



# **Information on access to the asylum procedure**



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## What is international protection (asylum)?



### What is meant by international protection or asylum?

In Europe, **asylum** is referred to as **international protection**.

It is a fundamental right to seek asylum in another country because it is dangerous for you to return to your home country. All men, women and children have the right to live in safety and in respect of their fundamental freedoms.

#### Refugee status

Asylum can be requested if your life or freedom is endangered because of:

- race,
- nationality,
- religion,
- political opinion,
- belonging to a certain group.

#### Subsidiary protection

Asylum can also be requested when you are in one of the following situations:

- you are at risk of the death penalty or execution, or
- you are at risk of torture, or other treatment that is inhuman, or
- you are coming from a state which is affected by armed conflict that threatens the life and security of the civilian population.

Your life or freedom may be endangered, for example, in situations of:

- physical or mental violence,
- abusive treatment and punishment by the state authorities,
- discriminatory restrictions.



The situation you fear must form a severe violation of your basic human rights.



All these dangers can affect men, women and children in different ways.



These dangers may be caused by the state, through its officials, or by other persons that are not part of the state or authorities.



Asylum will only be granted if the state or other authorities of your country are not able or are not willing to protect you from the danger you are facing.



## What are the steps of the asylum procedure?

### How can I receive asylum?

After informing the authorities that you are seeking asylum, the authorities will guide you through the **asylum procedure**. The asylum procedure is the process that determines whether you will be granted asylum or not. This includes a thorough examination of the reasons for your flight and the risks you would face if you had to return to your country.

After you ask for asylum, there are several steps in the procedure.

#### Firstly, your application needs to be registered.

This means the following.



- You will be asked to present all your identity documents.



- Your personal data will be collected and saved in the national system.



- You will be photographed.



- Your fingerprints will be taken.



- You will be asked for additional information regarding you and your family, your journey to Europe, and the reasons you left your country and fear returning.



- You / your belongings may be searched for security reasons. If carried out, this search will be performed by a person of the same sex, respecting your dignity and integrity. Your personal things remain your property and will be returned to you.



- You will attend a medical examination. This might include quarantine to prevent the spread of diseases and protect everyone's health.

These procedures are standard for everyone, and it is your obligation to cooperate





All information you share with the authority will remain **confidential**. This means that all information you share will not be shared further without your consent.



In the European Union, everybody can seek asylum **individually**. Even if you arrived with your family, you can apply for asylum on your own. You may also apply together with your family. The examination will take into account all the reasons for applying for asylum stated by you and your family members. If there are good reasons you would not want your family members to know why you are applying for asylum and related details, you should indicate this to the asylum authorities.

### **One single Member State of the European Union is responsible for the examination of your application**

Within Europe, you cannot, as such, choose the country in which you apply for asylum. When you apply for asylum, you are expected to do this as soon as possible in the first country you arrive. The authorities will determine which country will be responsible for the examination of your application. This is known as the Dublin procedure. It is important that you inform the authorities if you have a family member in Europe. The Dublin procedure can be used to reunite you with this family member if they are in one of the countries applying these rules.



You cannot move to another country on your own initiative before the end of the procedure. If you do so, you will be returned to the country that is responsible for your application.





### Examination of your application

You will be invited to a **personal interview** where you will be asked to present in detail the reasons why you are asking for asylum.

After the personal interview, your application will be assessed and you will be notified of the **decision**. This means that the authorities will communicate to you whether or not you have been granted asylum. You will also be informed about the reasons for the decision.

If your application is rejected, and you believe a mistake was made, you can **appeal** against the decision.

You will receive more detailed information at a later step in the procedure as and when relevant for your application.



### How long does the examination procedure last?

The asylum procedure can take a relatively long time as the authorities will check every detail of your application and will then decide on your request. The regular procedure can last between 6 and 21 months maximum.

