

What is WOR?

- Withholding of Removal (WOR) is a legal mechanism to **fight deportation**.
- If you are afraid to return to your country because it is more likely than not that someone will harm you, perhaps you can ask for Withholding of Removal.
- If you are granted Withholding of Removal you won't have the option to become a legal permanent resident or U.S. citizen.

What are the **REQUIREMENTS** for Withholding of Removal?

- **It's more likely than not** that you will suffer persecution if you return to your country. Your fear cannot be a general fear of harm, but rather, the probability of harm must be at least 51%.
 - This can be established by showing that you have been persecuted in the past.
- **Persecution** (past or future) may include serious physical, sexual, emotional, or economic abuse, death threats, and/or kidnapping. However, the suffering or harm experienced must amount to more than mere harassment.
- **The government or someone the government cannot or will not control** is persecuting you.
 - The government is the police, the army, or any official whose harming you in their official capacity.
 - If your persecutor is private individual or group (for example, your spouse, gangs, cartels), you will have to demonstrate that the government cannot or will not protect you from them.
- **"On Account Of:"** There needs to exist a nexus or connection between the persecution and at least one of the protected categories.
- **Protected categories:** The persecution you suffered in the past and/or that you will suffer in the future must be motivated by one of these protected categories:
 - **Race or Nationality**
 - **Religion**
 - **Political Opinion**
 - **Membership to a particular social group:** It consists of members that share a common characteristic they cannot change. The group must also be particular and your society must view it as distinct (for example, family, sexual orientation, women who cannot flee their home).
- **Inability to Relocate:** You must explain why it is not safe for you to move anywhere else, or even if it would be safe, that it would not be reasonable for you to relocate within your country of origin (for example, war or gang violence in other parts of your country, you will not have family to care for your children).

What possible **barriers** exist to qualify for WOR?

- Conviction of a particularly serious crime, including an aggravated felony with a sentence of 5 or more years and drug charges.
- You persecuted others.

Why apply for a Withholding of Removal?

- You won't be sent back to your country unless the government reopens your case and shows you are unlikely to be persecuted there.
- You can receive permission to work in the U.S.
- There is no deadline to apply for this form of relief, unlike Asylum.

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

- You won't be eligible to become a legal permanent resident or a U.S. citizen.
- You cannot include any family members in your application.
- The U.S. may send you to a "safe" third country where you may have ties.
- After being granted this form of relief, you cannot return to the U.S. if you leave the country.