
3. Fill out the form and get 12 passport photos. You will have to submit 8 photos with your claim, and supply another 4 photos with your medical application. Many photography shops do passport photos. Some settlement agencies may be able to help you get the photos for less money or even free of charge (see page 6 for a list of settlement agencies in the Vancouver area and Victoria).
4. Go back to the CIC admissions office to get another set of forms and a date for your eligibility interview. If you need help to understand the staff, take a friend or family member who can speak English. (When you go to the eligibility interview, CIC will provide you with an interpreter if necessary.)
5. Bring your completed Convention Refugee Claim Procedures form and the eight photos. Also bring all the documents you have that prove your identity. These include your passport or travel documents, birth certificate, marriage certificate, school records, national ID cards, driver's licence, and any other identity or travel documents

you have. CIC will keep your documents until it makes a decision on your refugee claim. If you decide to take your driver's licence, it will be more difficult for you to get a Canadian driver's licence.

6. Go to the reception counter and explain that you want to start the process of making a refugee claim.

A CIC officer will explain the process to you and give you a package of the documents that you will need to start your claim. *Do not lose this package. CIC will not replace it.* The contents of the package are described under "If you are eligible to make a claim" on page 5.

## What forms you have to fill out

The next step in making a refugee claim is to fill out the forms in the package that you got from CIC. (You will also have to have an eligibility interview with a CIC officer. See page 4.)

The package should contain the following:

- **A list of the addresses and phone numbers** of the organizations that offer legal assistance to refugee claimants.
- Two refugee claim application forms: **Schedule 1: Background Information**, and **Information on Individuals Seeking Refugee Protection**. (These forms are described on page 3.)
- **A list of relatives form**. On this form, you must list the names of all your relatives. Be sure to include relatives who live in Canada as well as all those who live outside of Canada.
- **Medical Examination Instructions**. These instructions tell you how to make an appointment with a doctor for your medical exam. This form also explains which

documents you must take with you to the appointment. A list of doctors who you can call for an appointment is attached to the form. If you have any questions about the medical examination, ask a settlement agency worker.

Make an appointment with a doctor as soon as possible. You have to have a medical exam within one week of receiving the package of documents from the CIC.

- **Medical Report.** You give this form and four passport photos to the doctor who does the medical examination.
- **Medical letter.** You give this to the doctor to complete at the medical examination.
- **Interim Federal Health certificate.** The doctor will fill this out after examining you. The certificate means the government will pay the doctor for your medical examination. If the medical exam shows that you need more tests, you may have to pay for the additional tests yourself.
- **Eligibility interview letter.** This letter states the time of your appointment with a CIC officer. You get only one date for the interview. If you miss the interview, CIC may close your file. If CIC plans to close your file, it will send you a letter called a Notice of Abandonment Hearing. This letter will give you the date of the abandonment hearing. At the hearing, CIC will discuss the reasons why it wants to close your file. You have to have a lawyer to represent you at this hearing. To find a lawyer, see fact sheet #2, *Legal Help and Other Services for Refugee Claimants*.

## Schedule 1: Background Information

This form asks for details about you, your family, and how you came to Canada.

If you had to come to Canada using false documents, explain this on the form.

The form asks whether you fear persecution in the country you came from, and asks what you are afraid of there. If you are afraid, it is very important to state that on this form — and to give clear reasons why you are afraid.

CIC and the RPD will look very closely at the information you provide on this form throughout the refugee claim process. For this reason, it is very important to fill out the form with as much detail as you can. Get help from one of the groups listed in the package you got from CIC, or from one of the settlement agencies listed on page 6.

## Information on Individuals Seeking Refugee Protection

This form asks for basic information about you; for example, your name, where you were born, whether you are a citizen of another country, where you last lived, whether you are married, and who is in your family.

The form also asks you to indicate whether you want to communicate with CIC officials in English or French. If you need an interpreter for the eligibility interview, state this on the form, and say which language you require.

## Filling out the forms

Here is some important information about filling out the forms:

- Photocopy each form before you start writing on it. Use the photocopy as your working copy, and keep it for your own records. Print clearly with a black-ink pen.