However, the procedures and time limits might be different if your application is assessed within a special procedure, such as the accelerated procedure, border procedure or admissibility procedure. Your application may also be prioritised. In such cases, you will be provided with specific information by the national asylum authorities.

It is important to know that this period of waiting for a decision can be emotionally difficult at times.





In the European Union, everybody below the age of 18 is considered to be a **child**. The child's best interests and well-being is the primary consideration throughout all steps of the asylum procedure in order to ensure their safety, welfare, social development, etc.



### **How can my children, who are accompanying me, receive asylum?**

If you arrive with your children, you can submit one single application for you and your children who are under the age of 18. Under certain circumstances, your children may be able to apply for asylum on their own. Ask the national authorities for further details.



### **I am under 18 years old, without a parent or other responsible adult**

If you are under 18 years old and you are alone, without a parent or another responsible adult, you are an **unaccompanied minor**. If this applies to you, inform the national authorities, and ask for further support.







## What are the rights during the asylum procedure?

### **You can stay in the EU country that is examining your asylum application.**

Applying for asylum provides you with the right to stay there until your application is concluded.

Depending on your situation, you will receive accommodation, food or money to buy food, basic and necessary medical care, and social assistance. National authorities will provide you with further information on your entitlements.

### **You can ask for an interpreter.**

If the state authorities communicate with you in a language you do not understand, you can ask for an interpreter. You will not pay for the interpreter. An interpreter who speaks a language you understand will be present during your personal interview.

The interpreter helps you to communicate with the state authorities, but only on matters concerning your application. The interpreter is neutral and respects confidentiality; the interpreter does not favour anyone, does not share anything you say with anyone else and has no influence on the decision of your application.

Inform the state authorities immediately if you do not understand the interpreter. You can also ask about the possibility to use your own interpreter.

### **You can always ask questions; you have the right to be informed.**

If there is anything unclear regarding your rights, your obligations, the procedure, the timeframe, the current status of your application or other matters on your application, you can contact the authorities and the United Nations High Commissioner for Refugees (UNHCR).

You will receive additional information related to the asylum procedure and specific information related to your case.





### **You can have a lawyer.**

A lawyer is a person providing legal aid, advice and assistance and representing your person before the authorities. For example, a lawyer can assist with your asylum application, with the asylum procedure, with official communication, etc. A lawyer is independent from the state authorities and it is your right to consult the lawyer.

A lawyer may be provided free of charge. Ask national authorities for further information.

Additionally, you can always ask the authorities for legal and procedural information free of charge. Non-governmental organisations may also be able to provide such information.

Once you have a lawyer or any legal assistance or there are any changes in this regard, inform the authorities about the details (personal details of the lawyer or details of the change), so that the authorities can keep your lawyer informed about your application.

### **You can contact and communicate with UNHCR, or their partner organisations, in any step of the asylum procedure.**

The UNHCR protects the interests of asylum seekers and refugees. It also provides legal assistance and advice related to the fair and efficient examination of your application. UNHCR may attend interviews, appeal hearings or make written submissions in connection with the asylum application.

UNHCR contact details and information on the asylum procedure depending on the country you are in may be found on the UNHCR webpage <https://help.unhcr.org/>

### **You can request support if you are considering returning to your country voluntarily**

You can request support to return voluntarily to your country at any time during the asylum procedure.

If you want to withdraw your application for international protection (asylum), contact the authorities. When you withdraw your application, you will no longer have the right to stay as an asylum seeker.

For more information about voluntary return, and the assistance you might receive, you can contact the authorities.



### **Do you need special support to go through the procedure?**

If you have any particular needs or have experienced, for example, any psychological, physical or sexual violence or you have any other difficulties such as a disability or serious illness, you should inform the asylum authorities about this. They will further assess your situation and additional guarantees and support may be put in place if needed. This may include, for example, providing you with additional time, or appointing specialised staff to deal with your case. You may also request to be heard by a male or female case officer and interpreter if, based on the reasons you are applying for asylum, you would find it otherwise difficult to fully express yourself.



