



**AD HOC QUERY ON 2021.28 Detection of vulnerabilities in the international protection procedure Part 1**

**Requested by EMN NCP Luxembourg on 27 April 2021**

**Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Slovakia, Slovenia, Spain, Sweden (22 in Total)**

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**1. Background information**

Luxembourg is interested on learning who the detection of vulnerabilities in the framework of the international protection procedure is carried out in the other Member States. As some of the information was already collected through the FR EMN NCP ad-hoc query (2019.70) an update of the information is required.

This ad-hoc query also focuses on the implementation of articles 18 (medical examination) and 24 (detection of a vulnerability in order to establish special procedural guarantees) of Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection.

Seeing the number of question of this ad-hoc query it will be counted as 2 ad-hoc queries.

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## **2. Questions**

1. Which is the legal and procedural framework for the detection of the vulnerabilities of applicants for international protection in your Member State? (If the situation has not changed in your MS since you answered AHQ 2019.70, please only refer to your answer to the ad-hoc query mentioned above).
2. Who is in charge of doing the detection? Do these individuals have to receive a special training? YES/NO. If yes, can you explain in which this training consists (i.e. Istanbul protocol, ...)?
3. Once a vulnerability is detected, does your MS have a procedure for guarantee the follow-up of the applicant of international protection (AIP)? YES/NO  
*Available choices: Yes, No, Not Applicable*
4. If you answer YES to question 3, can you please describe the procedure and who is in charge of it?
5. If you answer NO to question 3, how do you deal with the AIP? Please describe.
6. What is the impact in the international protection procedure of the detection of a vulnerability of an AIP?
7. What are the special procedural guarantees that your MS provides to the detected vulnerable AIP?
8. Who guarantees the respect of these special guarantees?

We would very much appreciate your responses by **8 June 2021**.

## **3. Responses**


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<sup>1</sup> If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

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		Wider Dissemination <sup>2</sup>	
	EMN NCP Austria	Yes	<p>1. In the case of human trafficking, state authorities are required to refer suspected cases of trafficking to the police. The police are required to initiate an investigation and to inform a specialized victim protection organization: in the case of women the LEFÖ Intervention Center for Trafficked Women and in the case of men the organization MEN VIA. Child protection authorities must be contacted if the presumed victim is a minor. This is regulated by an internal decree of the Federal Ministry of the Interior (AHQ 2019.70 Q2).</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>2. In some cases, the police officers conducting the first interview with an asylum seeker already identify a possible case of human trafficking and initiate the above stated process. Furthermore it is possible that applicants reveal relevant information to somebody performing support tasks during the asylum procedures (volunteers giving German classes, members of NGOs, accommodation providers etc.) – in that case the informed person usually turns to the Federal Office which in turn contacts the police as stated in the answer to question 1. The 3rd option is that an applicant gives information during his or her main interview with the Federal Office indicating he or she (possibly) has been victim of human trafficking. All case officers conducting asylum cases have to undergo a formal basic training when starting their employment with the Federal Office (“GAL- Grundausbildungslehrgang” organized by the Federal Ministry of the Interior/BFA) as well as an intensive phase of mentoring and monitoring by their team leader. Until</p>

<sup>2</sup> A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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			<p>trainees have passed the corresponding exams, they do not decide cases on their own. Already in this phase of training future case owners are already being made aware of possible indicators of human trafficking/trauma etc. in an asylum seeker 's statements and/or his or her behavior, body language etc. Trainings by experts (e.g. LEFÖ, UNHCR) for case owners to increase their knowledge, also on this subject, are offered on a regular basis, and all case owners are encouraged to participate and act later as multipliers.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>3. No</p> <p>4. -</p> <p>5.</p> <p>If the AIP is identified as a vulnerable person before his or her main interview with the Federal Office, the case is assigned to an experienced case owner who will be briefed on the circumstances and necessities of the case by his team leader. The team leader will also monitor the case.</p> <p>If the first signs of a possible vulnerability are discovered during the main interview with the Federal Office, the case officer will either deal with the AIP in the trained way or – if he or she still lacks experience – consult his team leader right away to ensure a proper treatment of a possible vulnerable AIP.</p> <p>In either case, trigger questions (possible trauma) will be avoided and if necessary, the case owner, interpreter etc. will be exchanged (e.g. to persons of the same sex as the AIP).</p> <p>If necessary, medical assessment/treatment is arranged.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>6.</p> <p>Under certain circumstances, a "Residence Permit for Individual Protection" (Art. 57 Asylum Act 2005) may be granted on the basis of vulnerability ex officio or upon substantiated application. This residence permit</p>
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			<p>may be considered, among other things,</p> <ul style="list-style-type: none"><li>• if it is necessary to ensure the prosecution of judicially punishable acts or to assert and enforce civil law claims in connection with such punishable acts, in particular for witnesses or victims of trafficking or cross-border prostitution trafficking, or</li><li>• if the third-country national, who is not regularly resident or settled in the federal territory, has been the victim of violence, a temporary injunction has been issued or could have been issued, and the third-country national makes a credible case that the issuance of the "Residence Permit for Individual Protection" is necessary for protection against further violence.</li></ul> <p>---</p> <p>Source: Ministry of the Interior</p> <p>7.</p> <p>If in the admission procedure it can be assumed with a high degree of probability that the asylum seeker suffers from a stress-related pathological mental disorder as a result of torture, the use of severe forms of psychological, physical or sexual violence, or an equivalent event, which</p> <ol style="list-style-type: none"><li>1. prevents him/her from safeguarding his/her interests in the proceedings, or</li><li>2. poses a risk of permanent damage or late effects for him/her,</li></ol> <p>the notification of the intention to reject the application for international protection shall not be made. The application shall not be rejected in the admission procedure. In the further course of the procedure, the special needs of the asylum seeker shall be taken into account. If the implementation of the order to be removed from the country would constitute a violation of Art. 3 ECHR for reasons that for reasons that lie within the person of the third-country national and if these are not permanent, the implementation shall be postponed for the time necessary (Art. 30 Asylum Act 2005).</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>8.</p> <ul style="list-style-type: none"><li>• Internal quality control system, such as an obligatory four eyes –principle.</li></ul>
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			<ul style="list-style-type: none"> <li>Procedures and decisions are subject to close monitoring. Furthermore the AIP has full access to legal remedies.</li> </ul> <p>---</p> <p>Source: Ministry of the Interior</p>
	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. The situation has not changed in Belgium, so we refer for this question to our answer to the ad-hoc query 2019.70.</p> <p>2. Yes. IMMIGRATION OFFICE: Already at the first contact with applicants for international protection in the Arrival Centre, the staff of the International Registration Unit of the Immigration Office is very attentive to identify any indications of vulnerabilities. Some vulnerabilities are clearly visible (a person in a wheelchair), others are more underlying (a person with specific medical problems, a possible victim of human trafficking, ...). To this end, the staff of the International Registration Unit present in the Arrival Centre during the registration process gets internal trainings designed by the Vulnerability Unit of the Immigration Office on how to identify any kind of vulnerability as soon as possible and how to deal with people with specific vulnerabilities. A special attention during the training is paid on how to handle unaccompanied minors and possible victims in human trafficking. These trainings do not only explain the bigger context of vulnerable people in a migratory context, but they also highlight the elements that indicate vulnerabilities visible during the registration process. In case the determination of the vulnerability deems to be difficult, they can directly contact professionals from the Vulnerability Unit. Also, if there is a suspicion of human trafficking, an internal signal is sent to the Vulnerability Unit. All staff from the Department International Protection, involved with people with vulnerabilities, get a specific training in how to interview people with vulnerabilities, with a specific attention to (unaccompanied) minors. FEDASIL: The staff of the Arrival Centre where applicants for international protection undergo an initial screening, are in charge. It concerns a medical and a social screening. The medical screening is performed by the Medical Unit of the Dispatching Department. For applicants who have been categorised as vulnerable by the Immigration Office, an additional brief medical examination follows. Even if the Immigration Office did</p>

