



# Access to the Asylum Procedure



*This small booklet can be carried as a constant reminder of the core obligations of first-contact officials when dealing with persons who may wish to apply for international protection.*

*It will steer you through the process of identification of persons who may wish to apply for protection and the provision of relevant procedural guarantees and support.*

***Every human being shall be valued and respected***

***Emergency healthcare and basic needs should always be addressed first***

# Access to the Asylum Procedure

1 Anyone can be a refugee

2 Everyone is entitled to protection against *refoulement*

3 Vulnerable persons must be identified and adequately supported

4 Best interests of the child take precedence in all actions concerning children



5 Anyone who may wish to apply for international protection must be informed about their right to do so

6 Everyone has the right to apply for international protection

7 Any sign or expression of fear can be understood as a request for international protection

8 Applicants for international protection must not be penalised due to their illegal entry or presence



9 Each application must be registered or referred for registration to the responsible authority

10 The principle of *non-refoulement* must be ensured, even when a person does not apply for asylum

## Your role in ensuring access to international protection

### Be proactive in ensuring access to the asylum procedure

- Anyone has the right to seek asylum
- Protection needs can be expressed in many ways other than just saying 'asylum!'
- When in doubt, assume that the person is requesting asylum

### Look for indications and be open-minded

- Anyone can be a refugee
- Pay attention to vulnerabilities

### Be respectful and don't judge

- Do not discriminate
- It is not your responsibility to decide if the person is a refugee or not
- Applicants must not be penalised on account of their illegal entry or presence

### Pay attention to your body language and the way you communicate

# Indications that someone may wish to apply for international protection

## Who the person is

## Where the person comes from

## What the person says/fears

- Being killed or executed
- Persecution
- Torture
- War
- Return

## What the person wants

- Help
- Protection
- To see a representative of the UN/UNHCR/a lawyer

## What can you observe (appearance and behaviour)

- Approaching/avoiding the officer
- Fear, stress or unusual silence
- Unusual behaviour and/or attitude
- Appearance (injuries, scars, clothing, belongings, etc.)

## What to do next

Provide information about the possibility to apply for asylum

- Make sure you are aware of the information to be provided based on national practice

Recognise the intention to apply for international protection

- If a person has expressed, in any way, a wish to apply for international protection, he/she has made an application.
- Be aware that every person who has expressed the wish to apply becomes an applicant with all rights attached.

Refer the application to the competent authorities to be registered

Register it if you are competent to do so

Inform the applicant where and how the application may be lodged

## What to do if a person does not want to apply

Ensure principle of non-refoulement

Inform again about the possibility to apply for international protection and stress the consequences of not applying

When in doubt, consult your superior

Follow your national operating procedures for further follow-up

## General principles

Emergency healthcare and basic needs should always be addressed first

Vulnerable persons should be identified and adequately supported

Best interests of the child take precedence in all actions concerning children

The electronic version of the tool can be found on the EASO and Frontex webpages together with other practical tools for first-contact officials on access to the asylum procedure:

<http://easo.europa.eu/accesstoprocedure>

<http://frontex.europa.eu/publications/?c=training>



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