



• April 2023

Front-End Processes for Refugee Claimants

Frequently Asked Questions

The following FAQs are designed to accompany the CCR's [infographic on Front-end processes for refugee claimants](#).

A. Portals

How do you access the IRCC Portal/eApp?

Go to: <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/claim-protection-inside-canada/apply.html>

After answering the screening questions, claimants can access the portal. To start a claim on the portal, a claimant sends a request and will receive a confirmation code to their email.

Where is the guide to explain how to complete the portal?

<https://www.canada.ca/en/immigration-refugees-citizenship/services/application/application-forms-guides/guide-0174-inland-refugee-claims-portal.html>

What happens if a claimant already started filling in the older portal?

If someone has already started using the older portal (Canadian Refugee Protection Portal – CRPP), they can complete that portal, as long as they finish it by 8 June 2023.

Is there a deadline to fill in the IRCC portal?

Claimants who are in the One Touch pilot have 45 days to complete the portal. If they need more time (for example, because of the time taken to find and meet with a lawyer), they should write to CBSA.Asylum-Asile.ASFC@CBSA-ASFC.gc.ca to let them know that they are working on it.

If they don't complete the portal within 45 days (and have not already obtained an extension), they will be reminded of the need to complete it and given a further timeline (originally we were told they would be given 30 days, but it seems people may be given a longer timeline. Claimants should follow instructions sent to them by email).

Claimants who are not in the One Touch pilot have no deadline. However, completion of the portal usually means an earlier eligibility decision. Also, they will not receive a work permit until they complete the portal (or they receive a decision on eligibility after an eligibility interview).

What should a claimant do if they initiated a claim at the POE, completed the application on the IRCC portal and then received a letter stating that their application has been canceled as it is a duplicate of a POE claim?

No need to do anything. This is normal. The claim has not been canceled. IRCC has advised that the duplicate message in these circumstances can be disregarded.

The claimant was given a Refugee Protection Claim Document (brown paper) but was still asked to do the IRCC portal within 45 days. Why?

The claimant was likely processed under the One Touch Pilot Project. Although they have already been found eligible, they must still complete the portal – the One Touch pilot reverses the order of events, but the information in the portal still needs to be completed.

The claimant needs to complete the portal in order for their work permit to be issued and as part of the refugee determination process. Completing the portal is likely required in the claimant's terms and conditions, and a failure to complete the portal could lead to enforcement action. However, claimants can request an extension if they can't complete the portal within 45 days (write to CBSA.Asylum-Asile.ASFC@CBSA-ASFC.gc.ca).

Are the IRCC forms/portals available in languages other than English and French?

No, all forms must be completed in either English or French.

A claimant may choose to upload an explanatory document at the end of the portal stating that they used Google Translate to complete the application.

Organizations or individuals may have prepared translations of the questions in various languages to assist with the process.

Is it safe to assume that claimants being transferred to an Ontario municipality have already completed the initial forms?

No. The majority of “deferred eligibility” claimants who are transferred to Ontario do still need to complete the portal within the specified deadlines (if any) in the written instructions that they received at the border. However, claimants can request an extension if they can't complete the portal within the timeline given (write to CBSA.Asylum-Asile.ASFC@CBSA-ASFC.gc.ca).

Is it a good idea to add an explanatory letter to say that the portal was completed in unfavourable circumstances?

Yes, that is an excellent strategy.

Is it only the claims made through the portal that are eligible for the temporary public interest policy for work permits?

Yes. (The [policy](#) specifies that the information must have been submitted through the portal unless an exemption is granted to an individual to provide information in another way – and such exemptions are rarely given.)

How do we fix errors after the portal has been submitted?

People should always keep a copy of the answers they submitted, and discuss with a legal representative the possibility of amending errors in the portal at or before the eligibility interview. Errors should be corrected, since inconsistencies can have an impact on the refugee claim.

How do we address the problem that the portal does not allow some claimants to enter their addresses for the past ten years as required?

