

Filling out your Basis of Claim form

Why you are claiming refugee protection

Questions 2(a) – 2(h)

This is the most important part of your Basis of Claim (BOC) form because it's your chance to tell your story. You should explain what happened to you, why you decided to leave your country, and why you're afraid to return. Give as much detail as you can. You must also answer specific questions to explain why you think you're a refugee.

Only include information that you believe is true. If you don't know the answer to any question, write "I don't know." Do not guess.

Question 2(a): Have you or your family ever been harmed, mistreated or threatened by any person or group?

- Check "Yes" if you or your family were harmed, mistreated or threatened.

Try to answer the following questions in your response:	
What happened to you and your family?	Write what happened to you or your specific family members. Give as much detail as you can.
Where did the events happen?	For example, it could be a city, a neighbourhood, or a specific location. If you're not sure, use approximate locations. For example, near a hospital, or a shopping centre, or 500m from your home.
When did the events happen?	Try to include the month and year. If you're not sure, use approximate dates such as winter, or after I left my job.
Who caused the harm, mistreatment, or threats, and why?	For example, it could be the government, the police, or people in your community or family. Even if you don't know for sure who made the threats, say who you think it could be if you received anonymous threats. If you don't know, say so.

Try to answer the following questions in your response:	
Why do you think you experienced the harm, mistreatment, or threats?	<p>For example, you think you were targeted because of who you are or what you do. This might be because you've been fighting for human rights, doing social work, or are a journalist.</p> <p>Or you think you were targeted because of your nationality or religious beliefs. This might be because you were attacked when you went to church, or because your attacker was insulting your religion.</p>
Were other people harmed, mistreated, or received threats for the same reasons?	For example, you know other people from the same nationality, religion, or profession who were also harmed, mistreated, or received threats.

Question 2(b): If you returned to your country, do you believe you would be harmed, mistreated, or threatened by any person or group?

- Check "Yes" if you think you will be harmed, mistreated, or threatened.

Try to answer the following questions in your response:	
Why are you afraid to return now?	Give details about what you think might happen to you if you're forced to return. Explain why the harm you escaped from may still exist in the future.
Who would harm, mistreat, or threaten you?	For example, it could be the government, the police, or people in your community or family. Include who you think could harm you or send you anonymous threats.
Why do you think you would be harmed, mistreated, or threatened?	For example, your family was targeted after you left. Or you believe that they will know you asked for protection in Canada and target you for this reason. Or you believe you are on a "list" and will be arrested as soon as you arrive.
Include dates, names, and places, wherever possible.	For example, list where any incidents happened, when they happened, and who was there. If you're not sure, use approximate dates such as winter, or after my father lost his job. Or say, "Do not know." or "Do not remember."

Question 2(c): Did you ask any authorities, such as the police, or any other organization in your country to protect or assist you?

Try to answer the following questions in your response:

<p>Did you try to get help from the police in your country?</p>	<p>If the answer is “Yes”, give details about when and where you tried to get protection and what happened each time.</p> <p>If not, check “No” and explain why not. For example, did you witness others ask for protection and not receive it? Are you afraid of the police or other authorities in your country? If so, why? Be specific. It’s not helpful to make general statements like “All the police in my country are corrupt.”</p>
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Question 2(d): Did you move to another part of your country to seek safety?

Try to answer the following questions in your response:

<p>Did you try to move to another part of your country to be safe?</p>	<p>If the answer is “Yes”, give details. Include when, where, and what happened. Explain why you couldn’t live there safely. You must show that you would be in danger everywhere in your country.</p> <p>If not, check “No” and explain why not. For example, was it unsafe for you to travel to a certain part of the country? Explain why. Would you have to live in hiding to be safe there? Be specific. It’s not helpful to say that you preferred to come to Canada instead of moving to another part of your country.</p>
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Question 2(e): When did you leave your country? (Provide dates)

If you left your country in the past and then went back, give both dates:

- the date you first left and returned, and
- the date you left your country permanently.

Question 2(f): Why did you leave at that time and not sooner, or at a later time?

Try to answer the following questions in your response:

When and why did you decide to leave? Did you leave your country at the first sign of danger? Or did you stay even though you might be harmed?

Explain why you chose to stay instead of leaving right away. For example, it was difficult to make travel arrangements or there were other things that delayed your departure.

Question 2(g): Did you move to another country (other than Canada) to seek safety?

Try to answer the following questions in your response:

When did you leave your country and where did you go?

Have you ever left your country in the past and then gone back?

Give the date you left your country. Include where you went and whether you claimed refugee status in another country. If you didn't claim refugee status there, you have to explain why not.

NOTE: You're not allowed to make a refugee claim in Canada if you arrived from a country that has an information sharing agreement with Canada and there is information that you already made a refugee claim in that country. The countries Canada has an agreement with include the United States, Australia, New Zealand, and the United Kingdom. You might not know that you made a refugee claim. For example, different countries have different ways of saying "refugee claim".

Get legal advice right away. Instead of making a refugee claim, you can apply for a Pre-Removal Risk Assessment (PRRA). A PRRA is a written application where you explain why you're afraid to return to your country and you give documents to support your fear. You will have an interview with an immigration official to discuss your claim.

Question 2(h): Give any other details that you think are important for your claim for refugee protection.

Include any other details that you think are important.

Reminders

1. Use more paper if you need extra space to answer these questions. Attach the paper to page 9 of your BOC form, before your signature.
2. If your refugee claim was made at a port-of-entry, and some of the information in your refugee claim forms is not correct, try to **explain the reason for these errors**. It may be because you were scared when you arrived, you were not given enough time to answer, or you had difficulties understanding the questions or understanding the interpreter.
3. If all your family members are making refugee claims for the **same reasons**, only one of you needs to give details of the events that took place. This family member will be named the **principal claimant**. This should be the person who faced most of the harm. The other family members can refer to those events in their form. But if there are **different or additional reasons**, other family members should include their own information about events or fears that are particular to them in their own form. For example, if female members of the family experienced additional threats, mention this separately.
4. Include **as many details as possible**, such as specific names, places, or dates.
5. Information such as names, dates, and details of events must be **the same in all your documents**. If there are any differences between the documents you send to support your claim, your BOC, or your previous immigration applications, you must be able to explain them at your hearing, or the Refugee Board may reject your claim.
6. If you include any information you learned from other people, explain who told you the information, when and how you received the information, and why you believe them.

You can find more information about
Refugee Law at stepstojustice.ca.

This is general legal information for people in Ontario, Canada.
It is not intended to be used as legal advice.

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