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			<p>not register any vulnerability, the Medical Unit can carry out a medical examination of the applicant, for example, if there are visible indications of vulnerability or if the applicant provides medical information that was not mentioned at the time of registration. The staff of the Medical Unit consists of trained nurses and a doctor. The social screening is performed by the staff of the Social Service of the Arrival Centre. The social assistants provide information to the applicant on reception and have the opportunity to probe for vulnerabilities that are not already picked up either by the Immigration Office or by the Medical Unit. The staff of the Arrival Centre has received training on asylum and the reception of applicants and those in charge of the social screening are trained as social workers. Furthermore, they received an LGBTQI Equality training organised by the non-profit organization Safe Space and there is a system of Single Points Of Contact (SPOCs) for vulnerable groups in place. The SPOCs are the reference persons for specific issues in the Arrival Centre. They centralise information on specific themes. There are seven SPOCs in the Arrival Centre on the topics: LGBTQI, Trafficking in human beings, Gender and Domestic Violence, Voluntary return, Pregnant women and newborns, Psychological problems and International protection procedure.</p> <p>The staff of the reception centres. Within the first days after arriving in the reception centre a social intake is done by the social workers of the social service and a medical intake by the staff of the medical service, both are trained professionals and have received training on asylum and the reception of applicants. The evaluation of the situation of the applicant is continued throughout his/her stay in the reception network. While Fedasil assesses whether an applicant has any special needs regarding reception, it also examines whether the applicant has special procedural needs. With the permission of the applicant, Fedasil can make recommendations to the Immigration Office and the Commissioner General for Refugees and Stateless Persons regarding special procedural needs.</p> <p>CGRS: Screeners: After the transmission of the administrative file from the Immigration Office to the CGRS, a global screening of the file takes place. Within the global screening – for the purpose of attribution – a part is reserved for the screening on special procedural needs. The screeners determine the special procedural needs on the basis of:</p> <ul style="list-style-type: none"> <li>• the questionnaire “special procedural needs” that was submitted to the applicant by the Immigration Office (during the registration process) and which contains questions such as “Do you think there are certain elements or circumstances that may make it difficult to tell your story or participate in the asylum procedure (e.g. physical difficulties or limitations, psychological or mental difficulties or points for attention, etc.)”.</li> <li>• the applicant's statement at the Immigration Office and the preparatory questionnaire of the CGRS</li> </ul>
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			<ul style="list-style-type: none"> <li>(during the registration process)</li> <li>• any documents that were submitted (medical certificates, etc.)</li> <li>• possible recommendations of procedural needs based on a medical examination</li> <li>• any recommendations transferred by the reception facility</li> </ul> <p>Protection-officers: In preparation of a personal interview, the protection officers (responsible for conducting the personal interview and drafting of a decision) verify if the determination of the special procedural needs is up to date and needs to be amended following new obtained information (e.g., medical documents added to the file after the screening procedure took place, intervention of a psychologist, etc.)</p> <p>Supervisor: A supervisor supervises the protection officer in the processing of the application until the draft of the decision is submitted to the General Commissioner and verifies if during the course of the process, special procedural needs emerge.</p> <p>Training: For several types of vulnerable applicants such as unaccompanied minors, LGBTIQ+ and gender related applications and applicants with psychological problems, the CGRS has specialised protection officers responsible for handling these applications. These protection officers receive specific training. For unaccompanied minors for example, in addition to the basic training and at least two years interviewing experience, these protection officers have also received training to handle applications of unaccompanied minors. Also for other types of vulnerable groups, a number of protection officers have received specific training, such as the EASO training module 'interviewing Vulnerable Persons and/or the EASO training module on 'Gender Identity &amp; Sexual orientation'. The CGRS has guidelines and trainings in place for applications for international protection from victims of sexual violence. And in 2020, the CGRS developed a new guideline and a 3 days during training on LGBTI applications for all protection officers. A more specialised team of protection officers is trained to interview and process more complex gender related applications. And a number of interpreters working for the CGRS also received a training entitled 'interpreting gender related asylum stories'.</p> <p>3. Yes</p> <p>4. IMMIGRATION OFFICE: During the registration process, the staff of the International Registration Unit present in the Arrival Centre will assesses if there are any (visible) indications of vulnerability which will be recorded on a special registration form which mentions a number of vulnerable categories. Furthermore, an assessment can already be made, to decide if any procedural needs have to be taken into account. The</p>
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			<p>Vulnerability Unit within the Department International Protection of the Immigration Office can intervene when necessary. The Dispatching Unit of Fedasil, responsible for the allocation of reception places, will receive a copy of the form and will take into account the registered vulnerabilities when allocating a reception facility.</p> <p>Next, all relevant information will be registered in the administrative file of the applicant, available for the staff of the Department International Protection, involved in the further process (lodging, interview, Dublin). The staff of the Department International Protection, in charge of conducting the first interview with applicants for international protection, are responsible for assessing vulnerable persons after the application is lodged. Either, an assessment to determine any specific procedural needs will be carried out or a re-evaluation of the assessment (of the assessment already made during the registration in the Arrival Centre) will be done. In case of specific vulnerabilities, the applicant is not interviewed by the regular staff of the Department International Protection, but by interviewers who are also of the Vulnerability Unit.</p> <p>The administrative file of the applicant is transferred to the CGRS, informing them on the vulnerabilities and procedural needs already identified by the Immigration Office.</p> <p>FEDASIL: Within the first days after arriving in the reception centre a social intake is done by the social workers of the social service and a medical intake by the staff of the medical service. During the social intake, the social worker will draw up a social file. The social file contains all the elements that are useful for the guidance/support of the resident during his/her stay in the reception network. It allows a follow-up of the overall evolution of the resident during his/her entire reception trajectory. The medical intake assesses special reception needs on the medical and psychological level. During the medical intake, a medical file is drawn up with the medical history, the risk factors, allergies, etc. The medical service checks current diseases and current treatments and / or care and takes the necessary measures (treatment, diet, additional examinations). During this intake, the health status of the newcomer is reviewed using a standard medical intake list. The medical file also follows the resident throughout his/her entire reception trajectory. Because of the medical professional secrecy, the medical file is only accessible to medical staff. Note that the resident does not have to wait until the medical intake for urgent medical assistance to be provided at arrival of the resident (including medicines, medical care, ...).</p> <p>Within 30 days after the allocation of the reception place, the social worker has to carry out an evaluation to determine whether the reception place is adapted to the needs of the resident in relation to his/her medical, social and psychological situation.</p> <p>When specific reception needs are identified on the basis of the medical, social and / or psychological</p>
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			<p>situation of the resident, the social worker makes recommendations for the measures to be taken to meet these needs. If this cannot be done by adapting the current reception facility (for example transfer to a room on the ground floor or close to the sanitary facilities), nor by the provision of external specialised ambulatory services (Fedasil and its reception partners can make use of external ambulant care in order to meet the special needs of their residents - it concerns for example the need for help with washing and dressing, need for outpatient external psychological counselling, need for empowerment activities for women, counselling for victims of female genital mutilation, support for LGBTI applicants, etc.), a transfer to another, adapted, reception facility, which can be part of the reception network or not (for example nursing homes for the elderly), is the next option. If the applicant is accommodated by an external institution or association, Fedasil or its reception partner will ensure the administrative and social follow-up and guarantees that material aid is provided. This way, agreements are concluded with nursing homes for the elderly or with psychiatric institutions for example.</p> <p>During the examination of the personal situation of the resident, the staff of the reception structure tries to identify not immediately visible signs of possible vulnerability, such as in the case of persons who have been subjected to torture or have been exposed to other serious forms of psychological, physical or sexual violence. At the same time as the examination of the specific reception needs, the existence of special procedural needs as referred to in Article 48/9 of the Immigration Act of foreigners is examined by the staff of the reception facilities. With the permission of the applicant, Fedasil can make recommendations to the Immigration Office and the Commissioner General for Refugees and Stateless Persons regarding the special procedural needs.</p> <p>The evaluation of the personal situation of the beneficiary of the reception is continued throughout his/her entire stay in the reception network or during the stay in a specialised institutions as long as they are entitled to material aid according to the Reception Act.</p> <p>The staff of the medical and social services of Fedasil and its reception partners and the Dispatching Unit of Fedasil are in charge of the follow-up of vulnerable applicants.</p> <p>CGRS: Once a vulnerability is detected, the CGRS examines if, based on the special procedural need, appropriate support measures need to be taken within the procedure. Appropriate support measures will only be granted under the following cumulative conditions:</p> <ol style="list-style-type: none"> <li>1. The procedural need can be established in a concrete and verifiable manner and</li> <li>2. It can be assumed in a reasonable manner that the need at issue has a negative impact on the possibility of an applicant for international protection to participate in the asylum procedure in a</li> </ol>
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			<p>full-fledged, independent and functional manner (Article 48/9, § 4 Immigration Act)</p> <p>Appropriate support measures can relate to different aspects of the procedure :</p> <ul style="list-style-type: none"><li>• The organisation or preparation of a personal interview (e.g., an adapted convocation letter, organising a specific date for a personal interview etc.)</li><li>• The modalities of a personal interview (e.g., specialised protection officer, adapted interview method, assistance of a sign interpreter etc. )</li><li>• The follow-up of a personal interview (e.g., allowing more time to send supporting documents etc.)</li><li>• The continuation or cessation of an accelerated procedure (Article 57/6/1, § 1 Immigration Act) or border procedure (Art. 57/6/4)</li><li>• Obtain extra information on the special procedural needs through a medical examination (Article 48/9, § 2 Immigration Act).</li></ul> <p>The same persons responsible for the detection of the special procedural needs are in charge of the implementation of appropriate support measures.</p> <p>For several types of vulnerable applicants such as unaccompanied minors, LGBTIQ+ and gender related applications and applicants with psychological problems, the CGRS has specialised protection officers responsible for handling these applications.</p> <p>5. /</p> <p>6. Certain special procedural guarantees can be implied in the procedure when a vulnerability is detected (see question 2 and 4).</p> <p>7. During the <b>registration of the asylum application</b>: The Medical Unit of Fedasil's Dispatching Unit can recommend, based on its investigation, that the full submission of the application for international has to be done on the day of first registration with the Immigration Office (with other words the asylum application of very vulnerable persons is immediately lodged with the making of the asylum application - within the same day instead of over several days/weeks), for example in case the applicant has a serious physical or mental illness or reduced mobility. In almost all cases, the Immigration Office will follow the recommendation of the Medical Unit of the Dispatching Unit of Fedasil.</p> <p>During the <b>processing of the asylum application</b>: Each file that the Immigration Office hands over to the Office of the Commissioner General for Refugees and Stateless Persons (CGRS) is screened for individual</p>
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			<p>special procedural needs or vulnerabilities. Where there are elements that could prevent the applicant from fully participating in the asylum procedure, the CGRS will provide appropriate support.</p> <p>The support measures of the CGRS cover various aspects of the procedure:</p> <ul style="list-style-type: none"> <li>• the preparation or organisation of a personal interview: an adapted convocation letter, a specific date, a priority or delayed handling of the request, the sending of a written request for information, a personal interview on an alternative location, an additional medical examination or request for medical recommendations, etc.</li> <li>• the terms of the personal interview: assistance by a guardian in the case of unaccompanied minors, a protection officer with special expertise, an adapted phrasing of the questions (interview method), a brief personal interview or several hearings, assistance by an interpreter sign language, the gender of the protection officer in charge and / or interpreter, etc.</li> <li>• the follow-up after the personal interview: providing extra time to send medical evidence, etc.</li> </ul> <p>The border or accelerated procedure is not applied to applicants who have special procedural needs, unless this would not jeopardize their rights or hinder them from fulfilling their obligations under the asylum procedure. This assessment lies with the CGRS and is done on an individual basis. The assessment of the special procedural needs remains valid for a subsequent request for international protection unless there are concrete indications that there are, or no longer, special procedural needs.</p> <p>The assessment of special procedural needs is in itself not open to appeal.</p> <p>8. The special procedural guarantees in the procedure for international protection are guaranteed by the CGRS. In the motivation of the decision, the CGRS includes a paragraph on the support that has (not) been offered.</p>
	<p>EMN NCP Bulgaria</p>	<p>Yes</p>	<p>1. The Law on Asylum and Refugees (LAR) introduces a definition of which persons belong to a vulnerable group. Establishing whether a person belongs to a vulnerable group is possible at any stage of the administrative procedure for granting international protection. Regardless of the stage at which this fact is established, the special needs and the special situation of the foreigner belonging to a vulnerable group shall be taken into account for the purposes of the procedure.</p> <p>According to § 1, item 17 of the Additional Provisions of LAR, “persons belonging to a vulnerable group” are</p>

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			<p>minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence.</p> <p>Identification begins at the earliest possible stage – during the registration procedure and / or during the initial medical examination where a social work expert shall be present. If it turns out that the foreigner belongs to a vulnerable group, the social work expert, if necessary, elaborates an individual support plan. In the case of unaccompanied minors, experts work together with the appointed representative of the child, the appointed social worker from the Child Protection Department of the Social Assistance Directorate, as well as with the staff of the International Organization for Migration, working in the Safe Areas.</p> <p>The work process takes account of the guidelines of the EASO Tool for identification of persons with special needs. An individual approach is applied and social interviews and consultations are carried out. The State Agency for Refugees uses a Questionnaire for the identification of asylum seekers with traumatic experience. A Risk Assessment Guide and Standard Operating Procedures are followed for sexual and gender-based violence. These tools make it possible to identify the specific needs of vulnerable persons and refer them to adequate psychological and medical care.</p> <p>2. All the staff members of the State Agency for Refugees with the Council of Ministers (SAR) involved in the reception of asylum seekers and the work on their relevant procedures are trained to identify vulnerabilities, the vulnerable persons being referred to social work experts to identify and assess their special needs. Staff members receive appropriate training, including on the elements listed in Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office. Special training is also regularly organized on the following topics: identification of vulnerable persons; trafficking in human beings; prevention of gender-based violence; trafficking in human beings in a situation with Covid-19; support for vulnerable persons in return procedures, alternative care for unaccompanied minors, etc. Training sessions have been conducted by SAR, the European Asylum Support Office (EASO), the National Commission for Combating Trafficking in Human Beings, the Bulgarian Red Cross, the International Organization for Migration and others.</p> <p>3. Yes</p>
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			<p>4. The latest amendment to LAR of October 2020 introduced the requirement that the documents establishing the belonging to a vulnerable group, the needs assessment and the support plan shall be included in the personal file of the foreigner. It represents a prerequisite where the vulnerability must be taken into account when deciding on granting international protection. These findings shall be taken into account regardless of the stage at which they have been established.</p> <p>5.</p> <p>6. The detection of a vulnerability of an applicant for international protection and their special needs shall be taken into account at each stage of the procedure for granting international protection until its definitive conclusion by an effective decision, where each case is approached individually. Until they reach the age of majority, unaccompanied minors are accommodated in a family of relatives or close friends, a foster family, a social or integrated health and social service for residential care (under the terms of the Law on Child Protection), or at another accommodation place with special conditions for minors. A representative shall be assigned to unaccompanied minors or minors seeking or receiving international protection. Their representative shall have the necessary knowledge and, in accordance with the principle of ensuring the best interests of the child, shall assist the unaccompanied minor to exercise their rights and perform their duties.</p> <p>7. Where the determining authority considers that there are special procedural needs, it may refrain from applying accelerated procedure for the examination of an application for international protection. LAR introduces an imperative legal prohibition to apply an accelerated procedure to unaccompanied minors, ensuring that their procedures are always carried out under the general terms.</p> <p>8. The established legal mechanism ensures that when deciding on the file, the determining authority has all the information relevant to the individual case concerning any identified vulnerabilities, special procedural needs and the possibilities for providing support. The applicant's special procedural needs are taken into account throughout the procedure for international protection. The training of officials in accommodation centres and those carrying out international protection procedures, especially with foreigners from a vulnerable group, ensures that the interviewing and the determining authorities will have the necessary competence to properly analyse the need for special procedural guarantees.</p>
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			All decisions in the procedure for granting international protection, which have a negative result for the applicant, can be appealed before the administrative courts.
	EMN NCP Croatia	Yes	<p>1. There have not been any legal or procedural framework changes regarding detection of the vulnerabilities of applicants for international protection since 2019, therefore the legal framework as described in the AHQ 2019.70 is still in force. The Act on International and Temporary Protection includes provisions regarding protection and detection of vulnerable applicants for international protection, as well as a corresponding procedural framework:</p> <p>According to The Act on International and Temporary Protection through special procedural and reception guarantees, appropriate support shall be provided for applicants in relation to their personal circumstances, amongst other things their age, gender, sexual orientation, gender identity, disability, serious illness, mental disorders, or as a consequence of torture, rape or other serious forms of psychological, physical or sexual violence. Evaluation of vulnerability is conducted for exercising the rights and obligations referred to in the Act on International and Temporary Protection.</p> <p>Regarding the procedural framework; The Protocol on Proceedings towards Unaccompanied Children introduced in 2018 provides a uniform practice and efficient cooperation of the competent bodies and institutions in order to detect and protect children – a vulnerable group, while The Family Act regulates the right of custody/guardianship of the unaccompanied children.</p> <p>According to the Standard operating procedure on the response to sexual and gender-based violence in the Reception centers for applicants for international protection, all stakeholders are involved (Ministry of the Interior, Croatian Red Cross, UNHCR, MDM, Jesuit Refugee Service, Croatian Law center, International Organization for Migration and Society for Psychological Assistance) in the identification of potential cases of sexual and gender-based violence (including incidents occurred, identified or reported in reception centers). In each reception facility, there is a coordinator for sexual and gender-based violence in charge of taking necessary action, coordinating all activities between all other stakeholders, and following the case until solving each critical situation. The aim of this Standard operating procedure is to identify sexual</p>