Closely follow the instructions on the portal regarding entering address history, and refer to IRCC's [instruction guide](#). Common issues that prevent the address history from validating include overlapping entries and gaps in entries. Technical support is available at ircc.asylumtechsupport-supporttehasile.ircc@cic.gc.ca. Incomplete or inexact information in the address history can also be explained in a letter of explanation, uploaded in the document section.

Note that the address history should cover any temporary addresses, including when a person is in hiding.

B. Using paper forms

If a claimant sent the initial forms (Generic Application, Schedule A, Schedule 12) by email and has not received any news after 3 months, should/could they use the portal to accelerate the process to have a work permit?

CBSA has said that using the portal may accelerate the process – paper forms are being processed but they take more time. They are unable to provide a timeline for people who have submitted paper forms.

Note also that people who use the paper forms will not receive a work permit until after the eligibility interview.

C. Address changes

What is the IRB email for address changes?

Western Region: RPDPWestern-SPRouest@irb-cisr.gc.ca

Central Region: RPDCentral@irb-cisr.gc.ca

Eastern Region: RPDEastern-SPRest@irb-cisr.gc.ca

How do you update addresses via IRCC portal?

Address updates with IRCC are done via the IRCC webform at <https://secure.cic.gc.ca/enquiries-reenseignements/canada-case-cas-eng.aspx>

D. One Touch Pilot

When did the One Touch pilot start (in order to know which people might be affected)?

The pilot started in Quebec, at Trudeau Airport and Lacolle, in late 2022, but only gradually. At the beginning only a few claimants were entered into One Touch, but later more people were processed this way. The pilot is expected to be extended to other regions (starting with Greater Toronto Area (GTA) likely in May).

E. Moving between provinces

Do claimants have the right to relocate from the province they were moved to and will they get assistance for moving?

They are free to move but they will not get any assistance to do so. They should be aware that they might face challenges in getting quick access to legal aid, social assistance and other government services after moving.

F. Legal aid

Are legal aid fees available for counsel during the eligibility phase and assistance with the portal?

Legal Aid varies depending on the province. It is recommended that you contact your provincial legal aid office to find out. Even if it is available for the eligibility phase, such as in Ontario, it can be difficult to find counsel to complete this.

Where can claimants go regarding a second opinion?

It depends on the province. Some provinces have legal clinics. People can try to seek information from CCR member organizations in their region.

G. Basis of Claim form (BOC)**Does the BOC go to the IRB or is it uploaded to the portal?**

The BOC normally goes to the IRB, unless you are making an inland claim, in which case it must be uploaded to the portal.

If the BOC is not complete, claimants can respond to the portal question about the BOC by uploading the acknowledgement of claim document (or confirmation of referral to the IRB, for One Touch claims).

Do the clients need to finish their BOC with their lawyer before their portal registration is done?

Only if they are making an inland claim. In place of the BOC, POE claimants can upload the acknowledgement of claim document (or confirmation of referral to the IRB, for One Touch claims).

What happens if a claimant is unable to submit the BOC by the deadline because they were unable to find a lawyer in time?

They can ask the Refugee Protection Division of the IRB for an extension.

H. Processing times**How long should an inland claimant wait to receive their acknowledgement letter after registering on the portal?**

The timelines fluctuate.

What is the processing time from application to eligibility?

This varies depending on a number of factors and changes over time. For POE claims with deferred eligibility, CBSA has indicated that eligibility determinations will be faster the sooner a claimant completes the portal.

What is the processing time from eligibility to hearing /decision by the Refugee Protection Division (of the Immigration and Refugee Board)?

This varies greatly. Some decisions are made within a few months (if the case can be accepted on [file review](#)). Otherwise it might be up to 18 months (with some cases even longer).

How much time does it take for a refugee claimant to get a decision after the IRB hearing?

Many decisions are given immediately at the hearing. If not, the length of time for the decision can vary greatly.

I. Work permits

Does a person need to complete the BOC in order to have a work permit?

No, the person needs to have completed the portal, but not the BOC.

Some people who have been transferred to Atlantic Canada, however, have been issued restricted work permits at the POE before they have done their medicals or completed the portal. (Since they have not completed the medical, the work permit is restricted to jobs where public health would not be at risk.)

J. Support for claimants

Where can claimants who are transferred to a different province access funds?

