

WITHHOLDING OF REMOVAL & CAT PROTECTION

In addition to asylum, applicants can also apply for other forms of relief.

WITHHOLDING OF REMOVAL

A second form of immigration protection given to people fleeing persecution. Only an immigration judge may grant this relief. You need to show that you were persecuted or are in danger of being persecuted because of a "protected ground." But the Withholding standard is much higher - you must show it is "more likely than not" you will be persecuted.

PROTECTION UNDER THE CONVENTION AGAINST TORTURE ("CAT")

A third type of relief an individual fearing persecution can seek. Like Withholding, only an Immigration Judge can grant it. You must show that it is "more likely than not" (a 51% chance) you will be tortured if you are sent back to your home country. Torture means intentionally inflicting an "extreme form of cruel and inhuman punishment" that "must cause] severe [physical or mental] pain or suffering" BY a public official [the government] or with the consent of the government. Consent means awareness and failure to intervene.

ASYLUM	WITHHOLDING OF REMOVAL	CAT PROTECTION
Discretionary	Non-discretionary (mandatory relief if you meet standard)	Non-discretionary (mandatory relief if you meet standard)
One-year filing deadline	No filing deadline	No filing deadline
Bars to relief	Bars to relief	Withholding: bars to relief Deferral: no bars to relief
1 in 10 chance of persecution	Threat to life/freedom "more likely than not" (51%)	Threat of torture "more likely than not" (51%)
Nexus to protected ground required	Nexus to protected ground required	No nexus requirement
If approved: <ul style="list-style-type: none"> • Work permits • Green card • Can petition for family members • Can't be removed 	If approved, limited relief: <ul style="list-style-type: none"> • Work permit only • Can't travel outside US • Cant petition for family members • Can be removed to a third country • Can be detained if found to be danger to the community • May be eligible for public benefits 	If approved, limited relief: <ul style="list-style-type: none"> • Work permit only • Can't travel outside US • Cant petition for family members • Can be removed to a third country • Can be detained if found to be danger to the community

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