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			<p>violence, physical violence, emotional and psychological violence, harmful traditional practices, and socioeconomic violence no matter where it happened (before arrival in the country of application for international protection, in the country of application for international protection or in transit country). The goal of the SOP in question is to detect and help vulnerable persons.</p> <p>One of the means of detecting vulnerable groups consists of filling out a form “Questionnaire and observations for early identification of applicants for international protection having suffered traumatic experiences”. The form consists of questions about the current psycho-physical condition of the applicant, and reception officers fill in the form during lodging of an application for international protection. In this situation, it is possible to conduct early detection of vulnerabilities of applicants for international protection as well as identify needs for special support or assistance.</p> <p>2. All of the officials involved in the process of granting international protection, social workers, and officials at the Reception center for international protection applicants are responsible for the detection of vulnerabilities of applicants for international protection.</p> <p>The procedure of recognizing and evaluating the personal circumstances of applicants is conducted continuously by specially trained police officers, officials of the Ministry of the Interior, and other competent bodies, from the moment of making the application to the lodging of an application through decision making. In reception centers, all present stakeholders are involved (Ministry of the interior, Croatian Red Cross, UNHCR, MDM, Jesuit Refugee Service, Croatian Law center, International organization for migration, and Society for Psychological Assistance) in the identification of potential cases of sexual and gender-based violence. Most of the involved stakeholders are social workers, social pedagogues, or similar professions educated for working with vulnerable persons. Also, the competent officials undertake available educations and training regarding vulnerable persons (EASO training: Reception of vulnerable persons, Interviewing vulnerable persons, Interviewing children, Gender, gender identity, and sexual orientation, Trafficking in human beings).</p> <p>NGO's working with migrants also organized training focusing on vulnerable groups:</p> <ul style="list-style-type: none"> <li>- UNHCR and Croatian Law Centre – education on Protocol on procedures for unaccompanied and separated children</li> <li>- Croatian Red Cross - The process of supporting, The training of assistants to work with users and</li> </ul>
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			<p>Specialist education, communication skills;</p> <ul style="list-style-type: none"><li>- Society for Psychological Assistance - Focus on Men: Gender-Based Violence Prevention Work with Male Migrants;</li><li>- Save the children - Building the capacity of professionals to work with unaccompanied children, etc...</li></ul> <p>The aforementioned competent officials are familiar with the proceedings towards children as a vulnerable group in accordance with the Protocol on Proceedings towards Unaccompanied Children. and the officers are further trained to work with children and other vulnerable groups. As part of the national system of international protection, there are designated case officers who are social workers by vocation and are specifically trained to work with vulnerable groups (including their detection). In addition, officials were trained through the EASO module on how to deal with vulnerable groups throughout the process of granting international protection.</p> <p>Pursuant to the Family Law, custody activities are performed by a social welfare center, a guardian, and a special guardian for the purpose of protecting a child who is unable to protect his or her rights and interests. The process of the initial assessment of the needs of an unaccompanied child involves the assessment of needs and the type and degree of risk, using available assessment methods, techniques and instruments. The professional worker of the social welfare center fills in the form "Initial assessments of the needs of the unaccompanied child", collects the necessary information about the child, acquaints the unaccompanied child with the rights, and obligations, and the possibilities of care and protection.</p> <p>3. Yes</p> <p>4. Social workers, social pedagogues, and medical staff, together with representatives of non-governmental organizations in reception centers, (mainly Croatian Red Cross and MDM during Covid-19 pandemic) in reception centers are in charge of recognizing and evaluating the personal circumstances of applicants and making a decision about whether a person can be considered vulnerable or not. If the vulnerability is detected in the procedure of granting international protection, the case officer is obliged to inform the relevant stakeholders. All information on individual cases is kept in a special database available to officials in charge of working with vulnerable groups at the Reception centers for applicants for international protection and case officers. Based on the collected data, further actions and procedures are taken to ensure</p>
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			<p>that vulnerable persons exercise their rights and obligations under the Act on International and Temporary Protection.</p> <p>5. N/A</p> <p>6. Special attention is given to the fact that applications for international protection of applicants detected as vulnerable have priority in the procedure of international protection, and certain concessions are made i.e. if there is a need to provide applicants with a translator of the same sex as well as providing appropriate accommodation conditions taking in consideration their special needs. Case officers trained to work with vulnerable groups conduct proceedings regarding applications for international protection and, depending on the vulnerability, the proceedings and other potential obstacles are adjusted to the personal needs of a vulnerable applicant, as well as taking into account previously mentioned special assessments of material facts and the merits of the application. In regards to accommodation, all circumstances are taken into accounts such as age, gender, family integrity, and more. Also, the provisions of the Act relating to special procedures and border procedures do not apply to applications from applicants who require special procedural guarantees, in particular to victims of torture, rape, or other severe forms of psychological, physical, or sexual violence if appropriate support is not guaranteed. The Act on International and Temporary Protection prescribes and prioritizes the best interests of a child, taking into account the welfare and social development of children and their origin, protection, and safety of the child, especially if there is a possibility that a child is a victim of trafficking, also in cases of age assessment, and family reunification and the like. A special guardian of an unaccompanied child also plays an important role in child protection, taking all necessary actions, including contacting and cooperating with relevant ministries, other state and foreign bodies, and non-governmental organizations to reunite the child with the family, if it is in the best interest of the child.</p> <p>7. Officers trained to work with vulnerable groups during the interview for the application for international protection, taking into account individual needs, may refer applicants for international protection to psychosocial and medical assistance programs provided by organizations operating within the reception centers. If there are suspected applicants for international protection of being potential victims of trafficking, officers are required to notify the Criminal Police Directorate. Vulnerable applicants are entitled to adequate health care, psychosocial protection, special nutrition, means and equipment for easier</p>
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			<p>movement, and other rights according to national laws and their needs and condition. When accommodating an applicant, the reception center will pay special attention to gender, age, the position of vulnerable groups as well as those with special needs, and family integrity (possibility to achieve the right to a single room or separate part of reception facility). An applicant with special needs can be accommodated in an appropriate institution or can be accommodated according to the social welfare regulations if he or she cannot be accommodated in the reception area in accordance with his or her needs. When accommodating an applicant, it is necessary to adapt the conditions of accommodation to the needs of the applicant, and to provide psychosocial assistance, in particular, to the care of those with special needs reception. Professionals who provide psychosocial care at the reception centers will conduct the process of recognizing the special needs of applicants. Where it is appropriate, the social welfare center may be included in the assessment process. The social welfare center involved in the process of recognizing the special needs of applicants will inform the reception center of all measures and actions taken.</p> <p>8. Reception center officers and all stakeholders involved (Ministry of the interior, Croatian Red Cross, UNHCR, MDM, Jesuit Refugee Service, Croatian Law center, International organization for migration, and Society for Psychological Assistance) guarantee the respect of special guarantees. All officials within the Ministry of the Interior are obliged to respect the special procedural and acceptance guarantees of applicants for international protection prescribed by the Act on International and Temporary Protection.</p>
	<p>EMN NCP Cyprus</p>	<p>Yes</p>	<p>1.</p> <ul style="list-style-type: none"> <li>• For the effective detection of the vulnerabilities of applicants for international protection a personal evaluation has to be performed in order to identify whether the person is in need for special procedural or reception guarantees. The competent officer during the first encounter with the applicant will complete an evaluation form for any visible vulnerabilities and then a mini interview will take place in order to complete the vulnerability form and see if there are any vulnerabilities to be addressed as soon as possible.</li> <li>• Furthermore, during the first medical examination, the doctor, psychologist or other specialized medical practitioner should prepare a report on the existence of any identified special reception or procedural needs.</li> </ul>


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			<ul style="list-style-type: none"> <li>• In case the applicant is living in a Reception Centre, then the social workers or the psychologist of the Centre, after personal interviews with the applicant and within a reasonable time frame, may suggest and refer the person for special reception needs and/or procedural needs.</li> <li>• Also, the Social Welfare Officers should inform in writing the Asylum Service for any cases that come to their attention and may have special procedural/reception needs as well as their nature.</li> </ul> <p>2.</p> <ol style="list-style-type: none"> <li>1. The detection through the asylum procedure is initially the job of the Vulnerability Officers and secondly of the case workers responsible for the examination of the claim of the applicant. If a vulnerability is not detected earlier (at the initial stages of the asylum procedure), it may be detected during the interview of the claim for international protection. Yes, individuals have to receive a special training.</li> <li>2. Vulnerability officers and administrative officers who examine this type of asylum cases and asylum claims in general, should have specific and continued training on the subject, such as training on Trafficking, Interviewing vulnerable persons, Vulnerabilities at Reception centres etc.</li> </ol> <p>3. Yes</p> <p>4. Both in the asylum procedure as well as by the Social Welfare Services. According to a recent practice adopted, vulnerability officers/social workers in reception centres perform follow up on a number of vulnerability cases which are considered as high and medium risk. Currently working on establishing a procedure relating to follow up of vulnerability cases. This procedure is being drafted with the support of EASO.</p> <p>5.</p> <p>6. Detection of vulnerabilities may lead to the provision of international protection status, depending on the merits of each case. At the same time, the impact might defer depending on the personal situation of each and every applicant and the seriousness of the vulnerability identified. The procedure may be also delayed because of the vulnerability, maybe a person will need treatment before being able to come for an interview with the Asylum Service/or should be referred to the medical council or medical practitioner. Furthermore, a</p>
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			<p>procedure may not be completed because of a serious vulnerability. The Cyprus Refugee Law allows for the decision on an asylum claim without conducting an interview due e.g. to vulnerabilities or serious health issues.</p> <p>7. According to the Cyprus Refugee Law, the competent authorities:</p> <ul style="list-style-type: none"> <li>• provide support having in mind those special reception and procedural guarantees throughout the whole asylum procedure.</li> <li>• Also ensure that their situation is properly monitored</li> </ul> <p>8. The competent Authorities (Asylum Service, Social Welfare Services)</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. The answer is the same as we stated in the AHQ 2019.70, question no. 2. Furthermore, according to the Section 10, par. 4 of the Asylum Act, the responsible authority (Department for Asylum and Migration Policy of the Ministry of the Interior, hereinafter referred to as DAMP) detects vulnerabilities with regard to the international protection procedure - this is in contrast to the detection of vulnerabilities made by the Refugee Facilities Administration of the Ministry of the Interior (hereinafter referred to as RFA): In connection with the provision of data for the submitted application for international protection, the Ministry shall determine whether the applicant for international protection is a vulnerable person. In the case of an applicant for international protection who is a vulnerable person, the Ministry shall further determine whether the applicant for international protection needs support in order to exercise the rights and fulfil the obligations of the applicant for international protection under this Act, related to international protection proceedings. The Ministry shall also provide support to an applicant for international protection who is a vulnerable person if his/her need arises only during the international protection proceedings.</p> <p>2. NO. As mentioned above – the support with regards to the international protection procedure is provided by the officials of DAMP, the support in the material sense is provided by the employees of RFA (in the AHQ 2019.70 we name these employees as Asylum System Operators). There are no special trainings received, nevertheless the detection of vulnerabilities is part of a general training.</p>

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			<p>3. Yes In both situations, the Asylum Act assumes that vulnerabilities will be detected also during the proceedings, if necessary.</p> <p>4. In both situations, the Asylum Act assumes that vulnerabilities will be detected also during the proceedings, if necessary. It is not a special procedure, it is an ad hoc informal process based on an individual situation.</p> <p>5. N/A</p> <p>6. In accordance with the Procedural Directive, a vulnerable person with special needs is provided with support, taking into account his/her individual situation, so that he/she can exercise his/her rights and obligations in the international protection procedure.</p> <p>7. It depends on the specific need, e.g. more time in the proceedings, more information, submission of this information in an available form, etc.</p> <p>8. Ensuring these guarantees is required by law, if DAMP or RFA did not provide these guarantees, this could be challenged in court proceedings. It is also possible, for example, to complain to the Public Defender of Rights.</p>
	<p>EMN NCP Estonia</p>	<p>Yes</p>	<p>1. There are no significant changes since our previous answers in EMN AHQ 2019.70. According to national legislation the Act on Granting International Protection to Aliens 151 the specific situation of a vulnerable person and the special needs arising therefrom are taken account of in the international protection proceedings. An applicant with special needs is, in particular, a vulnerable person, such as a minor, an unaccompanied minor, a disabled person, an elderly person, a pregnant woman, a single parent with minor children, a victim of trafficking, a person with serious illness, a person with mental health problems and a victim of torture or rape or a person who has been subjected to other serious forms of psychological, physical or sexual violence.</p>


