

Ineligible Asylum Claims – Information Sheet

Your claim for refugee protection (asylum claim) is not eligible to be sent to the Immigration and Refugee Board of Canada (IRB) under the *Immigration and Refugee Protection Act (IRPA)*.

This means that your asylum claim will not be sent to the Refugee Protection Division (RPD) of the IRB for determination.

What happens next?

Your file has been transferred to the Canada Border Services Agency (CBSA).

Seven days after the date of the ineligibility decision set out in your decision letter, the removal order you received at the time of your claim will come into force and, unless your removal order is stayed, it will become enforceable.

Once your removal order is enforceable, you have two options:

1. if you continue to fear returning to your country, you may be eligible to apply for a pre-removal risk assessment (PRRA); or
2. you can decide to leave Canada voluntarily.

If you do not leave voluntarily, the CBSA will start the removal process and will schedule a removal interview.

What if I fear returning to my country?

If you fear returning to your country, you will be eligible to apply for a PRRA prior to your removal, unless:

- you were found to be a Convention refugee by another country to which you can return;
- you already have protected person status in Canada; or
- you are subject to extradition.

If you were found to be a Convention refugee by another country or you already have protected person status in Canada, you will be eligible to apply for a risk assessment known as an IRPA subsection 115(1) assessment.

The CBSA will let you know if you are eligible to apply for a PRRA or an IRPA subsection 115(1) risk assessment as part of your removal interview. You can only apply for a PRRA or an IRPA subsection 115(1) risk assessment once a CBSA officer tells you that you can apply.

The PRRA is a process used to ensure that you are not being removed to a country where you would face risk. Generally, this will include an assessment of whether:

- you would be at risk of persecution;
- you would be in danger of torture; or
- there would be a risk to your life or of cruel and unusual treatment or punishment.



For more information about PRRAs, visit:

www.Canada.ca/en/immigration-refugees-citizenship/services/refugees/protection/refusal-options/pre-removal-risk-assessment.html.

You can choose to be represented by counsel (a lawyer or other professional representative) **at your own expense** during the PRRA process. If you cannot afford to pay for counsel, you can apply to a provincial or territorial legal aid office for assistance. The Government of Canada treats everyone equally, whether they use the services of counsel or not.

For information on hiring an authorized representative, please visit:

www.Canada.ca/en/immigration-refugees-citizenship/services/immigration-citizenship-representative.html.

Note: Check the local telephone directory or use this link to consult the provincial and territorial legal aid services' webpages:

www.justice.gc.ca/eng/fund-fina/gov-gouv/aid-aide/index.html.

Voluntary departure

If you wish to voluntarily leave Canada, **you must contact the CBSA to make arrangements to confirm your departure**. After departure, you cannot return to Canada for one year unless you obtain an Authorization to Return to Canada and pay a processing fee.

For information on Authorization to Return to Canada, visit:

www.Canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/inadmissibility/reasons/authorization-return-canada.html.

You can contact the CBSA removals line at 1-833-995-0002 (Monday–Friday 7:00 am–3:00 pm Eastern time). People at this number can give you more information and help with case-specific questions. The CBSA recognizes that some people may need help returning to their country. Such help is available and determined on a case by case basis, depending on individual circumstances.

As mentioned previously, if you do not leave voluntarily, the CBSA will start the removal process and will schedule a removal interview.



What if I fail to attend a removal interview?

If you fail to appear for the removal interview, the CBSA may issue a Canada-wide warrant for your arrest.

For more information on CBSA's removals program please visit:
www.cbsa-asfc.gc.ca/security-securite/rem-ren-eng.html.

What documents will I receive if my claim is not eligible?

In addition to your **decision letter**, which states that your claim is not eligible to be sent to the IRB, you will also receive:

- **your removal order; and**
- **certified copies of your seized documents (if applicable).**

If your claim is not eligible to be referred to the IRB but, based on the information currently available, you would later be eligible to apply for a PRRA, you will receive a **Refugee Protection Identity Document (RPID)**. Please note that you cannot apply for a PRRA until the CBSA confirms your eligibility to apply for a PRRA at your removal interview.

The RPID serves as an identity document and may help you access services, including health coverage under the Interim Federal Health Program (IFHP).

Any electronic travel authorization, temporary resident visa, or temporary resident permit you had before making your asylum claim was cancelled automatically when you made an asylum claim.

Do I have health coverage before I leave Canada?

If your claim is not eligible to be referred to the IRB but, based on the information currently available, you would later be eligible for a PRRA, you will be eligible for coverage under the Interim Federal Health Program (IFHP).



For more information about IFHP eligibility, visit:
ifhp.medaviebc.ca.

Can I work and study?

You cannot work unless you obtain a work permit.

On March 26, 2026, Immigration, Refugees and Citizenship Canada (IRCC) introduced a temporary public policy (TPP) to facilitate access to open work permits for people, in Canada, whose asylum claims are determined ineligible to be referred to the IRB.

Under this temporary measure, if you have a valid work permit, it will not be cancelled and will remain valid until its expiry date. To continue working after your permit's expiry, you must submit a new application to IRCC before it expires, and pay the applicable, non-refundable fees.

This TPP also means that if you do not have a work permit and your claim is determined not eligible, if based on the information currently available you would later be eligible to submit a PRRA application, you can apply for a work permit now, before you are notified that you can apply for PRRA.

You cannot study unless you obtain a study permit.

Any study permit previously issued to you is cancelled automatically by law once your removal order comes into force, within 7 days of your claim being found ineligible, unless your removal order is stayed.

If your claim is not eligible to be referred to the IRB but, based on the information currently available, you would later be eligible to submit a PRRA application once CBSA has initiated removal proceedings, you may be eligible for a study permit.

To obtain a work or study permit, you must submit an application to IRCC and pay the applicable processing fees, noting that these are non-refundable.

Important: A work or study permit issued after you have made an asylum claim does not give you any status and will **not** allow you to stay longer in Canada. It only provides you with a legal document to allow you to temporarily work or study in Canada.



For more information about work permits and study permits and how to apply, visit:
www.Canada.ca/en/services/immigration-citizenship.html.

How do I make sure I can be contacted?

As part of your conditions while in Canada, you must report any change of address or contact information immediately. Before moving homes, update your address by sending in an IRCC web form via the QR code or web address below:
secure.cic.gc.ca/ClientContact/en/Application.

