UNHCR
The UN Refugee Agency

MAKING AN ASYLUM CLAIM IN CANADA

STAGE 1

Are you already in Canada?

You can make your asylum claim at Immigration, Refugees & Citizenship Canada (IRCC) by completing all the necessary forms.

Are you entering Canada by Airport, Seaport, or Official Land Border?

You can make an asylum claim at the point of entry with the Canadian Border Services Agency (CBSA).

Are you in the United States and thinking of crossing into Canadian irregularly (in-between official border posts)?

You will be intercepted & arrested by the Royal Canadian Mounted Police (RCMP) & questioned about your irregular entry.

Officials will do a security screening, verify your identity and interview you to decide if you can continue your asylum claim.

You cannot make an asylum claim in Canada (based on security, criminality or other criteria).

Removed from Canada.*

You can make a claim.

STAGE 2

Your asylum claim is transferred to the Immigration & Refugee Board (IRB) for a hearing, where a decision-maker will ask you questions regarding your fear of persecution & decide if you qualify for refugee protection.

Your claim is accepted.

Your claim is rejected.*

STAGE 3

If you are not eligible to appeal to the Refugee Appeal Divison (RAD), you may ask the Federal Court to review the decision.

If eligible, you can appeal to the Refugee Appeal Division (RAD) of the Immigration & Refugee Board (IRB).

Rejected at Federal Court & may be removed from Canada.*

Review is successful. Return to Stage 2.

Appeal is rejected.*

Appeal is successful. Return to Stage 2.

Within 15 days of receiving your decision you may ask the Federal Court to review the decision.

Rejected at Federal Court & may be removed from Canada.*

Review is successful. Return to the RAD.

*This chart does not include every step in the asylum process nor timelines for filing forms or evidence. We recommend you get legal help for your asylum claim.