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			<p>A person is deemed to be an applicant with special needs when the Police and Border Guard Board have established his or her special need. In such case all the specifications provided for in this Act shall be applied to him or her and he or she shall be enabled the support corresponding to his or her special need. When identifying the special needs the EASO online IPSN (EASO tool for identification of persons with special needs) is being used.</p> <p>Where necessary, other administrative authority or expert shall be involved in the identification of a special need. The special need shall be identified as soon as possible after the submission of the application. The Police and Border Guard Board shall fix the special need of an applicant in writing.</p> <p>All the administrative authorities and persons who are in contact with an applicant shall observe the special need of the applicant and consider it systematically and individually during the whole international protection proceedings, taking also account of the special need which has become evident in a later stage of the international protection proceedings.</p> <p>The Police and Border Guard Board shall communicate the information on a special need of an applicant to other administrative authorities and persons who are in contact with the applicant to the extent which is necessary for taking into account a special need of an applicant. If another administrative authority identifies a special need of an applicant or notices a circumstance indicating a special need, it shall immediately notify the Police and Border Guard Board thereof.</p> <p>All the officials and employees who are in contact with the applicants for international protection shall comply with such competency requirements which enable them to observe a special need and take it into account. The involved institutions are: Accommodation centre, social worker, health care authorities (doctor of the applicant), psychologist and other experts who might be involved.</p> <p>In 2020 the Police and Border Guard Board started to use an additional assessment tool for assessing vulnerabilities, which includes control questions that facilitate the assessment of potential vulnerabilities.</p> <p>2. Detection of vulnerable person is made by the Police and Border Guard Board. Officials have passed trainings on how to recognize a vulnerable person during the procedures, but also legal and practical aspects related to vulnerability assessment are introduced to them.</p> <p>3. Yes</p> <p>4.</p>
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			<p>YES, the Police and Border Guard Board has prearranged procedure in cooperation with the Social Insurance Board.</p> <p>The Police and Border Guard Board informs the Social Insurance Board about a person's possible vulnerability. The Social Insurance Board directs person to the necessary services and informs about it also the Police and Border Guard Board.</p> <p>5. N/A</p> <p>6. There is no direct impact to the international protection procedure, but vulnerability will be taken into account in procedures (if possible, placing children in detention centre should be avoided). But, as the number of persons who are applicants for international protection is very small, the approach to them is the case by case basis.</p> <p>7. Expert recommendations (eg involving a psychologist into the proceedings) will be taken into account and applications from vulnerable persons will be processed as a priority matter.</p> <p>8. Supervision will be made by the Police and Border Guard Board. The applicant for international protection may contest the decision on rejection of an application or revocation of international protection to the administrative court.</p>
	<p>EMN NCP Finland</p>	<p>Yes</p>	<p>1. Legal framework:</p> <p>Section 6 of the Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Human Trafficking 746/2011 (from here on Reception Act) establishes that when applying the Act, the special needs arising from a vulnerable status of a person seeking international protection such as age or physical or psychological state must be taken into account. The vulnerable status and special needs arising from it are assessed individually, within a reasonable period of time after an application for international protection is made. Special needs will be taken into account throughout the duration of the asylum procedure.</p>




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			<p>Section 96a of the Aliens Act provides for Procedural guarantees. It establishes that applicants with special needs arising from a vulnerable status referred to in section 6 of the Reception Act or otherwise ascertained during the asylum procedure are given support to ensure that they can benefit from the rights connected with the asylum procedure and comply with the related responsibilities.</p> <p>Procedural framework:</p> <p>This has been answered in 2019 but as an addition, Finland has implemented a national health examination protocol to improve assessment and identification. There is also a new structured need assessment and a client plan forms for the social services of the reception centers. Finnish Immigration Service have issued instruction for the mental health work in reception centers. Instruction gives information concerning what mental health work is, what it contains, and how mental health work is done in reception centers.</p> <p>2. This question was responded by both the Asylum Unit and the Reception Unit of the Finnish Immigration Service.</p> <p>Asylum Unit: All case workers interviewing applicants. They receive general training on vulnerability at the beginning when they come to work for the Finnish Immigration Service. Later they receive EASO modules Interviewing Vulnerable Persons, Interviewing Children and Gender, Gender Identity and Sexual Orientation.</p> <p>Reception Unit: Reception centres have nurses, social workers, social advisers who all have a professional degree and training. No special training is required to work with the vulnerable asylum seekers. The Reception Unit provides regular training on issues concerning the vulnerable clients.</p> <p>3. No</p> <p>4. Answer to Q3 was "No", but as further clarification: Asylum case workers inform the Reception centre about the detected vulnerabilities/needs, so that they can arrange for a lawyer and the care needed. The procedure is individualized accordingly, but there is no follow-up after the process.</p>
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			<p>The case officer notifies the relevant Reception center, either the social worker or nurse, so that they can proceed with the assessment and do the necessary arrangements.</p> <p>5. See Q4 above.</p> <p>6. Depends entirely on the vulnerability. A more experienced/specialized interviewer is chosen and more time is allocated for the interview, when needed. Depending on the vulnerability, all relevant information from health and social services will be considered when drafting the decision for the AIP.</p> <p>7. A lawyer at the asylum process, but otherwise there is no standardized procedure for all vulnerable AIP. Depends entirely on the vulnerability.</p> <p>Unaccompanied minors are appointed a guardian.</p> <p>8. If a vulnerability is detected, it is up to the asylum case worker to inform the relevant authorities.</p>
	<p>EMN NCP France</p>	<p>Yes</p>	<p>1. See France's answer to the AHQ 2019.70.</p> <p>2. According to the provisions of article L.522-1 of the Code on Entry and Residence of Foreign Nationals and Right of Asylum (Code de l'entrée et du séjour des étrangers et du droit d'asile, CESEDA), the assessment of vulnerability is carried out by OFII agents who received a specific training, upon the registration of the asylum application at the one-stop shop (see Q1).</p> <p>Special needs may also be taken into consideration at any later stage of the asylum application, when they become apparent.</p> <p>The vulnerability interview is based on a standardized questionnaire, set out in accordance with a joint order by the Ministry of the Interior and the former Ministry of Social Affairs, Health and Women's Rights on 23 October 2015.</p>

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			<p>The OFII has appointed vulnerability referents in each of its territorial departments. Their mission is to ensure a monitoring of the vulnerable applicants and to raise awareness among their fellow auditors about the issue of vulnerability. They were also specifically trained. For instance, between May and June 2021, each of these agents benefited from a one-day training session dedicated to the detection of vulnerabilities, which was co-animated by agents from the OFII's Asylum Department and the UNHCR.</p> <p>The order of 29 October 2015 on the specifications of the reception centers for asylum seekers (centres d'accueil pour les demandeurs d'asile, CADA) provides that CADA staff may also carry out a vulnerability assessment of the people accommodated in the center and inform the OFII, which takes into account the particular needs of the person concerned.</p> <p>Besides, the protection officers of the French Office for the Protection of Refugees and Stateless Persons (l'Office français de protection des réfugiés et apatrides, OFPRA) may also identify elements of vulnerability during the examination of asylum applications, either following the examination of the asylum seeker's statements or during the interview of the applicant (article L.531-10 of the CESEDA). The OFPRA also created a vulnerability detection system for the asylum applications made at the border or in administrative detention centers (see Q1). In order to carry out this detection of vulnerabilities, five groups of thematic referents dedicated to the main specific protection needs (unaccompanied minors, sexual orientation and gender identity, trauma, human trafficking and violence against women) have been set up at the OFPRA in 2013. A vulnerability officer is in charge of coordinating the activity of these groups, including drawing up the OFPRA's doctrine regarding the acknowledgment of vulnerabilities. Concerning the training of its staff, the OFPRA set up an initial training for all the protection officers dedicated to "dealing with stories of suffering", as well as targeted training for protection officers in charge of vulnerable applicants, provided in initial and in-service training, and for the officers in the specialized thematic groups. Officers can also follow the training courses developed by the European Asylum Support Office (EASO). Finally, colloquia, conferences and meetings (organized by the thematic groups or institutional and NGO partners) are regularly organized to raise awareness and train officers.</p> <p>In order to improve and harmonize the training of all the actors involved in the asylum procedure on the early identification of vulnerabilities, the "Vulnerabilities Plan" presented by the Directorate General for Foreigners in France on 26 March 2021 proposes to set up "vulnerability referents" in the OFII's territorial</p>
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			<p>departments: these regional coordinators will act as referent on the issues related to vulnerability. These referents and the staff of the structures for the initial reception of asylum seekers (structures du premier accueil des demandeurs d'asile, SPADA) will be trained by the OFPRA, which will also provide regional training sessions for social workers in the reception centers for asylum seekers.</p> <p>3. Yes</p> <p>4. Asylum seekers identified as vulnerable during the interview conducted by the OFII are subject to an adaptation of their material reception conditions. This adaptation takes into account their specific needs. For example, asylum seekers may be directed to dedicated accommodation centers (for people with reduced mobility, women victims of violence or victims of trafficking in human beings, etc.).</p> <p>The OFII medical service may also issue recommendations for the adaptation of material reception conditions following a request for advice sent in a confidential letter by the asylum seekers' doctor.</p> <p>Finally, in application of article L.522-4 of the CESEDA, the OFII may transmit to the OFPRA, with the consent of the asylum seeker, information attesting to a particular situation of vulnerability.</p> <p>5.</p> <p>6. According to article L.531-10 of the CESEDA, throughout the asylum procedure, the OFPRA can set up special examination procedures adapted to the vulnerability of the asylum seekers concerned.</p> <p>Therefore, vulnerable asylum seekers are received by a protection officer who went through a specific training, and the groups of thematic referents can be asked to carry out the examination of their asylum applications in the light of the vulnerabilities identified (see Q2). In addition, the duration of the examination can be adapted to facilitate the collection of the applicant's story identified as particularly vulnerable, such as:</p> <ul style="list-style-type: none"><li>• Prioritizing certain applications, including those "submitted by vulnerable persons identified as having special reception needs [...] or as requiring special review arrangements";</li><li>• Granting a longer period of time to examine the asylum application;</li></ul>
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			<ul style="list-style-type: none"> <li>• Reclassifying an accelerated procedure as a normal procedure if it is considered that "the asylum seeker, in particular because of the serious violence from which they have been a victim or because of their minority, requires special procedural guarantees which are not compatible with the examination of their application".</li> </ul> <p>7. The OFPRA is responsible for adopting specific procedural guarantees adapted to the particular needs or vulnerability of an asylum seeker during the examination of their application (article L.531-17 and s. of the CESEDA), such as:</p> <ul style="list-style-type: none"> <li>• The presence of a third party during the interview with the OFPRA protection officer (this provision concerns all applicants and not specifically vulnerable asylum seekers);</li> <li>• The possibility for an asylum seeker to request that the interview be conducted by a protection officer and with an interpreter of a specific gender;</li> <li>• The presence of a mental health professional for asylum seekers with serious mental illnesses or disorders.</li> </ul> <p>8. The protection officers in charge of the asylum applications filed by people presenting elements of vulnerability ensure that the appropriate procedural guarantees are respected during the examination of their application.</p>
	<p>EMN NCP Germany</p>	<p>Yes</p>	<p>1. As stated in the Ad-Hoc query 2019.70 the internal guidelines of the Federal Office for Migration and Refugees refer to EU regulations 2013/32/EU und 2013/33/EU when stipulating the duty of all staff members to make any effort in identifying vulnerable persons at any stage of the asylum procedure and to provide any help necessary and possible to applicants. In this regard the German Asylum Act also obliges authorities such as the Federal States and the Federal Office to provide relevant information to other respective authorities (for example, the Federal States - or the body designated by it - may transmit personal information about a foreigner's physical, psychological, mental or sensory impairment which the Federal Office needs to duly carry out the personal interview)."</p> <p>With the amendment of the Asylum Act in 2019, voluntary and independent procedural counselling was</p>

