Refugee Claim Flow Chart

**PORT OF ENTRY PROCESS**  
(to make a claim when you arrive in BC)

- Make a claim at the airport or at an office at a border crossing, to the Canada Border Services Agency (CBSA).
- **APPLY FOR LEGAL AID***

- File a **Basis of Claim** form and any other immigration forms (if not completed already) within 15 days.

**CBSA or CIC decides if you are eligible to make a refugee claim.**

- **Not eligible**
  - **CONTACT LEGAL AID*** FOR LEGAL ADVICE

- **Eligible**
  - Receive a date for your hearing. The date will be:
    - within 30 days if you are from a designated country of origin (45 days if Port of Entry)
    - within 60 days if you are from any other country.

- Attend your hearing at the Refugee Protection Division of the Immigration and Refugee Board (IRB).

- **Claim accepted**
  - Minister may appeal to RAD.
  - Apply for permanent resident status.

- **Claim denied**
  - **APPLY FOR LEGAL AID***

  - **If eligible to appeal:**
    - Apply within 15 days to the Refugee Appeal Division (RAD) of the IRB.

  - **If not eligible to appeal or RAD appeal denied:**
    - **APPLY FOR LEGAL AID***
      - Apply within 15 days to the Federal Court for a judicial review and a stay of removal.
      - Apply for a Pre-Removal Risk Assessment (PRRA)  
       (Must wait until 12 months after the date your refugee claim was denied or 36 months if from a designated country of origin.)
      - Apply to stay in Canada for humanitarian and compassionate (H&C) reasons, if eligible.

**INLAND PROCESS**  
(to make a claim if you are already in BC)

- **APPLY FOR LEGAL AID***

- Make a claim at the Immigration Canada (CIC) office in Vancouver.

- Submit a **Basis of Claim** form and any other immigration forms (if not completed already).

- CBSA or CIC decides if you are eligible to make a refugee claim.

- **Not eligible**
  - **CONTACT LEGAL AID*** FOR LEGAL ADVICE

- **Eligible**
  - Receive a date for your hearing. The date will be:
    - within 30 days if you are from a designated country of origin (45 days if Port of Entry)
    - within 60 days if you are from any other country.

- Attend your hearing at the Refugee Protection Division of the Immigration and Refugee Board (IRB).

- **Claim accepted**
  - Minister may appeal to RAD.
  - Apply for permanent resident status.

- **Claim denied**
  - **APPLY FOR LEGAL AID***

  - **If eligible to appeal:**
    - Apply within 15 days to the Refugee Appeal Division (RAD) of the IRB.

  - **If not eligible to appeal or RAD appeal denied:**
    - **APPLY FOR LEGAL AID***
      - Apply within 15 days to the Federal Court for a judicial review and a stay of removal.
      - Apply for a Pre-Removal Risk Assessment (PRRA)  
       (Must wait until 12 months after the date your refugee claim was denied or 36 months if from a designated country of origin.)
      - Apply to stay in Canada for humanitarian and compassionate (H&C) reasons, if eligible.

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**What is LEGAL AID?**

Legal aid can provide:
- legal information
- legal advice
- a lawyer to represent you with your claim

Call LEGAL AID immigration line:
- 604-601-6076 in Greater Vancouver
- 1-888-601-6076 elsewhere in BC (call no charge)

If you are in detention, ask to speak to legal aid duty counsel.

Website: www.legalaid.bc.ca

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