

ACCESS TO SERVICES FOR ASYLUM SEEKERS IN QUÉBEC

Toolkit for Health
Professionals
and Community
Workers

Centre intégré
universitaire de santé
et de services sociaux
du Centre-Ouest-
de-l'île-de-Montréal

Québec 

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This Toolkit is a tool from the Centre d'expertise sur le bien-être et l'état de santé physique des réfugiés et des demandeurs d'asile (CERDA) of the CIUSSS du Centre-Ouest-de-l'Île-de-Montréal.

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Graphic design by the Atypic agency

INTRODUCTION

It can be challenging to understand the services to which asylum seekers are entitled. The process to access these services is often challenging as well.

This Toolkit is primarily for professionals to inform them of different services that asylum seekers can access depending on their status. It also helps asylum seekers to become familiar with and benefit from all available services and to exercise their rights.



The Toolkit:

- ➔ Was last updated in March 2023. As of the end of March, the relevance of the content is not affected by the changes to the Safe Third Country Agreement (Roxham Road closure).
- ➔ Only applies to services offered in the territory of Québec.
- ➔ Indicates whether a request can be made for each service identified. There may be a wait time following the request.
- ➔ Does not indicate other eligibility criteria that apply to many of these services.
- ➔ Refers to services to which asylum seekers are officially entitled. However, in practice, barriers may complicate access to these services, i.e., difficulty accessing interpreters; wait times for services; a lack of professionals registered with the Interim Federal Health Program (IFHP), etc.
- ➔ Note that the status of "Asylum seeker who is waiting for an eligibility interview or hearing" is used for concision purposes and encompasses both asylum seekers who are waiting for an eligibility interview and refugee claimants who are waiting for a hearing.
- ➔ Does not address the many exceptions that may apply to specific situations.
- ➔ Is not a substitute for legal advice. It is very important to consult a lawyer or an immigration consultant before taking any legal action regarding the refugee claim and appeal processes.
- ➔ Is not exhaustive.

This Toolkit and the references used to design the tool are available in English and French at: cerda.info/carnetsderoute

The Toolkit should be cited as follows: CERDA (2023). Access to Services for Asylum Seekers in Québec. Toolkit for Professionals. cerda.info/carnetsderoute

RESOURCES

If you have any questions, please contact PRAIDA:

If you are a professional:
514-484-7878, ext. 64850

If you are an asylum seeker :
514-484-7878, ext. 64500

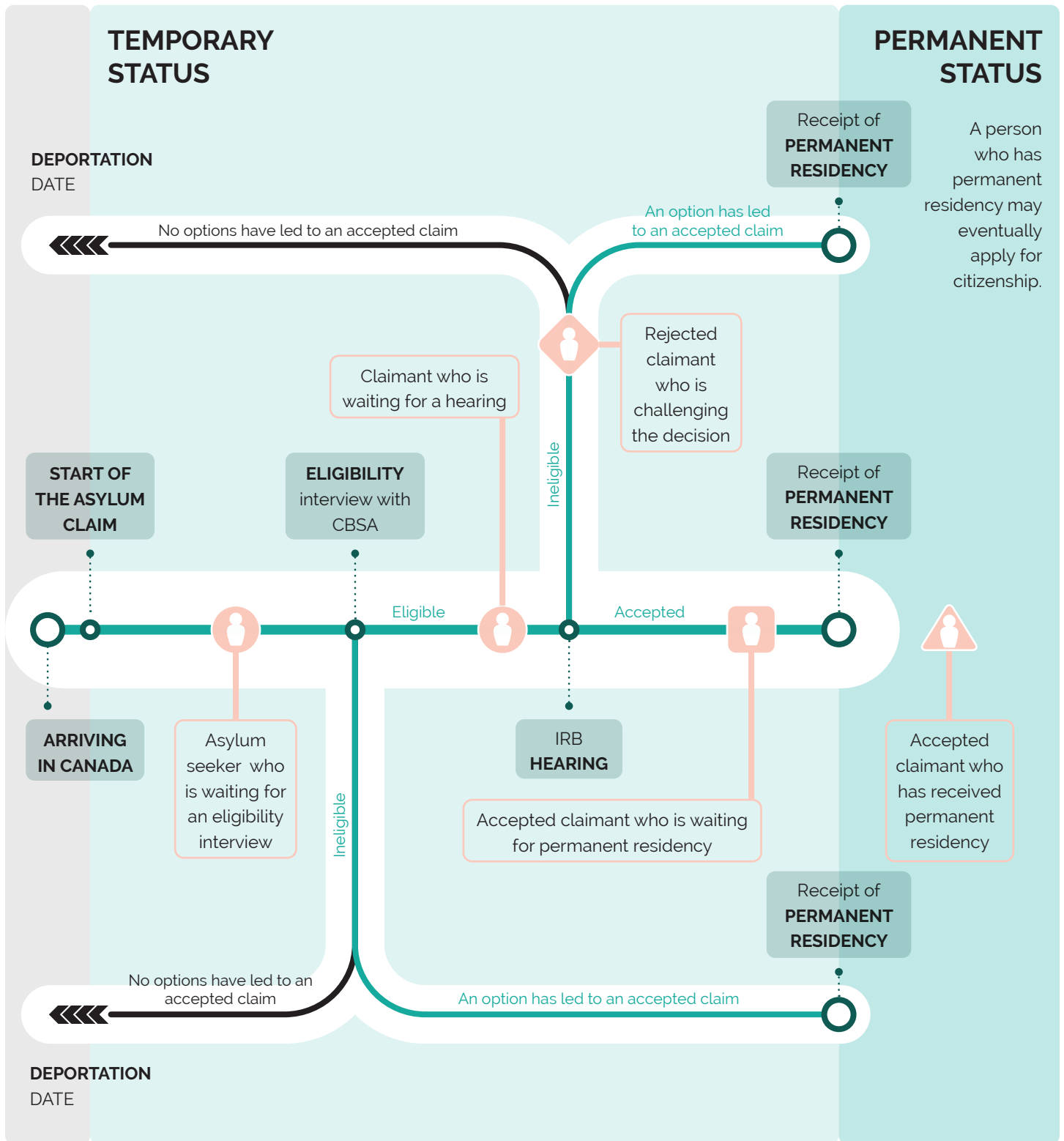
This Toolkit is a precursor to the upcoming Carnets de route tool to support refugees and asylum seekers in their journey to settle in their new country and the professionals who assist them. The Carnets de route tool provides more information about the circumstances and steps to access the services listed. This tool should be released in January 2024.

The Welcome Guide

by the Welcome Collective
(<https://welcomecollective.zendesk.com/hc/en-ca>) and

My Refugee Claim by Kinbrace
(<https://myrefugeeclaim.ca/en/>)
are also good tools to use with this Toolkit.

HUMANITARIAN MIGRATION: POSSIBLE TRAJECTORIES



NB A RESETTLED REFUGEE (government assisted or sponsored) arrives in Canada with permanent residency. This person may eventually apply for Canadian citizenship.

NB A person who remains in Canada beyond his or her deportation date becomes a person without status.

HUMANITARIAN MIGRATION:

POSSIBLE TRAJECTORIES (SECOND PART)

A FEW CLARIFICATIONS

- ➔ The wait times for these different processes are usually a few years.
- ➔ Members of the same family may have to undergo different legal processes. For example, a Haitian mother whose refugee claim is denied in the United States can make an application on humanitarian grounds in Canada, whereas her child born in the United States can make a refugee claim in Canada.

SUBMITTING A REFUGEE CLAIM FROM AN INLAND OFFICE

People entering Canada as tourists, foreign workers, or foreign students may submit a refugee claim online to an IRCC inland office in Canada. They then become asylum seekers and must wait for an eligibility interview (after which they are called claimants) or for a hearing once they begin the process with an inland office.

ELIGIBILITY INTERVIEW

At this interview, the CBSA decides whether the claim is eligible or ineligible.

- ➔ If the claim is eligible, the case will be sent to the IRB, and the person will have a hearing to determine whether or not they are a Convention refugee.
- ➔ If the claim is ineligible, the person cannot continue the refugee claim process in Canada. However, it is possible that the person can stay in Canada temporarily with regular status, for example if they apply for a PRRA or if their country is under moratorium.

CHALLENGING THE DECISION

There are several processes for challenging the decision and appealing for a person who has been refused refugee status and/or is facing removal (including an appeal to the RAD, a judicial review in Federal Court and a PRRA application).