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			<p>introduced for all applicants under the responsibility of the Federal Office. The counselling is comprised of two stages: a group information session with general information on the asylum procedure and return possibilities conducted by the Federal Office, followed by individual counselling sessions for every applicant conducted by the Federal Office or social welfare organizations. In general, the counselling will be provided before the formal lodging of an application. Information on vulnerabilities brought up by the applicant during an individual counselling session can be taken into account in the following asylum procedure (if the applicant has approved to the transfer of such information). The amendment also stipulates that the Federal States are obliged to establish appropriate measures with regard to the accommodation of women and vulnerable persons in order to protect them.</p> <p>2. Derived from the Asylum Procedure Directive (ACP) (2013/32/EU), the Federal Office refers in its Internal Guidelines that it is the duty of all staff involved in the asylum procedure to identify any vulnerabilities at any stage in the asylum procedure. All employees of the Federal Office are sensitised according to their function and the tasks they are to perform:</p> <ul style="list-style-type: none"> <li>- With intercultural sensitisation / diversity training;</li> <li>- All caseworkers receive compulsory training in dealing with vulnerable groups during their induction. In addition, experienced caseworkers have the opportunity to be trained as “specially trained” caseworkers for certain vulnerable groups via national training courses and the training modules of the European Asylum Support Office (EASO), thereby gaining special knowledge with regard to the specific needs of the respective vulnerable group. These vulnerable groups include unaccompanied minors, victims of human trafficking, victims of gender-specific persecution – this includes also LGBTI-individuals – and victims of torture and/or trauma.</li> </ul> <p>Due to the federal system in Germany, there is a shared responsibility between the Federal Office for Migration and Refugees and the Federal States. The Federal Office is only responsible for the asylum procedure, whereas the reception lies within the responsibility of the Federal States. Since the Federal States have the first contact with the applicants during the reception, the Federal States are initially responsible for an early identification of vulnerable persons as stated in the Reception Condition Directive (2013/33/EU). Therefore, data transmission is key between the Federal States and the Federal Office, for detecting vulnerable persons. The Federal States are obliged by law to notify the Federal Office when they detect vulnerabilities.</p>
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			<p>3. No Direct personal contact with the applicants at the Federal Office only takes place when the formal application for asylum is filed (§ 14 German Asylum Act). Therefore, close cooperation with the Federal States (reception facilities, foreigners' authorities) is particularly important for the Federal Office as a source of information on vulnerabilities, e.g. with regard to vulnerabilities already identified in the context of reception. The legal basis for the transmission of personal information on physical, psychological, mental or sensory impairments of a foreigner by the Federal States to the Federal Office is Article 8 of the German Asylum Act. However, the provision does not stipulate a mandatory obligation to provide information, but leaves the decision to the discretion of the responsible authority (Federal States). The prerequisite is that the knowledge of such personal information is necessary for the proper conduct of the personal interview. The Federal Office can also act as a source of information on any vulnerabilities it has identified and transmit relevant information to the Federal States with regard to the accommodation and care of applicants. Consequently, there is no mandatory procedure to guarantee the follow-up of the applicant. However, via the close cooperation between the Federal States and the Federal Office information on vulnerable applicants are shared.</p> <p>4. n/a</p> <p>5. We kindly refer to our answer in question 3.</p> <p>6. Vulnerability exists - in many cases irrespective of the refugee background - due to the personal situation of the persons concerned and can entail special needs both in the context of reception and care and during the asylum procedure. The aim for the asylum procedure is, in particular, to create conditions for an equal treatment of vulnerable persons with those seeking protection who do not have any vulnerabilities. The detection of vulnerabilities aims to enable vulnerable persons making use of their rights and fulfil their obligations arising from the ACP for the duration of the asylum procedure.</p> <p>The Federal Office therefore needs to guarantee procedural safeguards for vulnerable persons due to the ACP – especially during the personal interview.</p> <p>7. Depending on the specific vulnerability, different procedural safeguards for the personal interview are</p>
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			<p>applied, such as:                  The use of “specially-trained” caseworkers for different vulnerable groups such as gender-based violence, victims of torture and/or trauma, victims in human trafficking and unaccompanied minors;                  Accessibility of the room (barrier-free) in which the personal interview takes place;                  If necessary, a sign language interpreter will be provided;                  If available, use of a caseworker/interpreter of a particular gender (male or female);                  Depending on the degree of mental disorder, the personal interview will be conducted particularly sensitive with sufficient breaks;                  For unaccompanied minors there are mandatory procedural safeguards such as:                  Bringing forward the processing of the application;                  Presence of guardian or lawyer during the personal interview;                  The personal interview is conducted by a specially-trained decision maker for unaccompanied minors as well as the decision that is made;                  The personal interview consists of child-friendly questions, explanations and sufficient breaks.                  For victims of human trafficking, the procedural safe-guards can include:                  Close cooperation and referral to specialised counselling centres;                  Close cooperation with the security authorities with the goal of prosecution of perpetrators;                  The Option of “right of self-entry” in Dublin cases                  A so-called “consideration and stabilisation period” can be granted: the applicants receive a three-month departure period.</p> <p>8. There is a quality assessment system in place for every single decision made in an asylum case (dual control principle) at the Federal Office which also includes cases from vulnerable applicants.</p>
	EMN NCP Hungary	Yes	<p>1. See AHQ 2019.70</p> <p>2. Social workers from the asylum authority are in charge of filling out a PROTECT questionnaire with the applicants specifically designed to detect victims of trafficking in human beings. The questionnaire includes questions concerning sexual abuse and exploitation as well.</p>




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			<p>The Hungarian Baptist Aid organised a one-day training event for social workers who work in reception facilities. The aim of this training was how to efficiently use the identification form for victims of human trafficking.</p> <p>Social workers took part in a training on domestic violence and trafficking in human beings. The training was organised by a non-profit organization.</p> <p>One asylum case officer who worked in the transit zone attended a training abroad, organised by the European Asylum Support Office (EASO). The module on Trafficking in Human Beings was composed of two levels. The first level aims to raise awareness amongst officials who may come across a victim or potential victim of trafficking. Its goal is to provide the participants with the knowledge and skills needed to identify potential victims of trafficking. The second level focuses on victims of trafficking who may need international protection. It explains how to prepare and conduct an asylum interview with a victim or potential victim of trafficking and how to approach decision-making in a protection claim involving such persons.</p> <p>A reception officer took part in two pieces of training organised by EASO on Reception of vulnerable persons: identification of vulnerability and provision of initial support, and Reception of vulnerable persons: needs assessment and design of interventions.</p> <p>3. No</p> <p>4. -</p> <p>5. If vulnerability is detected on the basis of the results of the questionnaire or if the victim of trafficking in human beings turns for help to the social worker, the social worker notifies the psychologist and/or psychiatrist.</p> <p>6. It depends on individual circumstances.</p> <p>7. There are no special procedural guarantees over the law.</p> <p>8. The MS.</p>
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	EMN NCP Italy	Yes	<p>1.</p> <p>2. Pursuant to paragraph 3-bis to art. 8 of Legislative Decree 25/2008, the Territorial Commission responsible for examining the application may request, with the consent of the applicant, medical examinations aimed at ascertaining the results of persecution or serious damage suffered. The medical-legal certification in support of the activities of the Territorial Commission for the recognition of international protection pursuant to Art. 8, paragraph 3-bis, of Legislative Decree 251/2007 (introduced by Legislative Decree 142/2015), must be issued by a center recognized by the National Health Service (SSN). The ASL may carry out this activity through its own services and health workers, formally identified and adequately trained, including in human rights education. The certification can also be issued by non-profit centers/organizations, identified by the ASL/Region on the basis of established requirements, which for experience, expertise, absence of conflict of interest and any other form of conditioning, can ensure the correctness and completeness of the certification process. These centers must be recognized and registered by the ASL/Region in a list made available to asylum seekers as well as to the authorities in charge of verification and control actions.</p> <p>It should also be noted that, in the first reception centers, it is the social and health personnel of the centers themselves who carry out the assessment of the personal situation and medical condition of the migrants and, if necessary, report vulnerable cases to the competent authorities for the evaluation of specific conditions of fragility.</p> <p>With regard to staff training, the Guidelines on interventions for the assistance, rehabilitation and treatment of mental disorders of refugees and persons who have suffered torture, rape or other serious forms of psychological, physical or sexual violence, adopted by decree of the Ministry of Health of 3 April 2017, provide for specific training and refresher programs aimed at operators who work in contact with migrants with special needs. The training is divided into three levels: "awareness-raising", "facilitation and support", and "specific training".</p> <p>3. Yes</p> <p>4. Applicants are placed in reception paths that take into account the specific condition of the person. At the reception centers, applicants have access to specific information as well as medical and psychological support.</p>
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			<p>In addition, pursuant to the Legislative Decree 142/2015, in the reception centers, access is ensured to representatives of UNHCR or organizations working on behalf of UNHCR as well as to representatives of bodies for the protection of holders of international protection with consolidated experience in the field. If the existence of special need is detected by the operators of the center, pursuant to Art. 17 of Legislative Decree 142/2015, this is communicated by the manager of the center to the Prefecture where the Territorial Commission competent for the examination of the application for international protection is based, for the possible provision of special procedural guarantees.</p> <p>5. NA</p> <p>6. Pursuant to Art. 2 of Legislative Decree 130/2020, which makes amendments and innovations to Legislative Decree No. 25/2008 implementing Directive 2005/85/EC, applicants belonging to categories of vulnerable persons, in particular unaccompanied foreign minors, are entitled to special procedural guarantees, including priority processing of the asylum application. In the area of reception, Legislative Decree 142/2015 ensures specific measures in the reception and assistance procedure for applicants "with special needs", such as the disabled, the elderly, pregnant women, single parents with minor children, victims of human trafficking, persons suffering from serious diseases or mental disorders, persons that suffered of torture, rape or other serious forms of psychological, physical or sexual violence or violence related to sexual orientation or gender identity, victims of genital mutilation. These services guarantee special care measures and appropriate psychological support. In particular, special provisions are reserved for the reception of unaccompanied foreign minors (UAMs).</p> <p>7. In addition to the above-mentioned possibility of requesting that the Territorial Commission examines the application as a priority, art. 13, paragraph 2 of Legislative Decree no. 25/2008, also provides that, during the hearing before the Territorial Commission, support staff capable of providing the necessary assistance to the applicant may be admitted. Moreover, according to art. 12, "the Territorial Commission may omit the hearing of the applicant in all cases in which it is certified by the public health service or a doctor affiliated with the National Health Service that he/she is unable or impossible to attend a personal interview". With regard to persons requesting international protection identified as victims of trafficking, art. 17, paragraph 3 of the aforementioned Legislative Decree no. 25/2008, also provides for the application of the assistance and social integration program, provided for by art. 18, paragraph 3-bis of Legislative Decree no.</p>
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			<p>286/1998, which guarantees adequate conditions of accommodation, food and health care. Finally, about minors, art. 13, par. 3, establishes that a member of the Commission with specific training, the parent or guardian, as well as the support staff, must be present during the interview. In the presence of justified reasons, the Territorial Commission may proceed to interview the minor even without the presence of the parent or guardian.</p> <p>Unaccompanied foreign minors shall be provided with the necessary assistance in submitting the application and the assignment of a guardian (art. 19).</p> <p>8. The procedural guarantees, enshrined in national legislation, fall under the competence of different authorities. With regard to the applications for international protection, these fall under the competence of the National Asylum Commission and the Territorial Commissions at peripheral level, which, after a preliminary examination of the applications, decides about cases of priority treatment. In addition, the Territorial Commission informs the applicant of the procedural determinations made and the start of the personal interview.</p> <p>With regards to the reception, this is centrally managed by the Ministry of Interior, Department of Civil Liberties and Immigration, Central Directorate of Civil Services for Immigration and Asylum, in agreement with the Prefectures, or the competent authorities for the individual provinces. The Prefectures ensure that the reception procedures take into account the specific needs of vulnerable migrants.</p> <p>Finally, it should be noted that the reception system of unaccompanied foreign minors, unlike that of adults, is not managed exclusively by the Ministry of Interior, due to the competence provided by the current legislation also of local authorities.</p>
	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1. As the particular framework has not changed, please see the answered AHQ 2019.70.</p> <p>2. According to the Asylum Law the State Border Guard and the Office of Citizenship and Migration Affairs shall evaluate whether the asylum seeker has special reception or procedural needs.</p> <p>Yes.</p> <p>As information on asylum seeker's vulnerability can emerge at different stages of the procedure, for example, during the identification process or first interview, officials of the State Border Guard who have</p>

