

Appeal

If the Migration Office rejects your application for international protection, you may appeal against such refusal. In case of provision of subsidiary protection, you may also appeal against the decision not to grant you asylum (refugee status).

How will I understand all this?

All interviews conducted and any documents that you receive from the authorities must be in a language that you understand or must be translated for you.

In case the officer does not speak a language that you understand, he/she provides you with free services of an interpreter/translator at the expense of the state.

May I have legal counselling?

Yes, you may contact NGOs which provide free legal counselling and/or hire a private legal representative at your own expense during the procedure to determine your need for international protection before the Migration Office.

On appeal you have the right to free legal representation and the information will be provided to you by the authorities.

UNHCR

The United Nations High Commissioner for Refugees (UNHCR) is an international organisation established by the United Nations and given the world-wide responsibility to safeguard your rights and well-being as a person who is in need of international protection. If you want UNHCR to monitor your application during the procedure in detail you are required to give your written approval on the form of the Migration Office giving information on the procedure for determining your need for international protection.

TO PROTECT YOUR RIGHTS, REMEMBER TO ALWAYS GIVE UNHCR YOUR CONSENT.

Where can I get assistance?

Košice

Liga za ľudské práva / Human Rights League (HRL)
Hlavná ul. č. 68
040 01 Košice

Mobile: +421 (0) 918 366 968

More information

Bratislava

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International Protection in the Slovak Republic



The Human Rights League
Liga za ľudské práva



Right to International protection

The right to international protection in the Slovak Republic is derived from:

- The 1948 Universal Declaration of Human Rights ;
- The 1951 Convention Relating to the Status of Refugees;
- The 1967 Protocol Relating to the Status of Refugees;
- European Council Directive 2004/83/EC: Qualification Directive;
- The Constitution of the Slovak Republic and;
- Act on Asylum.

Can I ask for International protection?

Yes, you like everyone else has the right to apply for international protection in the Slovak Republic.

You may also apply for international protection even if you entered the Slovak Republic in an illegal manner, provided you are in need of it for the reasons set out below.

Who may be accorded International Protection?

You will be granted asylum (refugee status) if you have a well-founded fear of persecution due to your:

- Race;
- Religion;
- Nationality;
- Political opinion;
- Membership of a particular social group (that is persecuted)

and because of such fear, you are unable or unwilling to return to your country of origin and/or habitual residence.

You will be accorded subsidiary protection, if you do not qualify for asylum, but your return to your country of origin and/or habitual residence may lead to serious harm such as:

- Imposition of a death penalty or execution; or,
- Torture or inhuman or degrading treatment or punishment; or
- a serious threat to your life due to indiscriminate violence in situations of armed conflicts.

Subsidiary protection status is granted temporarily and will be reviewed after every year.

How do I apply for International Protection?

You apply for international protection:

- When entering the Slovak Republic, you should apply to the police officer at the point of entry, for example at the airport or border post;
- After you have already entered the Slovak Republic you may turn to any State authority whose staff will direct you to the police authority;
- At the asylum police department of the asylum facility in Humenné or Adamov-Gbely;
- If you are placed in a detention facility, at the police department of the facility;
- If you are in a hospital, prison or centre for unaccompanied minors, you should communicate your application for international protection to the nearest police station and the staff at these institutions will assist you;

It is important to apply for international protection as soon as you enter the Slovak Republic.

After submitting your application for international protection, you will be asked to go to the Asylum Centre in Humenné. You will be provided with directions and issued a free bus/train transport pass valid for 24 hours.

You have to report at the asylum department in Humenné within the next 24 hours following the issuance of the transport pass.

During your first contact with the Border Police, your fingerprints and a photograph of you will be taken. (To be recorded on a database called EURODAC.)

What is EURODAC and Dublin II?

EURODAC is a database containing the fingerprints of all asylum seekers who lodge an application for international protection in any one of the countries that apply the Dublin II Regulation in Europe (all member states of the EU, Norway and Sweden). The fingerprints of all asylum seekers over 14 years of age are saved on this database.

According to the rules under the Dublin II Regulation you can only apply for international protection in one member state. After you have done so and decide to leave that country and try to apply in another country in Europe that applies the Dublin II Regulation, your fingerprints will show a EURODAC "hit". So you will always be returned to the country where you first applied.

What is the International Protection procedure?

After your arrival at the asylum department in Humenné your application will be recorded in writing. Your personal details will also be recorded. These details will include:

- your personal data;
- details of your documents;
- information on your journey to the Slovak Republic.

Any documentation you have with you will be taken away by the authorities and documentation certifying this will be issued to you.

You will also be informed of your rights and obligations during the procedure and an identification card will be issued to you.

Your application for an asylum will be forwarded to the Migration Office which will fully review your claim to determine whether you qualify to be accorded international protection. For this purpose a detailed interview will be conducted.

Please note that before your application for international protection is reviewed in full the Migration Office will first determine if another country in Europe which is party to the Dublin II Regulation, other than the Slovak Republic, is responsible for considering your application.

If it is determined that another country is responsible for considering your claim and/or that you applied for international protection in another country party to the Dublin II Regulation, then you will be returned to that country.

It is very important that you explain truthfully all the reasons why you are applying for international protection. The decision on your application will be based on the record of the interview with the Migration Office.

Decision

Provided that the Slovak Republic is responsible for determining your claim for international protection, after reviewing your application, the Migration Office may make the following decisions:

- Grant you asylum (refugee status) ;
- Not grant you asylum (refugee status), but instead provide you with subsidiary protection or;
- Reject your application.