THE ASYLUM SYSTEM IN CANADA

STAGE 1 - ASSESSMENT OF WHETHER YOU CAN CLAIM ASYLUM IN CANADA

- Are you already in Canada?
  - You can claim asylum at an Immigration, Refugees and Citizenship Canada (IRCC) office by completing all the necessary forms.

- Are you entering Canada by airport, seaport, or official border post?
  - You can claim asylum at the point of entry with the Canadian Border Services Agency (CBSA).

- Are you in the U.S. and thinking of crossing into Canada irregularly (in-between official border posts)?
  - You will be arrested by the police and questioned about your entry. You can claim asylum and will then be transferred to the Canadian Border Services Agency.

STAGE 2 - EVALUATION OF YOUR FEAR OF PERSECUTION AND DECISION ON WHETHER YOU QUALIFY FOR REFUGEE PROTECTION

- Your claim is sent to the IRB.
  - Your claim is sent to the IRB. You can, however, apply for a Pre-Removal Risk Assessment (PRRA) with Immigration, Refugees, and Citizenship Canada (IRCC).

  - You are recognized as a refugee.
    - You are recognized as a refugee.

  - You are not recognized as a refugee.
    - You are not recognized as a refugee.

STAGE 3 - APPEAL OF A NEGATIVE DECISION

- If eligible, you can appeal to the Refugee Appeal Division (RAD) of the IRB.
  - If you are not eligible to appeal to the Refugee Appeal Division (RAD) of the IRB.

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

  - Appeal is rejected.
    - Review is successful. Return to Stage 2.

  - Review is rejected.
    - If you are not eligible to appeal to the Refugee Appeal Division (RAD) of the IRB.

This chart does not include every step in the asylum process nor timelines for filling forms or evidence. You should get legal help to present your asylum claim.

* See UNHCR’s document “Who will process your asylum claim?”.