- The forms have to be completed in either English or French. If you do not write English or French, ask a friend to help you complete the forms. A settlement agency worker may also be able to help you fill out some parts of the forms. A settlement worker cannot fill out the entire form for you. See “**How to get help from a settlement agency,**” on page 5.
- Answer all of the questions as clearly and fully as you can. You cannot leave any questions blank.
- Be sure to follow all of the instructions. Parts of the form will ask you to complete a section if it applies to you. If you do not fill out all the sections that apply to you, CIC will cancel the eligibility interview.
- When you have completed all the forms, make sure all the information in them is consistent. For example, if you have to provide a date for the same event in two different forms, check that you have put the same date both times.

## **What you need to take to your medical exam**

All refugee claimants have to undergo a medical examination. Make an appointment with a doctor from the list provided by CIC. When you go to the appointment, take the following documents with you:

- Your passport and/or identity documents
- Your client ID number (if you know it)
- The letter that shows that you have an appointment for an eligibility interview
- Your eyeglasses (if you wear them)
- Any relevant medical reports that you have
- The medical letter
- The Interim Federal Health certificate

- Four recent passport photographs for each family member (give these to the doctor)
- The Medical Report form (give this to the doctor)

When you leave the doctor’s office after the examination, make sure that you have all of these documents except the Medical Report form and the passport photos, which the doctor keeps. Be sure the doctor has signed the medical letter. You have to provide all these forms at your eligibility interview.

## **If the medical appointment is after the date of your eligibility interview**

If the doctor you call for an appointment cannot schedule it until after your eligibility interview, try calling another doctor on the CIC list. If there is no doctor in your area that can give you an appointment before your eligibility interview, go to the doctor’s office and ask for an appointment card. Bring this card with the date of your doctor’s appointment to the eligibility interview.

## **What happens at the eligibility interview**

You must go to the CIC office on the date and time set for the eligibility interview. If you miss the appointment, CIC will not reschedule it.

Be sure to take the following documents:

- Identity documents. Take all of the documents that show your identity. These include your passport, travel documents, birth certificate, marriage certificates, national ID cards, driver’s licence, and any other identity documents you may have.
- The completed application forms: Schedule 1: Background Information, and Information on Individuals Seeking Refugee Protection.

- Your completed list of relatives form.
- Your Interim Federal Health certificate.
- The medical letter that has been completed by the doctor.

At the interview, a CIC officer will determine if you are eligible to continue with your claim. You will also be fingerprinted for a criminal record check at this time (people who make a refugee claim at the airport are fingerprinted there).

If you need an interpreter for this interview, CIC will provide one. A senior CIC officer will ask you questions. The questions will be similar to the questions on the forms you have completed.

It is very important that you describe fully and truthfully why you have a well-founded fear of persecution in your country of nationality or residence. For example, you may fear persecution for reasons of race, religion, political opinion, nationality, or membership in a particular social group. Be prepared to provide details of what you fear and why.

### **If you are eligible to make a claim**

If CIC finds you eligible to make a refugee claim, you will get some additional documents. They will include —

- **A Personal Information Form (PIF).** See fact sheet #3, *How to Fill Out a Personal Information Form*.
- **A Determination of Eligibility document.** This may extend the Interim Federal Health coverage that pays the cost of your emergency health and dental services while you are applying for refugee status.

If you are found eligible to make a refugee claim, you can apply for income assistance (welfare). For information on how to apply,

read the welfare fact sheets available from the Legal Services Society (to order copies, see the back of this fact sheet).

If you are unable to afford a lawyer and your refugee claim has merit, you may be eligible for legal aid. For more information on legal aid, see fact sheet #2, *Legal Help and Other Services for Refugee Claimants*.

### **If you are found ineligible to make a claim**

If CIC finds you ineligible to claim refugee status, it will give you an application for a Pre-Removal Risk Assessment (PRRA). (See fact sheet #5, *A Guide to Pre-Removal Risk Assessment Applications*.) A PRRA will stop your removal from Canada while CIC determines whether you are at risk if you return to your country.

If you have questions about any part of the refugee claim process, ask a settlement agency worker (see below).