LEGEND

CBSA	Canada Border Services Agency
CLSC	Centre local de services communautaires (Local Community Service Center)
CNESST	Commission des normes, de l'équité, de la santé et de la sécurité du travail (Labour Standards, Equity, Health and Safety in the Workplace Commission)
COUNTRIES UNDER A DEPORTATION MORATORIUM	Countries considered too dangerous to deport people to. Canada has Administrative Deferral of Removals or Temporary Suspension of Removals in place for these countries. The list of these countries can be found at: https://www.cbsa-asfc.gc.ca/security-securite/rem-ren-eng.html
CSQ	Certificat de sélection du Québec (Québec Selection Certificate)
IRB	Immigration and Refugee Board of Canada
IRCC	Immigration, Refugees and Citizenship Canada
MIFI	Ministère de l'Immigration, de la Francisation et de l'Intégration (Ministry of Immigration, Francisation and Integration)
PRAIDA	Programme régional d'accueil et d'intégration des demandeurs d'asile (Regional Welcoming and Integration Program for Asylum Seekers)
PRRA	Pre-removal Risk Assessment
RAD	Refugee Appeal Division
RAMQ	Régie de l'assurance maladie du Québec (Quebec Health Insurance Board)

DECISION TREE TO DETERMINE THE PERSON'S STATUS

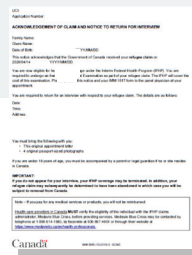
The questions in this decision tree will help you determine the status of the person you are working with and understand the services that this person is entitled to.

! Regardless of the person's immigration status, confidentiality must be upheld. Specifically, members of professional orders and all employees of the health and social services network are legally prohibited from contacting the CBSA.

1 Are you waiting for your eligibility interview or hearing for your refugee claim?

Documents the person should have:

Acknowledgement of Claim (white paper)
or the **Refugee Protection Claimant Document (brown paper)**



YES



Asylum seeker who is waiting for an eligibility interview or hearing.

NO



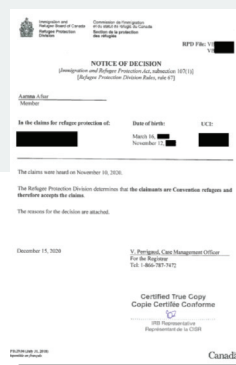
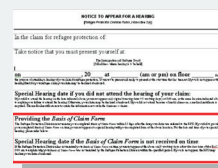
2 Have you already had your hearing with the IRB and received their decision?

3 documents that the person should have:

If the person hesitates: The hearing is usually done over Teams (or in person, as was done before the pandemic). It usually lasts from one to a few hours and is attended by an IRB member (often perceived as a judge) as well as the person's lawyer.

Note: When the decision is not shared on the day of the hearing, there may be a delay of a few months before the Notice and Reasons for Decision is received. People in this situation can access services for asylum seekers who are waiting for a hearing.

**Notice to Appear +
Notice of Decision from the IRB +
Reasons for Decision**



YES



NO



They may be a resettled refugee. They also may be someone whose refugee claim is ineligible (it is written "ineligible to apply for asylum" on their brown paper).

3 Was the refugee claim allowed or rejected?

POSITIVE



NEGATIVE



4a Have you received your permanent residency?

Document the person should have:
Permanent resident card



YES



Accepted claimant who has received permanent residency.

NO



Accepted claimant who is waiting for permanent residency.

4b Are you in the process of challenging the decision?

YES



Rejected claimant challenging the decision.

NO



Rejected claimant who is waiting for a deportation date.

OR

This person may be non-status in Canada.

! Ask the person if they have applied for the Québec Selection Certificate (CSQ), which they need in order to apply for the RAMQ and to access many services.



TABLES INDICATING ACCESS TO SERVICES







IMPORTANT CLARIFICATIONS

- A resettled refugee (government-assisted or sponsored) is a permanent resident, which gives them access to most services available to Canadian citizens in addition to some services specifically for refugees.
- A person whose refugee claim is ineligible but who can remain in Canada through regular means (either through a PRRA or because they are from a country on the deportation moratorium list) and who is not facing an asylum exclusion order can access the same services as asylum seekers. These include:
 - IFHP health coverage.
 - Open work permit. (Note: The person must apply for this and pay the necessary fees.)
 - Social assistance.


In practice, however, the person may encounter many barriers that complicate access to these services.

