

## What is CAT?

- The Convention Against Torture (CAT) is a legal mechanism to **fight deportation**.
- If you are afraid to return to your country because someone will **torture or kill you**, you may qualify for CAT.
- If you are granted CAT, ICE will not send you back to your home country, unless another country will accept you.

### What are the **REQUIREMENTS** for the Convention Against Torture?

- **It is more likely than not** that you will be tortured or killed if you return to your country. The probability of torture needs to be at least 51%.
  - This can be established by showing that you have been tortured in the past, or that it is common in your country for people like you to be tortured or killed without accountability.
- You will be **tortured**, not simply harm or harassment.
  - Torture is defined as “an extreme form of cruel and inhuman punishment” that “must cause severe pain or suffering.”
- Either the **government** will torture you or the government will allow a person or group to torture you.
  - The government includes the police, the army, or any official who has tortured or will torture you in their official capacity.
  - If your persecutor is a private individual or group (for example, gangs, cartels), you will have to demonstrate that the government knew you were tortured and turned a blind eye, or will ignore the torture you will suffer.
- **No Nexus** is required.
  - Unlike other forms of relief, you do not need to show why the government or another group has tortured you or will torture you. The torture does not need to be based on your race, ethnicity, etc.

### What possible **BARRIERS** exist to qualify for CAT protection?

- A serious criminal history will only allow you to apply for the stricter form of CAT called “deferral of removal.”
- Otherwise, no additional barriers exist compared to asylum and withholding of removal.

### Why apply for relief under the Convention Against Torture?

- You will not be returned to your home country and you can receive a work permit.
- No one year filing deadline based on your arrival to the United States

### What are some things to keep in mind with this form of protection?

- You cannot apply to be a legal permanent resident (a green card) or a U.S. citizen.
- You cannot include any family members in your petition.

### What is Deferral of Removal?

- This is a form of CAT reserved for those with serious criminal histories.
- If granted CAT Deferral, your deportation may be put on pause, but you can be deported if conditions in your country change.