

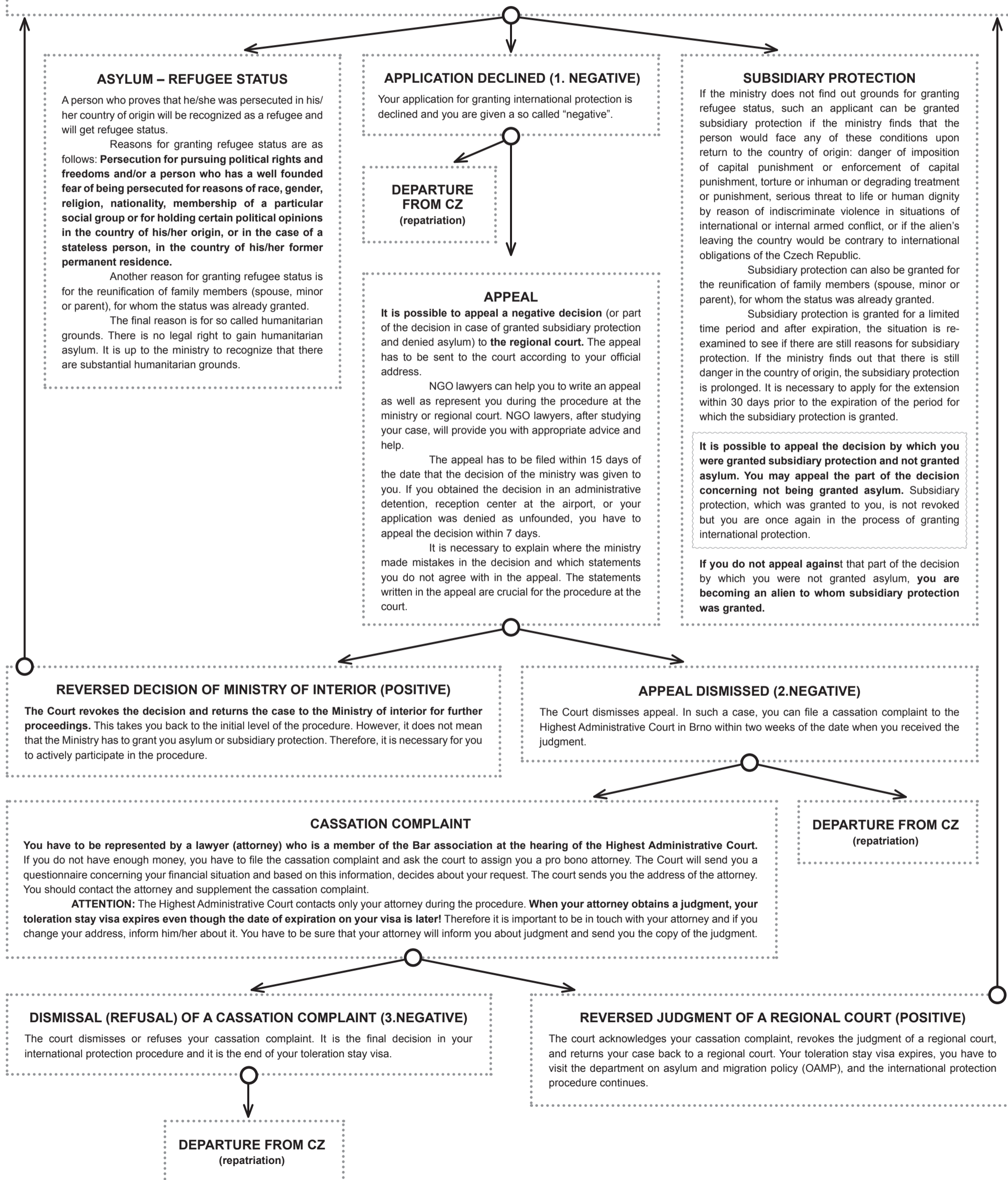
INTERNATIONAL PROTECTION PROCEDURE – HOW IT WORKS

An international protection procedure starts when you submit your application to the police or Ministry of Interior. The application is followed by an interview. There can be more than one interview. During the procedure you should be especially aware that:

- you have the right to have an interpreter for a language you are able to easily communicate in
- if you assume that an interpreter is not interpreting your words correctly, don't be scared to inform a person conducting the interview
- if you do not understand anything, do not hesitate to ask for an explanation
- during the procedure, do not provide any statements that are not true or do not precisely correspond with your situation
- do not sign anything that you do not understand and that was not translated to you

During interviews it is important to provide true reasons for leaving your country of origin and not provide false personal data. **Do not repeat stories that you heard from other people that do not correspond with your personal experience and have no connection with real reasons why you left your country.** If you have documents or other evidence proving your story, provide these to the ministry. If you do not have such documents with you but you can get them soon, tell the workers of the Ministry. You have a right to inspect your file at the Ministry during the whole procedure and to add documents proving your story. **All information that you provide to the Ministry of Interior as well as the fact that you applied for an international protection in the Czech Republic is confidential, and cannot be disclosed to the authorities in your country of origin.**

A procedure at the Ministry of Interior before the decision is issued is the most important part of the whole international protection process. Therefore, it is important that you are active and come for interviews upon the invitation of the Ministry. You can follow the situation in your country of origin for example, via the internet, and add relevant documents to the file. These documents do not have to be translated into Czech.

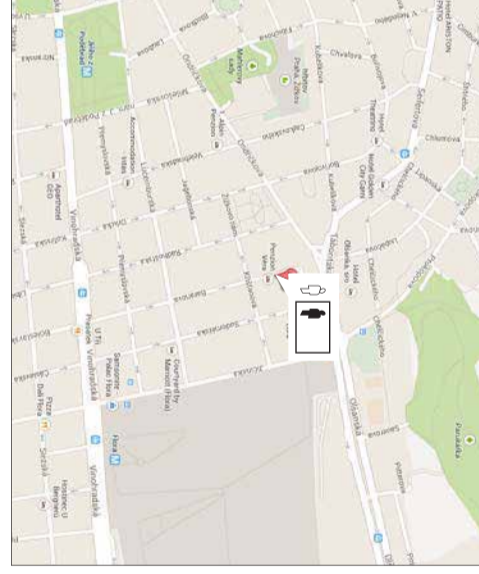




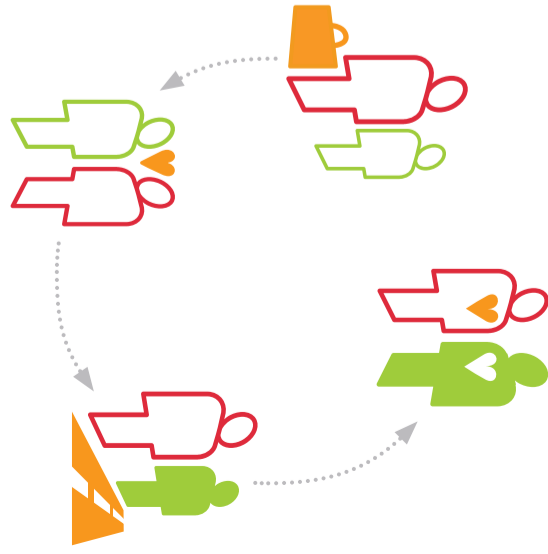
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INTERNATIONAL PROTECTION PROCEDURE IN THE CZECH REPUBLIC



THE ASSOCIATION FOR INTEGRATION AND MIGRATION (AIM)

The Association for integration and migration is a non-profit organization with the aim to provide diverse support to foreigners in the Czech Republic and to those individuals who have applied for the international protection in the Czech Republic.

We provide legal, social and psychological counselling to asylum seekers in the territory of the Czech Republic. Counselling is provided free of charge.



DO YOU WANT TO APPLY FOR INTERNATIONAL PROTECTION?

Everybody who faces persecution in their country of origin can, after arrival to the Czech Republic, apply for international protection, international protection can be granted in the form of **asylum** or **subsidiary protection**. During an international protection procedure, the Ministry of Interior examines if an international protection seeker was persecuted in his/her country of origin for reasons stated in the Asylum Act (see page two – the scheme).

LEGAL HELP

Legal representation is not compulsory during the procedure at the Ministry of Interior and at the Regional Court. If you would like legal representation during the procedure, you can choose from several possibilities:

- 1) Representation by NGO lawyer. This help is free of charge and it is up to the NGO to what extent it is provided.
- 2) You can be represented by an attorney, for whose services you can either:
 - a) pay on your own
 - b) or ask the court to assign you an attorney. The court assigns you one if you are able to prove that you do not have necessary financial means

It is important to note that **a majority of attorneys do not have any experience with international protection procedure. Therefore, consider carefully when hiring an attorney for whose services you have to pay.** In case you are represented by a lawyer or attorney, it will be necessary to cooperate closely with him/her.