- To access most services, people waiting for permanent residency need the Québec Selection Certificate (CSQ), which they will get approximately one month after their refugee claim is accepted.
- Someone who is non-status in Canada has very limited access to services. Refer to the Clinic for Migrants with Precarious Status run by Doctors of the World.
- Children born in Québec to parents who are seeking asylum or who are non-status are entitled to RAMQ but are not entitled to a spot in subsidized daycare nor to government family allowances and benefits.

IDENTITY DOCUMENTS

	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency  Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected Claimant who is challenging the decision OR waiting for a deportation date
Original identity documents that claimants brought with them to Canada	No. Border officials seized these documents when the asylum seekers arrived. Certified copies of the documents were provided.	Border officials seized these documents when the asylum seekers arrived. Certified copies of the documents were provided. A request can be made to get these documents back.		No. Border officials seized these documents when the asylum seekers arrived. Certified copies of the documents were provided.
Acknowledgement of Claim (white paper)	Yes, to be used pending receipt of the Refugee Protection Claimant Document.	This document is not necessary once the person has their Refugee Protection Claimant Document.		
Refugee Protection Claimant Document (brown paper)	Yes, following the eligibility interview. Possible wait time of many months.	<div style="background-color: #008080; color: white; padding: 5px; text-align: center;"> These two documents allow a person awaiting an eligibility interview or hearing to access the services to which they are entitled and serve as identification. </div> This document is not necessary once the person has their CSQ.		
Québec Selection Certificate (CSQ)	No	Yes	Yes	No
Permanent resident card	No	No	Yes	No
Travel documents	Travel outside Canada is not allowed.	Travel outside Canada is authorized with refugee travel papers.	Travel outside Canada is authorized with a permanent resident card.	Travel outside Canada is not allowed.
Driver's licence	The first 6 months: Authorization to drive with a foreign driver's licence. After 6 months: Obligation to obtain a Québec driver's licence			







RIGHTS AND PROTECTIONS

	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency  Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected Claimant who is challenging the decision OR waiting for a deportation date
Filing a discrimination complaint	Yes	Yes	Yes	Yes
Police protection	Yes	Yes	Yes	Yes
Many resources for violence, including domestic violence	Yes	Yes	Yes	Yes
Change of sex or gender identifier	From the IRCC: Yes From the Québec and Canadian governments: Yes, after the person has resided in Québec for one year	Yes, after the person has resided in Québec for one year.		
Change of name	Yes, after the person has resided in Québec for one year.			
Legal aid Legal aid covers some services by attorneys who accept legal aid cases.	Yes	Yes	Yes	Yes

HOUSING

	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency  Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected Claimant who is challenging the decision OR waiting for a deportation date
Support to find housing through community agencies	Yes, from specific organizations: https://www.quebec.ca/en/immigration/refugees-asylum-seekers/asylum-seekers	Yes, by multiple organizations.		Yes, by some organizations.
Social housing (HLM)	No	No	Yes	No
Shelter allowance	Yes. Specific criteria apply.			
Housing cooperatives	Yes	Yes	Yes	Yes
Housing committees	Yes	Yes	Yes	Yes
Tribunal administratif du logement (TAL or rental board)	Yes	Yes	Yes	Yes







HEALTH CARE

	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency  Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected Claimant who is challenging the decision OR waiting for a deportation date
Coverage under the Régie de l'assurance maladie du Québec (RAMQ)	No ! Children born in Québec are entitled to the RAMQ regardless of their parents' status.	Yes, following receipt of the Québec Selection Certificate (CSQ). ! It is important that the person apply for the CSQ and RAMQ as soon as possible.	Yes	No ! Children born in Québec are entitled to the RAMQ regardless of their parents' status
Coverage under the Interim Federal Health Program (IFHP) The IFHP covers health care and medication. For details on coverage: cerda.info/dossier-pfsi/	Yes	Only for 90 days after the IRB Notice of Decision has been issued. ! It is important that the person apply for the CSQ and RAMQ as soon as possible.	No	Yes
Hospitals	Yes	Yes	Yes	Yes
CLSC	Yes, subject to exception.	Yes	Yes	Yes, subject to exception.
PRAIDA social workers and nurses	Yes	Yes	No	Yes
Family doctor	No	Yes, the person can register once they are covered under the RAMQ (long wait time).		No
Ma Grossesse service	Yes	Yes	Yes	Yes
Intervention network for persons affected by organized violence (RIVO)	Yes	Yes	Yes	Yes