### **How to get help from a settlement agency**

Settlement agencies provide a wide range of services to immigrants and refugee claimants, such as —

- settlement and orientation services (some temporary accommodation)
- translation and interpretation services
- information about education, health, and social services
- referrals to services and programs
- English-language classes and other educational workshops
- help to get low-cost or free photos for your refugee claim
- advocacy and short-term counselling

For any of these services, contact one of the following settlement agencies. They will be able to answer questions about how to start the refugee claim process, and may be able to help you complete some parts of the required forms.

### **Vancouver area**

#### **Immigrant Services Society of BC (ISS)**

530 Drake Street  
Vancouver, BC V6B 2H3  
Phone: (604) 684-7498  
E-mail: [settlemt@issbc.org](mailto:settlemt@issbc.org)

#### **Inland Refugee Society of BC (Inland)**

101 – 225 East 17th Avenue  
Vancouver, BC V5V 1A6  
Phone: (604) 873-6660  
E-mail: [irsbc@telus.net](mailto:irsbc@telus.net)

#### **Mennonite Central Committee (MCC)**

660 East 51st Avenue  
Vancouver, BC V5X 1C9  
Phone: (604) 325-5524  
E-mail: [admin@mccbc.com](mailto:admin@mccbc.com)

#### **MOSAIC**

(Multilingual Orientation Service Association  
for Immigrant Communities)  
1720 Grant Street, 2nd floor  
Vancouver, BC V5L 2Y7  
Phone: (604) 254-9626

#### **OPTIONS**

Multilingual Help Line  
100 – 6846 King George Highway  
Surrey, BC V3W 4Z9  
Phone: (604) 572-4060 or  
(604) 596-4357

#### **Storefront Orientation Services (SOS)**

360 Jackson Avenue  
Vancouver, BC V6A 3B4  
Phone: (604) 255-4611 (Spanish) or  
(604) 253-8859 (Chinese)  
E-mail: [director@sosrefugee.org](mailto:director@sosrefugee.org)

### **SUCCESS**

(United Chinese Community  
Enrichment Services)  
Phone: (604) 684-1628 (Downtown  
Vancouver office)  
(604) 468-6100 (Tri-city office)

#### **Surrey-Delta Immigrant Services Society**

1107 – 7330 137th Street  
Surrey, BC V3W 1A3  
Phone: (604) 597-0205

#### **Vancouver Association for Survivors of Torture (VAST)**

2618 East Hastings Street  
Vancouver, BC V5K 1Z6  
Phone: (604) 299-3539  
E-mail: [care@vast-vancouver.ca](mailto:care@vast-vancouver.ca)

