



Refugee claims in Canada

Are you afraid to return to your home country? You may be able to get refugee protection in Canada.

There are rules about who can make a refugee claim and who can be accepted as a refugee. So you should get advice from a legal clinic or a lawyer who knows Canadian refugee law.

Get legal advice as soon as possible. A delay could make it seem as if you are not really afraid to return home. And if you are ordered to leave Canada, it will be too late to make a claim.

After you qualify to make a refugee claim, you will get a PIF to fill out. A PIF is a Personal Information Form where you explain what happened to you and what you fear.

How much time do I have to fill out the PIF?

Once you fill out the PIF you have to file it with the Immigration and Refugee Board or IRB. Your time limit to do this is 28 days from the date the PIF was given to you. If you got the PIF by mail, your time limit is 35 days from the date it was mailed.

If the PIF is late, the IRB may refuse to look at your claim. You can ask for extra time, but you must ask before the end of the time limit.

The IRB will have a hearing to decide if you are a refugee. At your hearing, you will be asked questions about your claim.

Your PIF will be used at your hearing. So it is important to give correct and complete information in the PIF. If possible, get legal help to fill out your PIF.

Can I have help with my hearing?

You have a right to have a lawyer at your hearing. The lawyer you hire must be allowed to practice law in Canada. Legal Aid Ontario may pay for a lawyer if you cannot afford one.

If you hire someone who is not a lawyer, make sure that they belong to the Canadian Society of Immigration Consultants. Legal Aid Ontario will not pay a consultant.

If your address is changing, give your new address to your lawyer and immigration authorities right away. If you do not, you might miss important mail about your case.

What if the IRB accepts my claim?

Once the IRB decides that you are a refugee, you have 180 days to apply to become a permanent resident.

In your application, you must list your husband, wife, or partner, and any dependent children. It does not matter if they are inside or outside Canada — you must list them all. Your partner can be the same sex as you or the opposite sex.

In the same application, you can apply for permanent resident status for these family members also. This is your choice.

You will have to pay a fee to apply. You may be able to get a loan. A community agency that works with refugees can tell you more about getting a loan.

They can also help you find out what to do if you missed the 180-day time limit to apply for permanent resident status.

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What if the IRB rejects my claim?

This means you do not have the right to stay in Canada as a refugee. You could be forced to leave Canada.

You can ask the Federal Court to review the IRB's decision. You must make the request within 15 days from the date you get the decision.

When the immigration authorities are ready to force you to leave, they will give you a form to apply for a Pre-Removal Risk Assessment or PRRA. In some cases, after they look at the PRRA, they let you stay in

Canada. You must return the PRRA form within 15 days from the day you get it or you could be removed from Canada before a PRRA decision is made.

It is best to get help from a lawyer or legal clinic for these applications. ✎

There may be other ways to stay in Canada legally. On these pages we give only general information. Get legal advice about your own situation even before the IRB makes a decision about your refugee claim.

How to get help

Findhelp is a community agency that gives help in many languages. They take calls 24 hours a day, 7 days a week.

They can tell you:

- where to get legal help, and
- how to contact a settlement agency or community agency for other kinds of help.

To contact Findhelp:

☎ Toll-free **1-866-667-5366**

☎ Toll-free TTY..... **1-888-340-1001**

💻 www.211ontario.ca

For more help:

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Visit www.cleo.on.ca to download these pages and other legal information.