

Input by civil society to the 2022 Asylum Report

Fields marked with * are mandatory.

D e a r

C o l l e a g u e s ,

The production of the *Asylum Report 2022* is currently underway. The annual [Asylum Report series](#) present a comprehensive overview of developments in the field of asylum at the regional and national levels.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, UNHCR and researchers. To this end, we invite you, our partners from civil society, academia and research institutions, to share with us your reporting on developments in asylum law, policy or practice in 2021 (and early 2022) by topic as presented in the online survey.

Please note that the Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain. Your input can cover practices of a specific EU+ country or the EU as a whole. You can complete all or only some of the sections.

All submissions are publicly accessible. For transparency, 2022 contributions will be published on the EUAA webpage. For reference, contributions to the 2021 Asylum Report by civil society organisations can be accessed [here](#), under 'Acknowledgements'. All contributions should be appropriately referenced. You may include links to supporting material, such as analytical studies, articles, reports, websites, press releases or position papers. If your organisation does not produce any publications, please make reference to other published materials, such as joint statements issued with other organisations. Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

The content of the Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA's work in multiple ways and inform reports and analyses beyond the Asylum Report.

Your input matters to us and will be much appreciated!

*Please complete the online survey and submit your contribution to the 2022 Asylum Report by **Monday, 21 February 2022**.*

[Instructions](#)

Before completing the survey, please review the list of topics and types of information that should be included in your submission.

For each response, only include the following type of information:

- New developments and improvements in 2021 and new or remaining challenges; and
- Changes in policies or practices, transposition of legislation or institutional changes during 2021.

Please ensure that your responses remain within the scope of each section.

Contributions by topic

1. Access to territory and access to asylum procedures (including first arrival to territory and registration, arrival at the border, application of the non-refoulement principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

2. Access to information and legal assistance (including counselling and representation)

3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)

4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)

5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)

6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions - housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

7. Detention of applicants for international protection (including detention capacity – increase /decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)

8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decisionmaking, timeframes, case management - including backlog management)

A continuing issue is the disproportionate length of the proceedings caused by disregard of the legal opinion of the court after the return of the case to the Migration Office. In these cases, in addition to delays in the proceedings, the rights of asylum seekers to an effective remedy are violated. The Human Rights League has been encountering the problem of delays in asylum proceedings directly when legally representing our clients. For illustration, one of our clients has submitted his asylum application already in December 2015, but due to the fact the Migration Office has repeatedly disregarded legal opinions of the courts, client have not received a lawfull decision from the Migration office until this day. Despite our continuing efforts and pointing out this problem to competent authorities, there have been not any positive improvements in this regard in 2021.

9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management - including backlog management)

10. Availability and use of country of origin information (including organisation, methodology, products, databases, fact-finding missions, cooperation between stakeholders)

11. Vulnerable applicants (including definitions, special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)

12. Content of protection (including access to social security, social assistance, healthcare, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)

The new Amendment to the Act No. 480/2002 Coll. on Asylum is currently being prepared. The new bill is currently waiting for approval in the Slovak parliament. The main changes concern:

- new measures on the integration of holders of international protection (asylum and subsidiary protection holders), a more precise definition of integration, an increase in financial support for newly recognized refugees, and an establishment of a new integration-related financial contribution on the basis of individual applications
- shortening of the time-limit after which asylum applicants can access the labour market from 9 months to 6 months
- an establishment of new services of social and psychological counseling and socio-cultural orientation courses for asylum applicants, as well as holders of international protection

13. Return of former applicants for international protection

14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)

In August 2021, Slovakia has evacuated 24 Afghans from Afghanistan that have some (family or other) ties to Slovakia. Many Afghans, including close family members of Slovak nationals or Afghans residing in Slovakia, are, however, still in Afghanistan. The Slovak government has currently no national resettlement and/or evacuation program from Afghanistan. In this regard, Human Rights League together with NGO Mareena has started an initiative #Safety for Afghans (<https://bezpeciepreafgancov.sk/> - available in Slovak only).

15. Relocation (ad hoc, emergency relocation; developments in activities organised under national schemes or on a bilateral basis)

16. National jurisprudence on international protection in 2020 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))

1) Judgement of the Supreme Court of the Slovak Republic of 25 March 2021, 1Sžak/1/2021 - <https://www.nsud.sk/data/att/d08/376394.5d599c.pdf>

- the case concerned a Turkish asylum applicant who fled his country due to his persecution for his political beliefs and membership in the Peoples' Democratic Party (the HDP). After the Migration Office has repeatedly disregarded legal opinions of administrative courts, the Supreme Court has dismissed another decision of the Migration Office and indicated the possibility to follow the Judgment Alekszj Torubarov v Bevándorlási és Menekültügyi Hivatal of 29 July 2019 (C-556/17) in case the Migration Office will not reassess his asylum application with respect to the legal opinion of the Supreme Court.