### **Victoria**

#### **Inter-Cultural Association of Greater Victoria**

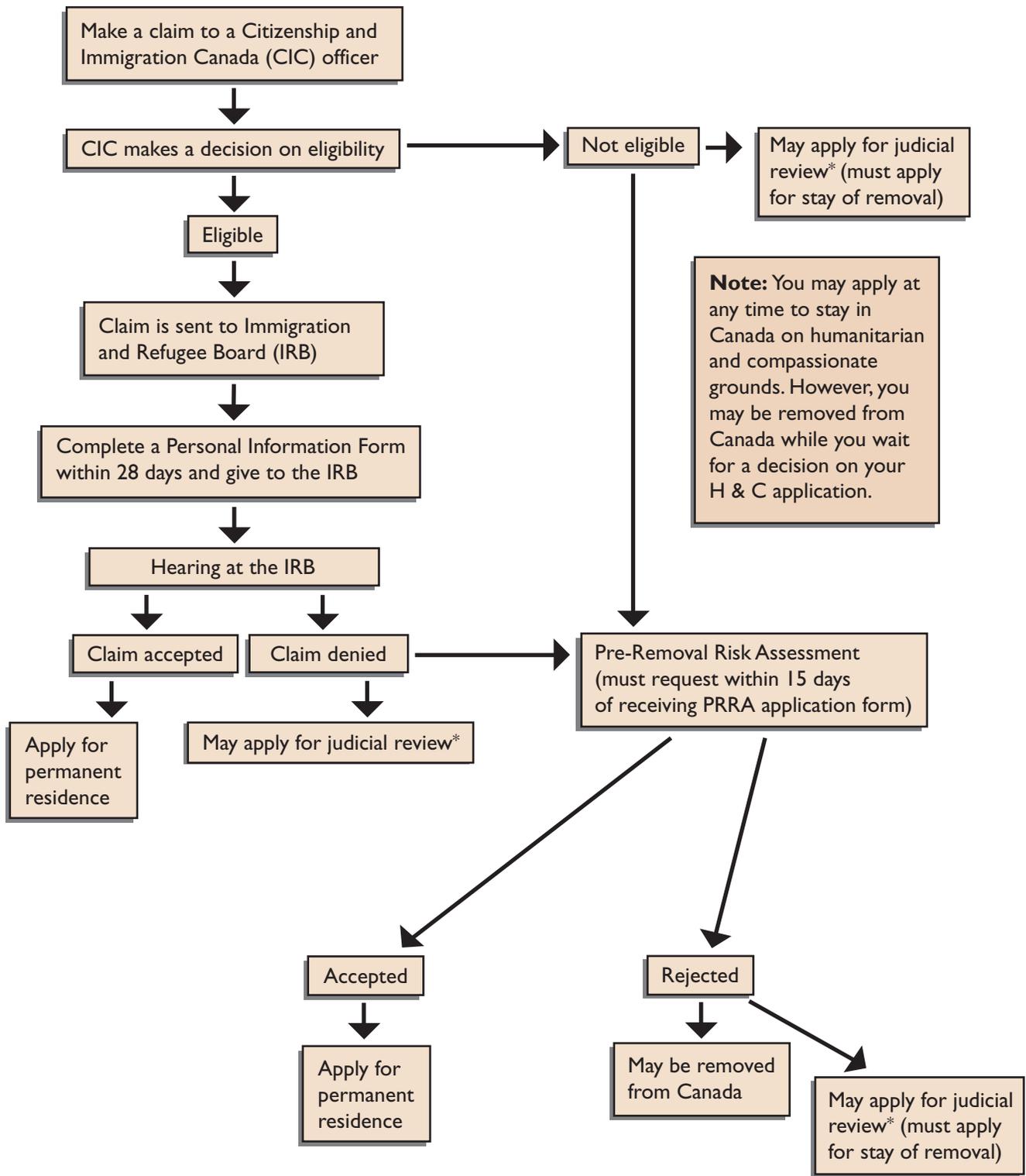
930 Balmoral Road  
Victoria, BC V8T 1A8  
Phone: (250) 388-4728  
E-mail: [admin@icavictoria.org](mailto:admin@icavictoria.org)

#### **Victoria Immigrant and Refugee Centre Society**

305 – 535 Yates Street  
Victoria, BC V8W 2Z6  
Phone: (250) 361-9433  
E-mail: [mail@vircs.bc.ca](mailto:mail@vircs.bc.ca)

For a complete list of settlement agencies,  
see *Directory: BC Multicultural, Anti-racism,  
Immigrant and Community Service Organizations*  
on the Internet at [www.mcaaws.gov.bc.ca/  
amip/sam/MAISO.htm](http://www.mcaaws.gov.bc.ca/amip/sam/MAISO.htm).

# Overview of the Refugee Claim Process



\*Must apply to Federal Court of Canada within 15 days of receiving written decision.

This fact sheet is one in a series for people who are making a refugee claim:

- #1 *Starting a Refugee Claim*
- #2 *Legal Help and Other Services for Refugee Claimants*
- #3 *How to Fill Out a Personal Information Form*
- #4 *A Guide to Humanitarian and Compassionate Applications*
- #5 *A Guide to Pre-Removal Risk Assessment Applications*

These fact sheets are available in Chinese, English, and Spanish. You can read them online at [www.lss.bc.ca](http://www.lss.bc.ca) (under “publications”). For copies, contact:

Distribution  
Legal Services Society  
1500 – 1140 W. Pender Street  
Vancouver, BC V6E 4G1

Phone: (604) 601-6075  
Fax: (604) 682-0965  
E-mail: [distribution@lss.bc.ca](mailto:distribution@lss.bc.ca)

*This fact sheet explains the law in general. It is not intended to give you legal advice on your particular problem.*



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