During the procedure, you can add documents that support your case to the file. In the procedure at the Regional Court, all of the documents have to be translated into the Czech language.

For the procedure at the Regional Court (see page two – the scheme) the Court will send you a notice asking you if you want to be present at the hearing. If you do not respond within 15 days, the Court makes a decision without a public hearing. The court decision will not depend on your presence at the hearing. However, if you do respond within 15 days, it is reasonable to come to the court especially if:

- you have a lawyer
- you added documents to the file during the procedure at the Regional Court

For the procedure at the Highest Administrative Court, legal representation by an attorney is compulsory. The Highest Administrative Court does not order a hearing and decides without presence of parties. You can pay your attorney's services either:

- a) you have a lawyer
- b) you added documents to the file during the procedure at the Regional Court

Only the Ministry of Interior can grant you **an asylum** or a **subsidiary protection**, not the courts. Courts can only cancel the decision of previous bodies, and return your case back for further proceedings.

SERVICES ARE PROVIDED AT

ADDRESS

The Association for Integration and Migration
Baranova 33
130 00 Prague 3

CONTACT US

counselling via phone: (+420) 224 224 379

Mon - Thu: 10:00 – 17:00

e-mail: poradna@refug.cz

OFFICE HOURS:

Mon: 9:00-12:00 13:00-17:00

Tue: by appointment only

Wed: 9:00-12:00 13:00-17:00

Thu: 9:00-12:00 13:00-17:00

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STAY IN THE TERRITORY DURING THE PROCEEDINGS FOR GRANTING INTERNATIONAL PROTECTION

Once the declaration of intent to apply for international protection has been made, you can stay in the territory of the Czech Republic until the decision on your application is made. In the event of the decision being negative, you can file a lawsuit against such a decision. The legal action against the decision of Ministry of Interior as well as cassation complaint generally have suspensive effect, that means that in the meantime of the decision being made you can stay in the Czech Republic. If they do not have a suspensive effect, you can ask the court to grant suspensive effect of the lawsuit. Until the court decides on the suspensive effect appeal, you can stay in the territory.

The Ministry of Interior should make a decision on your application within 6 months from its submission. In some cases the length of the proceedings may be extended from 18 to 21 months from the submission date of the application. The length of the proceedings of the Ministry of Interior and the courts depends on several things (individual assessment of the case, number of asylum seekers, overloading of individual courts, the scope of the case file), and therefore the length of your asylum proceedings cannot be predicted in advance.

WITHDRAWAL OF AN APPLICATION FOR INTERNATIONAL PROTECTION/ APPEAL / CASSATION COMPLAINT (END OF ASYLUM PROCEDURE)

In case you want to close your asylum procedure, you can do that by writing "a stop asylum request". According to what stage of asylum procedure you are at, you will write this request to the Ministry of Interior, Regional Court or Highest Administrative Court. If you are writing to the Regional Court or the Highest Administrative Court, you should also inform the Ministry about your intention to stop the procedure. In case you have an attorney, it should be him/her who writes the request for stopping the your procedure. After sending your request, you need to wait until you receive the decision of the Ministry or a Court at the address you have written on your request. After receiving this decision you are obliged to go to OAMP (in case your procedure was closed at the stage of proceedings at the Ministry or Regional Court), where you return your asylum seeker's card. Your passport is returned to you by the Ministry and the Foreign police issues you a departure visa (also in case of stopping the procedure at Highest Administrative Court).

REPATRIATION / VOLUNTARY RETURN

In some cases, you can ask the Ministry of Interior to cover the costs associated with a voluntary return to your country of origin or another state, or if you are a stateless person, to the country of last permanent residence. Since this opportunity is associated with a very short deadline (starting from the end of your proceedings on international protection) you should seek legal advice in case you are interested in repatriation. In relation to medical services, accommodation, food, and other necessary services, you will be viewed as an applicant for international protection, up to the moment of departure or until the moment the Ministry notifies you that it won't pay the costs associated with the voluntary return.