

Crossing the Border with Canada

If you are a migrant who is currently in the U.S., you CANNOT cross the land border with Canada to seek asylum or refugee status there, UNLESS you can prove that you meet one of these four exceptions:

- 1** You have a family member who lives in Canada with a valid immigration status.
ONLY the following are considered:
 - spouse or common-law partner (of the same or opposite sex)
 - parent or legal guardian
 - child
 - brother or sister, including half-siblings
 - grandparent
 - grandchild
 - aunt or uncle
 - nephew or nieceCousins, friends, and other relatives not related to you by blood do NOT count.
- 2** You hold a valid Canadian visa, work permit, or study permit, or your country of origin is in the Canadian visa waiver program (also known as eTA).
- 3** You are an unaccompanied minor.
This means that you must be under the age of 18, unmarried, and neither of your parents can be in Canada or the U.S.
- 4** You are facing the death penalty in the U.S or another country because of an offense that is not considered a crime in Canada.

NOTE: Each of the conditions listed above has its own detailed rules. Even if you meet one of them, that does not necessarily mean that you will be able to cross the border into Canada.



If you try to cross and do not qualify, you will be sent back to the U.S., and:

- **You will never be able to apply for asylum in Canada again.**
- **You may be put in U.S. immigration detention.**
- **You may be deported to your home country.**

**IMPORTANT: Roxham Road is CLOSED as of March 25, 2023.
DO NOT attempt an unofficial crossing. You will be sent back!**

- Roxham Road was an unofficial border crossing near Plattsburgh in upstate New York that migrants previously used to enter Canada to seek asylum or refugee status there.
- Because the U.S. and Canada implemented an updated border policy on March 25, 2023, Roxham Road and all other unofficial border crossings are now CLOSED to migrants.

If you are stopped by immigration officials (Border Patrol/ICE) or other law enforcement (police/sheriffs), remember:

- Stay calm. Do not run.
- You have the right to remain silent and not answer questions.
- If an agent asks about your citizenship or immigration status:
 - You can say “I don’t want to answer the question.”
 - Do not lie or provide false documents.
 - An agent might ask you more questions, but you can continue to remain silent.
- If an agent asks if they can search you or your belongings, you have the right to say no.
 - You can say, “I do not consent to a search.”
 - Do not physically resist the search.
 - An agent may pat you down if they suspect that you have a weapon.
 - An agent might continue to search, but you can continue to say “I do not consent.”
- You or someone else in the community can take video or audio recordings of interactions with law enforcement. You can also write down what happened after they leave.



Resources

Asylum seeker regional resources directory

- This document lists community-based organizations that may support recent arrivals and asylum seekers in different regions of New York State. They provide support such as immigration legal services, information and referrals, and other direct needs.
- Visit nyc.me/asylumresources or scan the QR code on the right.



New York State Office for New Americans

- If you need help with your case or have general immigration questions, call the Office for New Americans hotline at [1-800-566-7636](tel:1-800-566-7636), Monday through Friday, 9am to 8pm.
- The hotline is free and confidential, and interpretation is available in over 200 languages.

Bridges Not Borders

- Bridges Not Borders is a grassroots group in Southern Quebec, Canada that supports asylum seekers at the border with the U.S. and shares information about refugee issues. Visit bridgesnotborders.ca or email bridgesnotborders.ca@gmail.com.



Vive Shelter

- Vive is a shelter (located in Buffalo, NY) that provides temporary housing for people wishing to make a refugee claim in Canada or apply for asylum in the U.S.
- If you need shelter, or want advice for your personal situation, call [716-892-4354](tel:716-892-4354) or email vivelegal@jrhc.org. More information at jrhc.org/vive.



New York Immigration Coalition (NYIC)

- NYIC provides community resources for immigrant New Yorkers in multiple languages. Visit nyc.org/KYR or scan the QR code on the right:
- If you would like to request a free Know Your Rights presentation for your community group, please contact KYR@nyc.org.

