REFUGEE CLAIM PROCEDURE

(1) Person claims refugee status during inquiry — inquiry adjourned

(1a) Examination under oath by senior immigration officer

s. 45 (1) transcript sent to Ottawa

s. 45 (4) Consideration by Refugee Status Advisory Committee

not accepted as refugee accepted as refugee

(1b) Consideration by Special Review Committee for Humanitarian & Compassionate Grounds

not accepted as refugee accepted as refugee

(2) Application for Redetermination (declaration under oath)

s. 70 (1) oral hearing granted

oral hearing not granted and not accepted as refugee

(3) Redetermination at Immigration Appeal Board

s. 71 (1) accepted as refugee

not accepted as refugee

(4) Resumption of inquiry to determine whether within inadmissible class (criminal or security risk)

s. 47 (1) within inadmissible class

not within inadmissible class

s. 72 (2) Appeal to Immigration Appeal Board

appeal allowed

appeal dismissed

s. 46 (1) Inquiry Resumed

REMOVAL FROM CANADA

NON-REFOULEMENT
REFUGEE CLAIMANT PROCESSES ON ARRIVAL*

AT AIRPORT

AIRPORT ARRIVAL

Claims Refugee Status before Immigration Officer

Written Report

Senior Immigration Officer

OPTIONS

DETAIN
IF: — danger to public
— would not appear for examination
Detention Centre
e.g. Avion Hotel at Toronto

RELEASE
— subject to few or many conditions,
e.g. bond
At Large or in Detention Centre awaiting bond

SET INQUIRY

IMMIGRATION CENTRE OUTSIDE AIRPORT

INQUIRY

IF visitor claims refugee status, the inquiry is adjourned, and the refugee determination process begins

VISITOR MAY be granted access to work, health care, language training and welfare/assistance

REFUGEE DETERMINATION PROCESS

*In addition to claims of refugee status on arrival, a significant fraction of claims are made by persons who arrive in Canada and spend time here on legitimate status such as visitor or student. Such persons enter the process at an immigration centre before an immigration officer.