Claimants are eligible for social assistance from the province where they are now located.

While waiting for a work permit, do claimants get a housing allowance and social assistance? If so, how much?

This depends on the social assistance program for each province. Every province is different.

Can a Service Provider Organization (SPO) indicate its willingness to IRCC to assist with claimants? Or are the destination cities predetermined?

IRCC has indicated that they are identifying cities for hotels based on hotel availability, not based on “ideal communities” to support claimants. If a hotel opens near your organization, you can certainly reach out to IRCC or the provincial government to offer your services. SPOs have had varying degrees of success with this depending on the city.

What is the relevance of Section 91 of IRPA as it pertains to who should be assisting with information declared in the portal?

The CCR's position is that IRPA section 91 does not apply to NGO staff if services are provided free. We have a legal analysis that supports that position.

The CCR also recommends that claimants be assisted by qualified legal counsel throughout the refugee claimant process, including in filling in the portal /forms. The answers given may be

used in the refugee determination process, and poorly prepared answers on the forms can undermine a person's credibility.

For background on the Section 91 concerns, see <https://ccrweb.ca/sites/ccrweb.ca/files/irpa-s91-ccr-paper-2019.pdf>

K. Impact of Safe Third Country Agreement Expansion

Is the Peace Bridge still open despite latest developments across the Canada-US border?

There is no change at any of the Ports of Entry across Canada – a claimant who meets one of the exceptions to the Safe Third Country Agreement (STCA) can still make a claim at a POE and be admitted.

What has changed is that the Safe Third Country Agreement now applies to people crossing in between Ports of Entry (including Roxham Road). If they are detected crossing the border and they make a refugee claim, they are now found ineligible under the Safe Third Country Agreement and returned to the US, unless they meet one of the STCA exceptions.

What are the STCA exceptions?

Whether people are claiming at a Port of Entry or crossing in between Ports of Entry, they are not sent back to the US under the Safe Third Country Agreement if they can prove that they meet one of the exceptions. The exception that applies most often is if the person has a family member in Canada – but note you must satisfy the officer you have the right family member with the right status in Canada. See: <http://www.bridgesnotborders.ca/safe-third-country-agreement.html> and <https://www.fcjrefugeecentre.org/stca-refugee-claimant-documents/>

How is CBSA applying the family member exception, when the claimant's family member in Canada is still waiting for their claim to be referred to the IRB?

Legally, the exception only applies if the anchor relative's claim has been referred to the IRB.

However, if the anchor family member in Canada is a refugee claimant waiting in the eligibility backlog (and likely to be found eligible), CBSA has said that the current practice is to adjourn the examination of the person entering Canada and ask the relevant office to expedite the determination of the anchor relative's eligibility. Then once the anchor relative is found eligible, the person entering Canada can be exempted from Safe Third Country Agreement. It is important to note that this practice is at the discretion of CBSA and cannot be relied upon. And even if they do adjourn the examination, the anchor relative may be found ineligible, in which case the person entering Canada may be returned to the US under the Safe Third Country Agreement (legal advice would be crucial).

Following the expansion of the Agreement, will people who cross the border irregularly need to make an inland claim?

If a person crosses irregularly into Canada and is not detected close to the border, they will need to submit a claim through the portal, with the BOC complete, before receiving even an acknowledgement of claim. They can also expect an investigation into when they crossed into Canada – if they don't satisfy the officer that they entered more than 14 days ago, they may be returned to the US under the Safe Third Country Agreement.

L. Ineligible claimants**Can ineligible claimants apply for a work permit if they have not sent in their PRRA application?**

Claimants who are found ineligible can obtain a work permit; however they must submit an electronic application and pay processing fees. Ineligible claimants do not need to wait for a PRRA to be initiated to apply for a work permit.

What happens with ineligible claimants who are also not eligible for PRRA and cannot be removed from Canada? Do they just keep renewing their work permit?

Unfortunately that is often what happens to people who are from countries subject to a moratorium on removals (see [list of countries subject to a TSR or ADR](#)). Eventually they may apply for humanitarian and compassionate (H&C) consideration.