2) Decision of the Constitutional Court of the Slovak Republic of 26 August 2021, III. ÚS 119/2021 -

https://www.ustavnysud.sk/ussr-intranet-portlet/docDownload/74499a15-ddea-4ea5-8a4d-6773f63d170d/Rozhodnutie%20-%20Uznesenie%20o%20zastaven%C3%AD%20III.%20%C3%9AS%20119_2021.pdf

- the Constitutional Court of the Slovak Republic ruled that the Judgment Alekszj Torubarov v Bevándorlási és Menekültügyi Hivatal of 29 July 2019 (C-556/17) is also applicable to cases of applications for asylum for humanitarian reasons - sui generis form of international protection granted in the Slovak Republic according to the Act No. 480/2002 Coll. on Asylum. In case the Migration Office disregards a legal opinion of a court, this court is obliged to vary the decision that is not in line with its previous judgements and substitute it with a new decision on the application for international protection.

3) Judgement of the Supreme Administrative Court of the Slovak Republic of 29 September 2021, 2Sak/1/2021.

- the Court dismissed the decision of the Migration Office in the case of a disabled Syrian citizen and ordered the Migration Office to reassess her application for asylum for humanitarian reasons in light of her physical disability and current situation in the country of origin.

17. Other important developments in 2021

In 2021 the Human Rights League together with Islamic Foundation in Slovakia has started implementing a new project "SalamSK - Combating Islamophobia and supporting hate crime victims in Slovakia" with the overall project objective of tackling racism and xenophobia against Muslims and other refugees/migrants in Slovakia. The project includes inter alia the following activities:

- preparation of legal analysis of the status and protection of hate crime victims in Slovakia - the analysis is available here: [https://www.hrl.sk/userfiles/files/SalamSK_Anal%C3%BDza%20\(2\).pdf](https://www.hrl.sk/userfiles/files/SalamSK_Anal%C3%BDza%20(2).pdf)
- the creation of information videos for victims of hate crimes in six different language mutations - the videos are available here <https://www.youtube.com/watch?v=V85gEcxaqHI&list=PLJPu0P43EnTpQQZJWj-sFYzFJWs5lv0Nw>
- provision of legal aid to hate crime victims

From the beginning of January 2022, the Human Rights League has started to provide a new accredited service to victims of hate crime, following the accreditation from the Slovak Ministry of Justice. The services include free legal, psychological and social counseling, and Human Rights League is the first organization that primarily focuses on hate crime victims among foreigners, including refugees.

References and sources

18. Please provide links to references and sources and/or upload the related material in PDF format

19. Feedback or suggestions about the process or format for submissions to the Asylum Report

Please upload your file

The maximum file size is 1 MB

Contact details

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Name and title of contact person

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I accept the provisions of the EUAA [Legal and Privacy Statements](#)

Useful links

[EASO Asylum Report 2021 \(https://euaa.europa.eu/easo-asylum-report-2021\)](https://euaa.europa.eu/easo-asylum-report-2021)

[Executive Summary -EASO Asylum Report 2021 \(https://euaa.europa.eu/executive-summary-asylum-report-2021\)](https://euaa.europa.eu/executive-summary-asylum-report-2021)

[Bibliography for the EASO Asylum Report 2021 \(https://euaa.europa.eu/sites/default/files/EASO_Asylum_Report_2021-Bibliography.pdf\)](https://euaa.europa.eu/sites/default/files/EASO_Asylum_Report_2021-Bibliography.pdf)

[Summary of legislative, institutional and policy developments in asylum in EU+ countries in 2019 \(https://euaa.europa.eu/sites/default/files/easo-asylum-report-eu-developments.pdf\)](https://euaa.europa.eu/sites/default/files/easo-asylum-report-eu-developments.pdf)

[National asylum developments database \(https://euaa.europa.eu/national-asylum-developments-database\)](https://euaa.europa.eu/national-asylum-developments-database)

[EASO Asylum Report 2021 Key Findings \(https://euaa.europa.eu/sites/default/files/key_findings.pdf\)](https://euaa.europa.eu/sites/default/files/key_findings.pdf)

[EU+ and Country Data \(https://euaa.europa.eu/sites/default/files/europe-country-data-2020.pdf\)](https://euaa.europa.eu/sites/default/files/europe-country-data-2020.pdf)

Background Documents

[Input by civil society to the 2022 Asylum Report.docx](#)

Contact

[Contact Form](#)