

Notice to persons in the US who wish to claim refugee status at the Canadian border

There is no “Special Program” for Haitians, Mexicans or persons of any other nationality to immigrate to Canada at present.

Beware of organizations, “immigration consultants” or “pastors” who say there is a “special Canadian program” for persons of your nationality. **Such programs do not exist.** If anyone tries to charge you money to assist you with admission to such a program, they are misleading you and trying to cheat you.

If you meet one of the exceptions of the Safe Third Country agreement (see below) and you claim refugee status at the Canadian border, you will be treated like every other refugee claimant who enters Canada. You will have to show that you fear persecution in your country in order to succeed on your refugee claim. No one is automatically accepted for refugee status or permanent residence in Canada simply because of their nationality.

You must ensure that you fall under one of the exceptions to the US-Canada “Safe Third Country Agreement”.

Under the US-Canada “Safe Third Country Agreement”, in force since December 2004, most persons who are in the US, and who would like to come to the Canadian border to claim refugee status, are no longer eligible to do so. However, there are some exceptions to this rule. Here are the three main exceptions:

1. You have at least one of the following relatives in Canada:

A spouse or common-law partner (you have lived together as a couple for at least one year – can be same or opposite sex); a legal guardian; a child; a father or mother; a brother or sister; a grandfather or grandmother; a grandchild; an uncle or aunt; a nephew or niece

and that relative is any one of the following:

A Canadian citizen; a permanent resident; a protected person (i.e. determined to be a refugee or a person in need of protection); 18 years of age or over **and** is a refugee claimant (and the claim has not been rejected, withdrawn, found abandoned or ineligible)

2. You are a national of a country to which Canada has temporarily suspended removals (currently, **Afghanistan, Burundi, Democratic Republic of Congo, Haiti, Iraq, Liberia, Rwanda, Zimbabwe**). This exception does not apply if you are inadmissible to Canada on criminality grounds.

3. You are from a country for whose nationals Canada does not require a visa but the US does (currently Antigua and Barbuda, Barbados, Botswana, Cyprus, Greece, Malta, Mexico, Namibia, Papua New Guinea, Republic of (South) Korea, St. Kitts and Nevis, St. Lucia, St. Vincent, Solomon Islands, Swaziland, Western Samoa.)

For further information on the Safe Third Country Agreement and exceptions, please go to:

<http://www.ccrweb.ca/s3cFAQ.html>

<http://www.cbsa-asfc.gc.ca/agency-agence/stca-etps-eng.html>

<http://www.cic.gc.ca/english/refugees/inside/index.asp>

Some organizations, “immigration consultants” and “pastors” are advising people to come to the Canadian border without checking to see if they meet one of the above exceptions. **This is extremely dangerous. Some people who do not meet one of the exceptions have been returned by Canadian border officials to US immigration authorities and have been detained. It is essential that you ensure that you meet one of the exceptions to the Safe Third Country Agreement. If you are unsure, then you should check with one of the groups listed below.**

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You do not need to buy any forms to claim refugee status in Canada

Some organizations and “immigration consultants” have produced their own forms and are charging people money to buy these forms or to fill them out. These “home-made”

forms are useless and will not help you in any way with Canadian immigration authorities. For further information about the official forms involved in claiming refugee status at the Canadian border, contact one of the groups listed below.

You cannot “exchange” your US documents for any type of Canadian “permit”

Some organizations and “immigration consultants” claim you can “exchange” a US deportation order for some sort of “permit” to reside in Canada, or that you can “exchange” a US Green Card for permanent resident status in Canada. **This is completely false.** Your US documents will not give you any special status in Canada. Any application you make, for example a refugee claim, will be evaluated according to Canadian law.

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The following groups can provide further information about claiming refugee status at the Canadian border:

- Vermont Refugee Assistance: Tel. 802-223-6840, email vtrefuge@together.net or jeness@accessvt.com, <http://www.vermontrefugeeassistance.org>.
- Freedom House, Detroit, Tel. 313-964-4320 ext*833, email fhdkoelsch@sbcglobal.net, <http://www.freedomhousedetroit.org>
- VIVE, Buffalo, Tel. 716-892-4354, <http://www.vivelacasa.org>
- Committee to Aid Refugees, Montreal, Tel. 514-272-6060, ext 5, email carntl@cam.org (for people destined to Montreal or elsewhere in Québec)
- FCJ Hamilton House, Toronto, Tel. 416-469-9754, email fcjhamilton@on.aibn.com (for people destined to Toronto),

Note that some organizations, “immigration consultants” and “pastors” falsely claim that they have a special arrangement to work with one or more of these groups and may even try to charge you money to obtain the group’s services. This is completely dishonest. You can contact any of these groups directly to obtain their assistance.

In addition to the groups listed above, this notice is endorsed by the Canadian Council for Refugees, the Table de concertation des organismes au service des personnes réfugiées et immigrantes and the Florida Immigrant Advocacy Centre. The information contained in this notice is accurate as of September 2007.