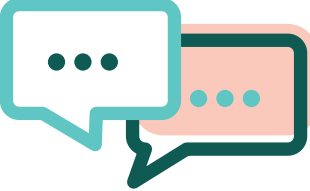





For more information about the IFHP and healthcare access, see: <https://cerda.info/dossier-pfsi/>

FINANCES








	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency  Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected Claimant who is challenging the decision OR waiting for a deportation date
Open an account at a financial institution (bank or co-op)	Yes	Yes	Yes	Yes
Social assistance program	Yes	Yes	Yes	Yes
Social solidarity program	Yes	Yes	Yes	Yes
Family allowance (Québec)	No	Yes, upon receipt of the Notice of Decision from the IRB.	Yes	No
Canada child benefit (Canada)	No	Yes, upon receipt of the Notice of Decision from the IRB.	Yes	No
PRAIDA benefits (allowances for families with 3 or more children and for children with special needs)	Yes	No	No	Yes
Tax return	 Mandatory for everyone			
Food banks	Yes	Yes	Yes	Yes

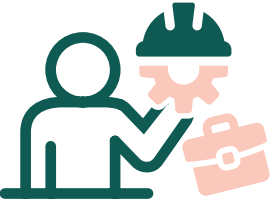





FRENCH COURSES

	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency  Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected Claimant who is challenging the decision OR waiting for a deportation date
In-person courses (full-time and part-time)	Yes for courses offered by training centres under the MEQ. No for courses offered by institutions under the MIFI.	Yes	Yes	Yes for courses offered by training centres under the MEQ. No for courses offered by institutions under the MIFI.
Online courses (full-time and part-time)	Yes	Yes	Yes	Yes
Financial assistance for French courses	No	Yes	Yes	No

CHILDCARE AND EDUCATION

	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency ⚠ Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected Claimant who is challenging the decision OR waiting for a deportation date
Subsidized daycares	No	Yes	Yes	No
Non-subsidized daycares	Yes	Yes	Yes	Yes
Community drop-in daycare centres	Yes	Yes	Yes	Yes
Advance payments of the tax credit for childcare expenses	No	Yes	Yes	No
Primary and secondary school	Yes, free until the age of 18.	Yes	Yes	Yes, free until the age of 18.
Study permit	Yes. Required to study after the age of 18.	Yes. Required to study after the age of 18; must pay the same fees as citizens.	Not required upon receipt of permanent residency.	Yes. Required to study after the age of 18.
Continuing adult education, CEGEP and University	Yes, but with payment of all fees (very high).	Yes, with a study permit (same fees as for citizens).	Yes, without a study permit (same fees as for citizens).	Yes, but with payment of all fees (very high).
Private schools and programs	-----	Yes, but with payment of all fees (sometimes high)		-----

EMPLOYMENT

	 Asylum seeker who is waiting for an eligibility interview or hearing	 Accepted claimant who is waiting for permanent residency  Important that they have a CSQ	 Accepted claimant who has received permanent residency	 Rejected Claimant who is challenging the decision OR waiting for a deportation date
Open work permit	Yes. Required for employment.		Not required once permanent residency has been obtained.	Yes. Required for employment.
Renewal of the open work permit	Yes. Required for employment.		Not required once permanent residency has been obtained.	Yes. Required for employment. Fees may apply.
Social Insurance Number	Yes, once the open work permit has been received. Required for employment.	Yes. Required for employment.	Yes. Required for employment. The SIN changes to a permanent number.	Yes. Required for employment.
Community organizations (resume writing, etc.)	Yes	Yes	Yes	Yes
Government employment assistance (Services Québec offices, PRIIME, Emploi-Québec, Carrefour Jeunesse-Emploi)	No	Yes	Yes	No
Recognition of prior learning and acquired competencies by Qualifications Québec	No	Yes	Yes	No
Comparative evaluation by the MIFI	Yes	Yes	Yes	Yes
Licences from regulatory bodies such as professional orders	No	Depends on the organizations.	Yes	No
Compensation for workplace accidents and occupational diseases - CNESST	Yes	Yes	Yes	Yes
Compliance with labour standards (paid statutory holidays, etc.) - CNESST	Yes	Yes	Yes	Yes
Advocacy organizations such as the IWC (Immigrant Workers Centre)	Yes	Yes	Yes	Yes