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			<p>received the necessary training regarding international human rights, acquis of the European Union in the field of asylum and negotiation methods, shall conduct:</p> <ol style="list-style-type: none"> <li>1. negotiation with the asylum seeker in order to obtain information necessary for determination of the Member State, which will be responsible for examination of the application in accordance with Regulation No 604/2013;</li> <li>2. an initial interview with the asylum seeker, except the case referred to in Section 35 of this Law, in order to obtain information regarding his or her individual situation and circumstances, which is necessary in order to take a decision to accept the application for examination or to leave without examination, and basic information regarding the motives for requesting international protection.</li> </ol> <p>On the other hand, in order to conduct a personal interview with the asylum seeker in relation to his or her persecution, officials involved must have received the relevant training, which includes the elements referred to in Article 6(4)(a)-(e) of Regulation (EU) No. 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office, and also have acquired general knowledge regarding the problems that may have a negative impact on the ability of the asylum seeker to give a personal interview. To perform procedural actions with a minor asylum seeker an official must have the necessary knowledge regarding needs of minor persons.</p> <p>The employees of the Office of Citizenship and Migration Affairs have received respective training in the EASO training modules on vulnerabilities – such as: Interviewing Vulnerable Persons, Interviewing Children, Trafficking in Human beings, Sexual Orientation, Gender and Gender Identity, Reception.</p> <p>As well as there were organized trainings on the national level on such topics as: How to recognize victims of human trafficking and what steps should be taken to provide necessary support for them; How to recognize children who are victims of sexual violence and to provide necessary support; Best rights of the child (legal and practical aspects).</p> <ol style="list-style-type: none"> <li>3. Yes</li> <li>4. If the State Border Guard or the Office of Citizenship and Migration Affairs has established that the asylum seeker has special procedural or reception needs, he or she has the right to receive corresponding and adequate support for exercising his or her rights and fulfilment of obligations throughout the asylum procedure.</li> </ol>
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			<p>If during negotiation and the initial interview an official of the State Border Guard establishes that the asylum seeker has special procedural or reception needs, it should be indicated in the corresponding minutes.</p> <p>If the application has been submitted at a border crossing point or in the border crossing transit zone and the issue regarding acceptance of the application for examination or leaving without examination is being decided, the State Border Guard shall ensure corresponding and appropriate support to the asylum seeker who has special procedural or reception needs so that he or she could exercise the rights laid down in this Law and comply with the obligations laid down in this Law during the asylum procedure.</p> <p>The individual state and circumstances of the asylum seeker are taken into account in examining the application. The condition that the asylum seeker has special procedural or reception needs in itself do not affect the assessment of the application.</p> <p>An official of the Office of Citizenship and Migration Affairs examines the application of such asylum seeker who needs special procedural guarantees according to abbreviated procedures and may take a decision to refuse to grant refugee or alternative status only in such case, if the asylum seeker has been provided corresponding and adequate support so that he or she could exercise the rights laid down in this Law and comply with the obligations laid down in this Law during the asylum procedure.</p> <p>If an asylum seeker has special reception needs, an employees of the accommodation center perform the necessary measures in order to take these needs into account during the asylum procedure.</p> <p>Upon placing asylum seekers, the reception needs of persons to be especially protected are provided as much as possible, also ensuring:</p> <ul style="list-style-type: none"><li>• that members of one family live together;</li><li>• that an unaccompanied minor lives together with an adult relative if he or she has arrived in the Republic of Latvia together with him or her;</li><li>• the needs of persons with functional limitations;</li><li>• respect for religious, gender and age-specific considerations, as well as measures for preventing violence including gender or religious-based violence, also sexual assault and harassment;</li><li>• required medical treatment and psychological support provided.</li></ul> <p>Arriving for the first time at the accommodation center, an asylum seeker receives all objects necessary for ensuring his or her special needs.</p>
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			<p>5. N/A</p> <p>6. All vulnerabilities of AIP are taken into account during the asylum procedure, however the condition that the asylum seeker has special procedural or reception needs (not caused by the persecution or serious harm) itself do not affect the assessment of the application.</p> <p>7. Please refer to the question No. 4 answered above.</p> <p>Also, if the application is submitted by an unaccompanied minor, the Orphan's and Custody Court together with the social service office of the local government, the State Border Guard, and the Office of Citizenship and Migration Affairs take measures to look for family members of the minor and ascertain the possibilities of returning such person to family. The Orphan's and Custody Court immediately decides on appointing a guardian for the unaccompanied minor. The Orphan's and Custody Court takes a decision to appoint a guardian, finding out the opinion of the Office of Citizenship and Migration Affairs. An unaccompanied minor shall be accommodated at the accommodation center for asylum seekers, placed in a childcare institution or in a foster family. An unaccompanied minor is accommodated at the accommodation center for asylum seekers or childcare institution until the moment when he or she is ensured appropriate care with a guardian or in a foster family, or it is established that appointing of a guardian or placement in a foster family is not appropriate for the particular unaccompanied minor. In evaluating the best interests of the child, the Orphan's and Custody Court takes into account the possibility of family reunification of the minor, the welfare and social development of the minor, particularly his or her origin, protection and safety considerations, especially the probability that the minor is a victim of human trafficking, and also the interests and opinion of the minor according to his or her age and maturity, in conformity with the following conditions:</p> <ol style="list-style-type: none"><li>1. an unaccompanied minor shall be accommodated together with adult relatives;</li><li>2. children from one family shall not be separated, except in cases where it is done in the best interests of the children;</li><li>3. the place of accommodation of an unaccompanied minor shall only be changed if it conforms with the interests of this person.</li></ol> <p>Moreover, a minor asylum seeker is provided with opportunities for acquiring education in the official language in a State or local government educational institution.</p>
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			<p>8. If the asylum seeker has special procedural or reception needs, the State Border Guard or the Office of Citizenship and Migration Affairs ensures that he or she has the right to receive corresponding and adequate support for exercising his or her rights and fulfilment of obligations throughout the asylum procedure. The asylum seeker has the right in accordance with the procedures laid down in laws and regulations to contact the United Nations High Commissioner for Refugees or other organizations, which provides legal or other consultations to asylum seekers.</p> <p>If an asylum seeker does not have sufficient resources to ensure living arrangements conforming to his or her health condition and his or her residence during the asylum procedure, he or she shall be accommodated at the accommodation center for asylum seekers. The accommodation center for asylum seekers is a joint dwelling for non-detained asylum seekers, in which the conditions necessary for everyday life are ensured, by taking also into account the special reception needs of the asylum seeker, and his or her physical and mental health is protected. There an asylum seeker has the right to communicate with relatives, providers of legal aid, as well as representatives of associations and foundations, using his or her own funds.</p> <p>In cases, when the asylum seeker is detained and accommodated in the State Border Guard accommodation premises for asylum seekers, authorized representatives of associations, foundations, and also international organizations are entitled to visit the State Border Guard accommodation premises for asylum seekers to verify how they are used for ensuring detention of asylum seekers, evaluate the circumstances of accommodation and residence of detained asylum seekers, and also provide legal or other consultations corresponding to the competence of the relevant institution to detained asylum seekers.</p>
	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. Article 182 of the Law on the Legal Status of Aliens defines a vulnerable person as a person with special needs, such as those younger than 18 or older than 75, pregnant women, single parents with young children, persons with mental or physical disability, as well as victims of torture, rape, or other types of serious psychological, physical, or sexual violence. The Law stipulates that decisions regarding vulnerable people should be taken in consideration of their best interests (Art. 67) and that the conditions of the reception should meet their special needs (Art. 71). The standard criteria for evaluating the data in the application for asylum (comprehensiveness, coherence, incontrovertibility etc.) are not applied in case of most vulnerable persons (unaccompanied underage persons as well as asylum seekers who have been subjected to torture, rape or other serious psychological, physical, or sexual violence) (Art. 77). Vulnerable persons and their</p>



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			<p>family members should be provided with accommodation that meets their special needs (Art. 79). Vulnerable persons may be detained only in exceptional cases (Art. 114), taking into account their best interests.</p> <p>Unaccompanied minors constitute a distinct subcategory (Art. 32) within the category of vulnerable persons, subject to additional procedures, including the appointment of a legal representative and the provision of certain rights regardless of the legality of their presence (free accommodation and living expenses, free education or professional training, basic healthcare, social services, and legal services).</p> <p>In addition to the Law on the Legal Status of Aliens, there are several ministerial orders that detail the procedures when dealing with vulnerable AIPs, the most important of which is Order No. 1V-131 of 24 February 2016 of the Minister of the Interior On the Approval of the Description of the Procedure for Granting and Withdrawing Asylum in the Republic of Lithuania.</p> <p>2. The initial assessment of vulnerabilities of those applying for international protection in Lithuania is performed by the officials of the institution that received the application – either the State Border Guard Service (SBGS) or the Migration Department. During the initial screening, a vulnerability form is filled out and transferred to the Migration Department, which designates special procedural guarantees. According to Art. 34 of Order No. 1V-131 of 24 February 2016 of the Minister of the Interior, at a later stage, the SBGS, the Center for the Registration of Foreigners or other competent organizations may perform, with the help of a social worker, a medical doctor, and a psychologist, a complex evaluation of vulnerabilities and special needs, including an evaluation of social skills, health condition and psychological state. The Migration Department will take into consideration the results of such complex evaluations in reviewing the asylum application and adjusting special procedural guarantees.</p> <p>According to Art. 15 of Order No. 1V-131 of 24 February 2016 of the Minister of the Interior On the Approval of the Description of the Procedure for Granting and Withdrawing Asylum in the Republic of Lithuania (Art. 15), all officials of the Migration Department involved in processing asylum applications must be familiar with the methodological and practical guidelines issued by the European Asylum Support Office (EASO) and the United Nations High Commissioner for Refugees (UNHCR) and must have undergone special trainings on the European standards and norms in the area of asylum. Officials directly involved in interviews must have undergone specialized trainings on the methods and best practices of interviewing, including the detection of vulnerabilities. According to Art. 16, officials who review applications by vulnerable persons and set special procedural guarantees must also have continuous training on issues related to the</p>
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			<p>needs of such asylum seekers. The trainings may include those organized by the EASO, the UNHCR, the International Migration Organization, the Lithuanian Red Cross Society, and other governmental and nongovernmental organizations. The officials of the Migration Department provide methodological support and trainings to the officials of the SBGS.</p> <p>3. Yes</p> <p>4. According to Art. 33 of Order No. 1V-131 of 24 February 2016 of the Minister of the Interior, an official of the Migration Department, having received the initial assessment of the vulnerability of an asylum seeker, determines the special procedural guarantees that apply to the asylum seeker and notes it in the asylum seeker's personal file. The special procedural guarantees may be adjusted by an authorized official of the Migration Department after conducting the interview with the asylum seeker and after receiving the complex evaluation of vulnerability that includes, inter alia, an assessment of social skills, health condition and psychological state of the asylum seeker.</p> <p>5. NA</p> <p>6. The impact of the detection of a vulnerability on the protection procedure depends to some extent on the type of vulnerability detected. The overall intent is to make sure that the procedure is conducted in the best interest of the vulnerable person.</p> <p>In addition to the special guarantees, vulnerable persons may not be detained, except in exceptional circumstances. Vulnerable persons may have more accommodation options available – they may stay outside the Center for the Registration of Foreigners. The Migration Department may decide to perform a medical examination of an applicant with a vulnerability to obtain information on physical injuries, and their origin, nature, and date.</p> <p>Procedures differ significantly in case of unaccompanied minors. Unaccompanied minors may not be refused entry into the country; initial procedures and decisions must be made faster; their asylum application is submitted by an authorized representative; the review of applications by unaccompanied minors is given priority; if these minors have adult relatives in Lithuania, they may be allowed to stay with them; the integration plan and the support under the plan may be extended until they reach the age of 18. Unaccompanied minors are entitled to enroll within general or professional education system within 3</p>
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			<p>months from the date of the asylum application. In case there are doubts regarding the age of an unaccompanied minor, they may be requested to undergo an age determination test in accordance with the procedure described in Order No. A1-538/1V-780/V-1067 of 18 September 2019 of the Minister of Social Security and Labor, the Minister of the Interior, and the Minister of Healthcare.</p> <p>7. Special procedural guarantees may include a combination of the following:</p> <ul style="list-style-type: none"><li>• To not review the application by accelerated procedure (Art. 76 § 7 of the Law on the Legal Status of Aliens);</li><li>• To exempt from provisions that would result in a refusal to accept the application for review (Art. 77 § 3);</li><li>• To provide accommodation that meets special needs (Art. 79 § 5);</li><li>• To permit the asylum seeker to reside with an adult relative or a representative who is a lawful resident of the Republic of Lithuania (Art. 79 § 5);</li><li>• To organize a medical examination of the asylum seeker (821 § 1);</li><li>• To prioritize the processing of the application;</li><li>• To request the State Border Guard Service or the Refugee Reception Center to perform a complex evaluation of the vulnerability of the asylum seeker who has been detained or accommodated in one of these centers;</li><li>• To postpone the interview with the asylum seeker until the results of the complex evaluation of vulnerability are received;</li><li>• To coordinate the time, place, and settings of the interview with the personnel providing social and/or psychological services at the SBGS or the Refugee Reception Center;</li><li>• To decide on a suitable setting for the interview that takes into consideration the special needs of the asylum seeker;</li><li>• To ensure that the interview is conducted by an official who has been specially trained for working with vulnerable persons;</li><li>• To ensure that the interview is conducted by an official and a translator of the same gender;</li><li>• To choose the appropriate method for conducting the interview with regard to the special needs of the asylum seeker</li><li>• To offer alternative ways for the asylum seeker to present evidence;</li></ul>
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			<ul style="list-style-type: none"> <li>• To ensure the presence of a psychologist during the interview with the asylum seeker;</li> <li>• To ensure the presence of a lawyer or an authorized representative during the interview and while performing other procedural actions that involve the participation of the asylum seeker;</li> <li>• To request the help of specialists (medical doctors, psychologists, social workers) to prepare the asylum seeker for the interview;</li> <li>• To request an expert consultation on issues related to medicine, culture, religion, age or gender;</li> <li>• To consider the vulnerability of the asylum seeker when evaluating the reliability of his/her statements.</li> </ul> <p>8. Officials of the Migration Department ensure that the procedural guarantees marked in the asylum seeker's personal file are implemented.</p>
	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<p>1. The legal framework for the evaluation of vulnerability is provided for by two laws: the Asylum Law and the Reception Law.</p> <p>According to article 19 (1) of the amended law of 18 December 2015 on international protection and temporary protection (Asylum Law), the evaluation of special procedural guarantees refers to international protection applicants because of their age, sex, sexual orientation or sexual identity, handicap, serious illness, mental disorders, or because they are victims of torture, rape or other serious forms of psychological, physical or sexual violence (i.e. genital mutilation). Unaccompanied minors will also have special procedural guarantees (article 20 of the Asylum Law).</p> <p>According to article 15 of the law of 18 December 2015 on the reception of applicants for international protection and temporary protection (Reception Law), vulnerable persons are defined as minors, unaccompanied minors, disabled persons, the elderly, pregnant women, single parents with minor children, victims of trafficking, persons with serious illness, persons with mental disorders, and victims of torture, rape and of other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation.</p>

