



**CLEO**

Community Legal Education Ontario  
Éducation juridique communautaire Ontario

# **Expansion of the Safe Third Country Agreement (STCA) - what it means for those seeking refuge in Canada.**

**Speaker:**

**Heather Neufeld, Staff Lawyer, Connecting Ottawa**

**April 20, 2023 12-1pm**



# What you can expect today

## **"Special Presentation" Lunch and Learn Series**

1 hour in total (presentation and Q+A)

This is legal information, not legal advice.

Recording and slides will be sent out afterward.

ASL interpretation is provided.

**The information is current as of today's date April 20, 2023**



# Land Acknowledgement

CLEO's work takes place across the home and traditional territory of the Mississaugas of the Credit, the Haudenosaunee, and the Wyandot peoples, on land that many of us know as Ontario.

As we provide legal information today, we acknowledge the ongoing impact of colonization and anti-Indigenous racism, built into our laws and legal systems, resulting in devastating pain and inequality for Indigenous Peoples of every generation.

We also recognize the incredible amount of work that Indigenous Peoples contributed to the Calls to Action in the Truth and Reconciliation Commission Report calling for Equity for Indigenous Peoples in the Legal System.

# Expansion of the STCA WEBINAR

How do refugee claimants enter Canada to seek protection?

# Expansion of the STCA WEBINAR

What is the U.S.-Canada Safe Third Country Agreement (STCA)?

# Expansion of the STCA WEBINAR

How did the agreement operate before March 25, 2023?

# Expansion of the STCA WEBINAR

What changed on March 25th 2023?

# Expansion of the STCA WEBINAR

Are there exceptions to the Safe Third Country Agreement?



# Expansion of the STCA WEBINAR

If a refugee claimant meets an exception to the STCA, how do they make their refugee claim at a port of entry?

What is the process?

# Expansion of the STCA WEBINAR

Who can make a claim using the family member exception?

# Expansion of the STCA WEBINAR

How does someone prove they meet a family member exception?

# Expansion of the STCA WEBINAR

What is the unaccompanied minor exception?

# Expansion of the STCA WEBINAR

What are the document holder and death penalty exceptions?

# Expansion of the STCA WEBINAR

What happens when someone tries to make a refugee claim at a port of entry but does not meet an STCA exception?

# Expansion of the STCA WEBINAR

If someone is returned to the United States because they do not meet an STCA exception, can they make a refugee claim in Canada in the future?

# Expansion of the STCA WEBINAR

QUESTIONS?



# Expansion of the STCA WEBINAR

What happens when someone tries to enter Canada to make a claim between ports of entry (irregularly) and is caught by the RCMP?

# Expansion of the STCA WEBINAR

What is the new 14-day rule about claimants who enter Canada irregularly?

# Expansion of the STCA WEBINAR

How can refugee claimants who entered irregularly prove that they have been inside Canada for more than 14 days ?

# Expansion of the STCA WEBINAR

If someone enters Canada irregularly and has been here less than 14 days, can they access medical care?

# Expansion of the STCA WEBINAR

Are there any concerns about providing services or shelter to those who enter Canada irregularly?

# Expansion of the STCA WEBINAR

How will the requirement to remain underground for 14 days make refugee claimants vulnerable to abuse?

# Expansion of the STCA WEBINAR

QUESTIONS?

# Resources and supports:

## CLEO's Steps to Justice

### REFUGEE LAW

- [Can I make a refugee claim in Canada if I'm coming from the US?](#)
- [Find out if the STCA applies](#)
- [Exceptions to the STCA](#)
- [Port of Entry Claims: FLOWCHART](#)
- [Inland Claims: FLOWCHART](#)
- [Basis of Claim \(BOC\) forms: TIP SHEETS](#)

### IMMIGRATION LAW



# Resources and supports:

## Community Resources

### FCJ Refugee Centre – [STCA Overview](#)

[STCA: Refugee protection claimant documents \(English/French/Spanish\) with downloadable factsheet](#)

[Health Network for Uninsured Clients](#) - includes a list of clinics who will serve uninsured people. *IMPORTANT:* refugee claimants who enter irregularly will have no right to health coverage until they make their claim after 14 days in the country.



# Resources and supports:

## Community Resources

General information for communities and front-line workers serving vulnerable newcomers, non-status and precarious migrant populations

**FCJ Refugee Centre** — [information sessions/webinars](#)

**Bridges Not Borders - Quebec**

[SeekingAsylumInCanada, What is the STCA?](#)



# Resources and supports:

## *Community Resources for those currently in the United States (US)*

**Jericho Road Community Health Centre \*Vive Refugee Shelter\*in (Buffalo NY)** For migrants in Buffalo wanting information and support preparing for an STCA interview and preparing to make a refugee claim at the Peace Bridge port of entry.

Contact: [yohannes.hiluf@jrhc.org](mailto:yohannes.hiluf@jrhc.org) and 716.892.4354

**Freedom House (Detroit Michigan): A refugee shelter.** Serving individuals and families seeking humanitarian protection including those making a refugee claim at the Canadian border.

**Plattsburgh Cares (Plattsburgh, New York):** A coalition of faith, service and activist groups working to assist immigrants and others to achieve their goals safely and responsibly. This organization has been assisting the refugee claimants who were entering Canada at the Roxham Road irregular crossing point and are now working to spread the word that the border is closed except for STCA exceptions at official ports of entry.\*

# Resources and supports:

## Government Resources

Canadian Government information on the Safe Third Country Agreement: [Expansion of the STCA](#)

## Community Legal Clinics Ontario

**Contact your local community legal clinic for support**

[Find your local clinic](#) or call 1-800-668-8258



# Campaigns – Take Action!

## Migrant Rights Network

The Migrant Rights Network is a cross-Canada alliance to combat racism and fight for migrant justice. We are a network of organizations of migrants including farmworkers, care workers, international students, undocumented people as well as allies.

[Get involved and stay informed.](#)

[What is the STCA?, March 26, 2023](#)

[Amplify Migrant Voices in “Future of Immigration” Survey](#)

## **Calls to action: Truth and Reconciliation**

[Truth and Reconciliation Commission of Canada: Calls to Action](#)

[Settlers Take Action](#)

### **Education**

[Indigenous Canada - Free Course](#)

### **Whose Land?**

Learn about where you are situated, information for land acknowledgements and learn about the treaties and agreements signed across Canada (Turtle Island).

[Whose Land?](#)

# Thank you for joining us!

Subscribe to [CLEO Connect](#) for updates on new legal information and upcoming webinars.

Steps to Justice – [Steps to Justice](#)

**Contact me!** Karen Dick at CLEO  
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