## What are the obligations?

### **You have to cooperate with the authorities.**

It is in your interest to cooperate with the state authorities, communicate with them, reply to their requests and requirements, and follow the procedural steps. This allows the authorities to examine your application properly.

You have to appear before the authorities in person if requested.

You may be called to appointments in relation to your application.

You must attend all appointments whenever you receive a note from the authorities, a letter or any another notification indicating a date and time, so that your application can be properly examined. You must appear at the date and time given.

Tell the truth. What you say is very important for the credibility of your application. This is why you need to be honest, give full, precise, and correct information about your identity, family, country of origin, the reasons you have left your home country and why you cannot return there.

If you do not know or do not remember something, state this clearly; do not try to invent an answer.

### **You have to inform the authorities about any changes in your address and contact details**

The authorities must be able to reach you in relation to your asylum application, for example, in order to invite you to an appointment or to inform you about your application. Therefore, it is important that the authorities have your correct and current address and contact information, so that you can be contacted at all times.

If your address, your email or your telephone number has changed, you need to inform the authorities as soon as possible using the appropriate means of communication. Check with the authorities if you need to send your new contact details, for example, by means of a registered letter containing your new address, or by filling in a specific form.

Remember, you must not leave or attempt to leave the EU country that is responsible for the examination of your application. If you receive accommodation in a centre, you should not leave the centre without the necessary authorisation while your application is being processed.



**You have to present all documents that substantiate your application to support as much as possible what you say or declare.**

This includes the following.



**Identification documents:**

passport, ID card, school ID card, birth certificate, driving licence, wedding certificate, family book, military ID card, any evidence of employment, certificates,



**Documents relating to your situation:**

court judgements, arrest warrants, reports from police investigations, other documents from the police or courts, threatening or warning letters, newspaper articles (including reference to specific names), baptism certificate, card on membership into a political party, photographs, social media posts, medical or psychological documentation, etc.

You do not need to submit documents that contain general information about your country. The asylum authorities are aware of the general situation in your country.

It is important that where possible you present original documents.

**You must not destroy or dispose of any identity documents. You must not withhold any relevant document. You must not submit a document that is fake or forged.**

If you do not have any documents to be submitted on you, explain the reasons during the interview. If possible, ask your friends or relatives to send them to you as long as this would not put you or them in danger.



## What are the consequences of not cooperating with the authorities?

If there are any good reasons why you are not able to fulfil any of your obligations, immediately inform the authorities about the reasons for this. Otherwise, if you breach your obligations, there might be various consequences. You also risk losing your rights as an asylum seeker.



### Your application may be considered as withdrawn or abandoned.

Your asylum procedure could be stopped and you could lose your status as an asylum seeker in the responsible EU country and all the related rights if the state authorities believe you are no longer seeking protection.

This can happen, for example, if you have left the country or the accommodation centre without proper authorisation, or the authorities cannot contact you.

### Your application may be negatively affected.

If you provide misleading information related to your identity or your application, or destroy or forge documents, this may have a negative impact on the assessment of your asylum application.



## Let the authorities know if



### A member of your family is missing

If you are looking for your family member(s), inform the authorities. They may help you to find them.



### If you need special medical assistance

Inform the authorities if you have any health problems, if you are pregnant, or if violence has ever been used against you in the past.

You may receive medical assistance.

## You can raise a complaint in relation to the asylum procedure if you believe that any of the following events have happened to you

- Any of your rights have been violated.
- Procedural rules have been breached.
- Any state authority treated you inappropriately or unethically.

It is in your interest to raise such issues as soon as possible. A complaint is not an appeal against the decision in your asylum application. A complaint may be raised before a decision on your asylum application has been taken.

You can raise the complaint:

- in person at the office of the authorities;
- in writing, by postal mail or email, eventually through a specific form, to the official postal address or email of the authority;
- via your lawyer, if you have one;
- via UNHCR.



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