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			<p>Article 16 (1) of the Asylum Law states that if the Minister in charge of Immigration deems it relevant to the assessment of international protection in section 37 of the Law, he takes the necessary measures to ensure that the applicant, with his/her consent, undergoes a physical examination in order to discover signs of persecution or serious harm which occurred in the past. The medical examination is carried out at the expense of the State by a physician designated by the Minister and the results are communicated to the Minister as soon as possible. For the identification and documentation of signs of torture or other serious physical or psychological abuse, including sexual abuse, the medical examination will take into account the "Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment " (Istanbul Protocol).</p> <p>Article 19 (1) of the Asylum Law requires that the Ministry in charge of Immigration conducts an assessment of the procedural requirements that may be necessary for some applicants, in particular because of their age, their gender, sexual orientation or gender identity, disability, serious illness, mental health, or consequences of torture, rape or other serious forms of psychological, physical or sexual abuse. This assessment has to be conducted within a reasonable period of time and before a first instance decision is taken. This evaluation can also be conducted by the Luxembourg National Reception Office (ONA) as part of the vulnerability detection in order to determine, if appropriate, his/her specific needs in terms of reception. The information gathered concerning special procedural safeguards shall be transmitted by ONA, with the agreement of the applicant, to the Minister.</p> <p>Once the Minister has determined the need for special procedural guarantees, the applicant is granted an appropriate support and enough time in order to prepare his/her application. If these guarantees cannot be implemented in the fast-track procedure, this type of procedure cannot be applied to the applicant (article 19 (3)). Once the applicant is identified as being in need of special procedural guarantees, s/he is granted adequate support and sufficient time in order to create the necessary conditions to file the elements to support his request.</p> <p>According to article 16 (1) of the Reception Law, the detection of vulnerable persons and the evaluation of their special reception needs take place within a reasonable time period and depending on the circumstances. The assessment takes place as of the first meeting with the social workers of the Luxembourg National Reception Office (ONA). But it is also done throughout the stages of the international</p>
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			<p>protection procedure, while the persons are living in the reception centers (article 16 (3)). This article also establishes that the detection can be made by the ONA or by other competent authorities. These authorities are:</p> <p>a) the Ministry in charge of Immigration: In accordance with article 16 (1) and 19 of Asylum Law, for the evaluation of the international protection application;</p> <p>b) the physician of the Directorate of Health appointed by the Ministry of Health (Sanitary Inspection) who carries out the medical examination of the applicants for international protection in accordance with article 4 (1) (2) of the Reception Law. This medical examination must take place within six weeks following the entry of the territory.</p> <p>Article 9 (1) of the Reception Law establishes that the material reception conditions are determined by the ONA taking into account the special needs of vulnerable persons. According to article 9 (2) the applicant informs ONA of his/her special needs or of one of the members of the household.</p> <p>Article 25 (1) establishes that the persons working with applicants for international protection shall be adequately trained according to the Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office. According to article 25(2) the staff dealing with unaccompanied minors shall receive appropriate training.</p> <p>Furthermore, in terms of special procedure guarantees, the Directorate of Immigration sees to it that:</p> <ul style="list-style-type: none"><li>• The interviews for vulnerable persons are adapted, i.e. several breaks will be allowed, the interview may be postponed to another time depending on the state of the person, or in some cases, it may be considered that the applicant submits his/her statement in writing. Adequate support is provided and these people can see their file prioritized.</li><li>• In the context of the Dublin procedure, vulnerable persons are not placed under house arrest in a semi-closed reception structure but can be accommodated in a regular reception center.</li></ul> <p>ONA and its partners are in charge of detecting vulnerable persons and identifying their needs upon arrival in the country as well as throughout the international protection procedure. There is no prioritization among vulnerable persons; each person being assessed on their individual specific needs upon arrival. ONA and its partners support those people who have been deemed vulnerable by offering them, as far as possible, accommodation adapted to their needs, as well as orientation towards the relevant specialized services.</p>
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			<p>Moreover, as part of the collaboration agreement between the Red Cross and ONA, an ethno-psychological team is responsible for identifying people with mental disorders and, if necessary, implementing an appropriate follow-up in close cooperation with mental health services.</p> <p>There are three accommodation centers with special provision for children that are younger than 16 years of age, managed by an NGO and 2 local associations. In addition, upon their arrival unaccompanied minors are received in two specialized reception centers under the responsibility of ONA: one with a special section for minors under the age of 16.5, managed by the Red Cross, and one with a special section for minors between the age of 16.5 and 18, managed by Caritas. Other reception centers have specific rooms for persons with reduced mobility.</p> <p>2. The detection of the vulnerabilities is carried out by the Minister in charge of immigration and asylum through the Directorate of Immigration, the physician of the Directorate of Health appointed by the Ministry of Health (Sanitary Inspection) and the staff of the ONA and its partners Caritas and Croix-Rouge. The immigration and reception authorities are responsible for assessing vulnerable persons in the international procedure. The staff includes amongst others social workers, an ethno-psychological team and health professionals as well as experts for people with special needs.</p> <p>YES.</p> <p>If yes, can you explain in which this training consists (i.e. Istanbul protocol, ...)?</p> <p>It is important to mention that in Luxembourg some of the staff members are specially trained to take charge of cases involving vulnerable persons, including unaccompanied minors. In fact, in accordance with article 3 (2) § 3 of the Asylum Law these agents must have the general knowledge of the issues that could affect the applicant's ability of being interviewed, in particular of elements relating to situations of torture. Furthermore, the agents treating the application of an unaccompanied minor must possess the necessary knowledge on the particular needs of children and have to adapt the interviews accordingly.</p> <p>The ONA staff and its partners receive appropriate training related to dealing with vulnerable persons with specific needs.</p> <p>The Refugee Service Staff of the Directorate of immigration has received, among other things, training in human trafficking, training in sexual violence, training in interviewing children and training specifically in</p>
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			<p>relation to vulnerable persons.</p> <p>A vulnerability project manager has been recruited to initiate a project to detect different vulnerabilities. From 2020, the vulnerability project manager is assigned to the "health unit" within the ONA, whose mission is to contribute to and promote better care and appropriate accommodation for vulnerable people and/or people in precarious health situations.</p> <p>An analysis of the screening methods used to identify existing or potential vulnerabilities among applicants for international protection has been carried out, in regular collaboration with field actors. The aim is to develop and implement a system for assessing specific needs, or even vulnerabilities, for professionals. A tool to detect vulnerabilities is currently finalised. It will be applied in a pilot phase. An evaluation will enable the tool to be adapted according to the needs identified.</p> <p>3. Yes</p> <p>4. During the international protection procedure, once the applicant is identified as being in need of special procedural guarantees, s/he is granted adequate support and sufficient time in order to create the necessary conditions to file the elements to support her/his request. The treatment of the application and the interviews will be conducted by staff duly trained to take charge of cases involving vulnerable persons. At the reception level, ONA and its partners support those people who have been deemed vulnerable by offering them, as far as possible, accommodation adapted to their needs, as well as orientation towards the relevant specialized services (see also answer to question 2). Moreover, as part of the collaboration agreement between the Red Cross and ONA, an ethno-psychological team is responsible for identifying people with mental disorders and, if necessary, implementing an appropriate follow-up in close cooperation with mental health services.</p> <p>5. N/A.</p> <p>6. Once the applicant is identified as being in need of special procedural guarantees, s/he is granted adequate support and sufficient time in order to create the necessary conditions to file the elements to support her/his application. The processing of the application as well as the interviews will be conducted by caseworkers duly trained in dealing with cases involving vulnerable persons.</p>
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			<p>7. S/he is granted adequate support and sufficient time in order to create the necessary conditions to file the elements to support his request. Furthermore, in terms of special procedure guarantees, the Directorate of Immigration sees to it that:</p> <ul style="list-style-type: none"> <li>- The interviews for vulnerable persons are adapted, i.e. several breaks will be allowed, the interview may be postponed to another time depending on the state of the person, or in some cases, it may be considered that the applicant submits his/her statement in writing. Adequate support is provided and these people can see their file prioritized.</li> <li>- In the context of the Dublin procedure, vulnerable persons are not placed under house arrest in a semi-closed reception structure but can be accommodated in a regular reception center.</li> <li>- If these guarantees cannot be implemented in the fast-track procedure, this type of procedure cannot be applied to the applicant (article 19 (3)).</li> </ul> <p>8. The Minister in charge of Immigration and Asylum.</p>
	<p>EMN NCP Malta</p>	<p>Yes</p>	<p>1. Article 3 of Subsidiary Legislation 420.07 on Procedural standards for granting and withdrawing international protection defines vulnerable persons as persons in need of special care, support or protection because of age, disability, or risk of abuse or neglect, including minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence.</p> <p>The International Protection Agency conducts a screening for possible vulnerability indicators at the time of lodging of the application. This is done in order to identify cases that might require special procedural guarantees. In this regard, it should be pointed out that this screening is done by non-medical practitioners and is based solely on readily apparent signs and the applicant's oral declarations, including any documentary evidence that he/she might have.</p> <p>2. The International Protection Agency conducts a screening for possible vulnerability indicators at the time of lodging of the application. This is done in order to identify cases that might require special procedural guarantees. In this regard, it should be pointed out that this screening is done by non-medical practitioners</p>

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			<p>and is based solely on readily apparent signs and the applicant's oral declarations, including any documentary evidence that he/she might have. Furthermore, no special training is currently given to the persons who carry out this screening.</p> <p>3. Yes</p> <p>4. Depending on the circumstances of the case, a referral is made by the International Protection Agency to the competent authorities (e.g. AWAS, The Agency for the Welfare of Asylum Seekers). AWAS's professionals are present at Boat disembarkations and persons are immediately screened for visible vulnerabilities. Subsequently AWAS has two professional teams working frontline with the asylum seekers, the Care Team, composed of social workers, helps in identification and administering the Vulnerable assessments, whilst the Psychosocial Service supports in identification of vulnerable and provides therapeutic services when needed. In addition AWAS has asked EASO support and the latter have deployed a team of 20 personnel who screen people for vulnerabilities on a day to day basis on a joint and revised Vulnerability assessment. All AWAS and EASO teams cross refer. AWAS works also very closely with IPA &amp; NGOs, and they help too in seeking out vulnerable and referring them to us. This system is very effective since it creates a web of support and identification.</p> <p>5. N/A</p> <p>6. Depending on the circumstances of the case, the International Protection Agency might decide to apply special procedural guarantees. These could include the fast-tracking of the application or the postponement of the interview to a date when the applicant is fit to be interviewed.</p> <p>7. Refer to answer provided for question 6.</p> <p>8. Refer to answer provided for question 6.</p>
	EMN NCP	Yes	<p>1. In the Aliens Decree it is stated that before or during the research on the asylum application, it is</p>

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	Netherlands		<p>assessed whether the migrant is in need of special procedural guarantees as is meant in Article 24 of the Procedure Directive. If the migrant needs special procedural guarantees, the appropriate support is offered during the research. In a work instruction for employees, the Immigration and Naturalization Service (IND) of the Netherlands has further clarified what appropriate means of support may entail in case of vulnerable migrants. There is no separate administrative procedure in order to detect vulnerabilities. This is a continuous consideration during the asylum procedure, since the need for procedural guarantees can emerge during different moments in the asylum procedure.</p> <p>2. Employees of the IND interviewing the asylum applicants and/or deciding on their applications can detect vulnerabilities during the asylum procedure. They can do so based on their own perceptions (e.g. during asylum interviews), based on signals from actors in the asylum procedure (Aliens police, COA, VWN, lawyers), based on a checklist in the work instruction for employees (question 1) or based on aspects addressed during the EASO training 'Interviewing Vulnerable Persons' (obligated for employees of the IND interviewing asylum applicants/deciding on their applications). One of the objectives of this EASO module is to provide participants with knowledge in symptoms and effects of posttraumatic stress syndromes and how to handle other vulnerable persons in need of particular care when being interviewed, like vulnerable females, persons with mental health issues etc. Cultural aspects are taken into consideration. Another objective is to provide skills to perform an interview with traumatized or other vulnerable persons in a professional, respectful and sympathetic manner. This module provides knowledge and skills at an advanced level in assessing the credibility of the asylum seeker whilst paying attention to their psychological and cultural background. Furthermore upon request of the IND, a medical advice is offered to the applicant during the rest and preparation period. Participation in the medical advice is voluntary. The applicants grants permission to participate in the medical advice in writing. The medical advice is part of the assessment to determine whether the applicant requires special procedural guarantees as referred to in Article 24 of Directive 2013/13 / EU.</p> <p>The IND determines how appropriate support is offered and how the conclusions from the medical advice are taken into account. Nevertheless, it is important that the assessment on whether vulnerabilities apply and special procedural guarantees are required, is not limited to the medical advice during the rest and preparation period before the start of the asylum procedure. Starting from the first application and during the whole asylum procedure, the employee needs to be alert on the fact that the need for procedural</p>
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			<p>guarantees might arise.</p> <p>3. No</p> <p>4. N/A</p> <p>5. The IND employee states in the explanatory notes from the interview(s) whether the applicant needs procedural safeguards. From the dossier of the applicant, e.g. in the report of a later interview, should follow whether the procedural safeguards have been met.</p> <p>6. There is no separate procedure and since detection of vulnerabilities is part of the international protection procedure, there is little extra impact. Depending on the type of vulnerability, one of the outcomes may be that the international protection procedure takes somewhat longer (e.g. when the start of the asylum procedure is postponed).</p> <p>7. In practice certain procedural guarantees are embedded in the asylum procedure. For example: hearing the unaccompanied minor by special employees, and certain working arrangements for victims of human trafficking are in place. In practice the suited support varies per case: taking extra breaks during the interview, providing additional explanation, allowing the migrant to stand up and walk through the room during the interview in case of back injuries, guide the visually impaired migrant from the waiting room towards the hearing room, 'hearing on location' instead of the application center, and not arguing contradictions on detail level when it concerns a confused person. Incidentally, it can be decided that the detailed interview of the migrant does not take place during the asylum procedure or that the start of the asylum procedure is postponed. Another form of suitable support can be that the migrant is 'heard' in writing. During the COVID-19 pandemic, the IND has largely begun using remote interviews. Generally, remote interviews are not held when vulnerabilities apply.</p> <p>8. The IND should report clearly on the special guarantees that have been offered to the individual. In case of an appeal against the rejection of an asylum application the asylum applicant alleges that he/she did not receive fitting support, the IND should motivate why this support has not been offered or why the given support has been thought of as fitting.</p>
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	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. The situation has not changed - Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland.</p> <p>2. The detection is done by Border Guard Officers, physicians, psychologists, and workers of the Office for Foreigners.</p> <p><u>Border Guard Officers, physicians:</u> In general, there is a specific mechanism to identify those who need specific procedural guarantees or targeted social assistance because of their vulnerability. The first exam takes place at the time of receiving the application for international protection. Part III of the application includes information concerning health conditions and violence suffered by the applicant and the persons on behalf of whom the applicant is acting. The preliminary identification mechanism is in place when registering the application. The border guard officers registering the application assess whether a foreigner may be a victim of trafficking in human beings or a person subjected to torture (both using special algorithms introduced for Border Guards on how to detect such vulnerabilities and on how to handle these special categories of foreigners). Border Guard provides medical examination done by a physician to all applicants applying. Victims of human trafficking go through a separate identification procedure carried out by the Border Guard. In cases of applicants identified as such, the Office for Foreigners is obliged to inform the applicant about his/her rights and as well as, upon the applicant's consent, to inform the law enforcement agencies (in practice, the border guard) and the National Consultation and Intervention Centre for victims of human trafficking.</p> <p>If there are any doubts about minor's age, they may, upon their consent or the consent of a statutory representative, be subject to medical examinations to determine their age (the most common methods are: X-ray of a wrist, teeth examination). If consent is not given, and as a consequence, the examination cannot be conducted, the applicant is considered an adult. In case it is not possible to determine based on the medical examination whether the UAM is an adult, he/she would be considered a minor.</p> <p><u>Caseworkers from Office for Foreigners, psychologists:</u> Part III of the application includes information concerning health conditions and violence suffered by the applicant and the persons on behalf of whom the applicant is acting. Based on this information caseworkers may decide whether the applicant needs special procedural guarantees. If he has suspected that an applicant belongs to a vulnerable group but wants to confirm it, The Office for Foreigners has a procedure of</p>
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			<p>identification in terms of belonging to vulnerable groups, according to which applications can be directed for psychological identification. In addition, foreigners may also book a visit with a psychologist, who, if needed, may recommend conducting their procedure in a special mode. Persons, who require it, shall have a psychologist present during the interview. If necessary, the Office for Foreigners shall finance psychiatric care.</p> <p>Caseworkers undergo training on interviewing children techniques, interviewing vulnerable people techniques, vulnerability identification, LGBTQ – sexual orientation, and gender identification.</p> <p>3. Yes</p> <p>4. Yes, there are in place "Border Guard rules of procedures for foreigners requiring special treatment" which are applied to all apprehended migrants, both in asylum and in return procedures. Besides, there is a separate algorithm relating to victims of trafficking in human beings.</p> <p>In 2015, the "Border Guard rules of procedures for foreigners requiring special treatment" were developed and implemented in all guarded centers. They established the category of vulnerable persons which includes: minors, unaccompanied minors, disabled persons, elderly persons (i.e. over 65), pregnant women, single parents with minor children, victims of torture, rape, or other serious forms of physical, psychological, or sexual violence, as well as victims of sexual violence in armed conflicts, victims or witnesses of human trafficking and persons requiring support due to their health or special personal situation.</p> <p>This algorithm establishes clear rules for implementing appropriate help, including psychological and psychiatric help. It also describes signals that should, after verification, lead to the release of the foreigner from the detention center. Moreover, the document establishes the role of so-called "return assistants" and "social assistants" working in detention centers, whose task is to maintain the best possible contact with the foreigners, both to provide them with up-to-date information on their procedures and to monitor their behavior and moods.</p> <p>In 2017, this algorithm has been supplemented by so-called "observation sheets", in which the staff of the guarded center, including medical staff, can put their comments and observations about the foreigner concerned.</p> <p>"Border Guard rules of procedures for foreigners requiring special treatment " were updated in 2019.</p>
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			<p>5.</p> <p>6.</p> <p>7. In case the applicant needs special procedural guaranties as he/she is vulnerable, further proceedings in his/her case shall be conducted:</p> <ol style="list-style-type: none"> <li>1) in conditions assuring freedom of speech, in a particularly tactful manner, adjusted to the applicant's psychophysical state;</li> <li>2) on a date adjusted to his/her mental and physical status, taking into consideration the dates of medical treatments undergone by such foreigner;</li> <li>3) in a presence of a psychologist or MD and – if need – of an interpreter of the sex indicated by the applicant.</li> </ol> <p>In special situations (e.g. serious illness), applicants' interviews shall be held in the place of his/her residence. In asylum procedure, UAM always has a guardian and is interviewed by specially trained staff, in the presence of a guardian, a psychologist, and upon their wish, in presence of a person of trust. They are interviewed in the care center where they are accommodated, instead of coming for an interview to the Office for Foreigners in Warsaw.</p> <p>If during the procedure Office for Foreigners identifies that an applicant who is detained has been subjected to torture or other serious forms of psychological, physical, sexual, or gender-based violence, the Office informs about that a Border Guard and releases an applicant from the detention center</p> <p>8. The Office for Foreigners</p>
	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<ol style="list-style-type: none"> <li>1. No changes since the response to the AHQ 2019:70.</li> <li>2. Vulnerability can be detected during the whole asylum procedure. Responsibility is shared among: registration officers, medical staff, reception workers, social workers (who also regularly exchange necessary information with the psychologists and cultural mediators from NGO working in the facility) and can be detected by a case worker as well.</li> </ol>

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			<p>3. Yes Many services are available in-house (doctor/nurse, psychologist, social worker, etc.) or we refer the applicant to the e.g. medical specialist/psychiatrist when necessary.</p> <p>4. As written in the response to the AHQ 2019.70, social workers of the reception center record relevant information in the "Social profile of the applicant" – that is then shared with the social workers of the accommodation centers. Responsible individuals have passed at least respective EASO training modules and some of them the national training related to THB.</p> <p>5. NA.</p> <p>6. The determination of the applicant's vulnerability does not have a direct impact on the asylum procedure. However, if during the procedure it turns out that the applicant belongs to a vulnerable group, such applicant is subject to special procedural guarantees (see point 2).</p> <p>7. The Slovak Republic guarantees special guarantees to vulnerable persons in the asylum procedure in accordance with the valid EU legislation.</p> <p><u>UNAMs:</u> In the case of an unaccompanied minor, a guardian is assigned to him by the court without delay. In the case of the Slovak Republic, it is the Office of Labor, Social Affairs and the Family, which entrusts its employee to perform the function of a guardian. He/she represents the minor in all asylum proceedings and defends the best interests of the minor. The minor is then placed in the Center for Children and Families, where only minor applicants are present, and is provided with food, shelter, services of a psychologist, a doctor and a social worker, and free education. The age of the minor is taken into account throughout the asylum procedure, so cases of minor applicants are dealt with by those decision-makers who are trained to work with vulnerable persons and unaccompanied minor applicants. Unaccompanied minor applicants are not deported and have the opportunity to remain in the Center for Children and Families until the age of 18, where they are provided with accommodation and granted a tolerated stay permit. Under the Act no. 305/2005 on the Social and Legal Protection of Children and the Social Guardianship, minors who have been granted some form of international protection (asylum, subsidiary protection) will be allowed to remain in</p>
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			<p>the facility for UNAMs until the age of 25, if necessary.</p> <p><u>Victims of trafficking in human beings:</u> Such persons may, with their consent, be included in the Program for the Support and Protection of Victims of Trafficking in Human Beings. They also have access to legal aid, health care, the support of a social worker and a psychologist. They are accommodated in rooms separately.</p> <p><u>Other vulnerable groups:</u> Women and families are placed in a camp for vulnerable asylum applicants in Opatovská Nová Ves (south Slovakia). Except the accommodation and food, they have access to free legal aid, health care, services of a social worker, psychologist and cultural mediators.</p> <p><u>General guarantees:</u> upon the request of the applicant, an interpreter of the same sex may be used for interpretation, if available. The same goes for the interview – the case worker can be also of the same sex as an applicant.</p> <p>8. Adherence to the Procedural Guarantees is stipulated by the Asylum Act, or other relevant legislation of the Slovak Republic.</p> <p>In the case of unaccompanied minors, it is the guardian who oversees compliance with these special guarantees. In the case of other vulnerable persons, the Ministry of Interior oversees compliance with the special guarantees, or legal representatives of the applicants.</p>
	<p>EMN NCP Slovenia</p>	<p>Yes</p>	<p>1. Detection of the vulnerabilities of applicants for international protection are routinely assessed and determined as part of a sanitary-disinfection and preventive medical examination within the preliminary procedure, however vulnerabilities of the applicants can also be determined at any point in the international protection procedure according to article 13 of International Protection Act (referred as IPA). Preliminary procedure is further defined in article 42 of IPA.</p> <p>2. The Police (Ministry of the Interior). Police officers (basic level) assess vulnerable persons, when individuals make notification that they want to apply for international protection. Police officers are trained in the scope</p>


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			<p>of their work duties.</p> <p>For the first notification, assessment or recognition of vulnerability is provided by officials at the Ministry of the Interior, Migration Directorate, that are in charge of lodging, personal interviews, vulnerability assessment and/or restrictions of movement are responsible (officials have a minimum 1st Bologna Degree).</p> <p>In the reception context medical staff, public officials or other persons (NGOs) who have contact with the applicants (for example statutory representatives for unaccompanied minors) are responsible for assessing vulnerable persons. This also includes all the signatories to Standard operation procedures for Sexual and gender-based violence (SOPS SGBV) (NGOs, government and inter-government organizations).</p> <p>Different methods for determining the vulnerability are used. Above all, through psycho-social care or through multidisciplinary teams.</p> <p>Social workers can also use EASO Tool for Identification of Persons with Special Needs (IPSN) as a guideline. Special trainings aren't set as a condition, however according to article 8 of IPA, officials receive regular trainings, which include processing of vulnerable groups. Officials also regularly monitor EASO guidelines.</p> <p>3. Yes</p> <p>4. In the procedures pursuant to the IPA, vulnerable groups or vulnerable persons with special needs shall be provided with special care and treatment. According to Article 14 of IPA, applicants in need of special guarantees in the procedure shall be provided with adequate support, so that they may enjoy the rights and fulfil the obligations concerning the international protection procedure stipulated by IPA.</p> <p>Ministry of the Interior adapts interpretation in the international protection procedure and enables additional help from a professional to the applicant who needs special guarantees in the procedure, according to the assessment of the nature of the special needs of the applicant, in order for him or her to be able to participate in the procedure. If for example the applicant is deaf, Ministry of the Interior provides him or her interpreter of sign language. If the applicant cannot communicate by speech, or with sign language, the Ministry shall enable communication in another way.</p> <p>Moreover, unaccompanied minors are appointed a statutory representative upon making an application. Also, best interests of a child shall always be considered when dealing with a minor.</p> <p>5. N/A</p>
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			<p>6. See answer to question 4.</p> <p>7. Paragraph one of article 13 of IPA states that as part of the examination referred to in paragraph four of Article 42 of this Act, it shall be assessed whether a given applicant is an applicant with special reception needs or an applicant in need of special procedural guarantees; the nature of these needs shall also be assessed.</p> <p>Paragraph 12 of article 14 further states that applicants in need of special guarantees in the procedure shall be provided with appropriate support in order to allow them to enjoy rights and comply with the obligations in the procedure for international protection stipulated by IPA.</p> <ul style="list-style-type: none"> <li>- Special care when conducting personal interview (article 37 of IPA),</li> <li>- preferential examination of applications (article 48 of IPA),</li> <li>- special care when restricting movement (paragraph 8 of article 84 of IPA).</li> </ul> <p>8. Respect of special guarantees is in domain of all officials and other employees who are in contact with vulnerable person. Monitoring is conducted by superiors.</p>
	<p>EMN NCP Spain</p>	<p>Yes</p>	<p>1. The framework is established in several laws, mainly the Ley Orgánica de Protección Jurídica del Menor (Organic law on Legal Protection of Children), the Ley reguladora del derecho de asilo y de la protección subsidiaria (asylum and Refugee Law) and the Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección. Integral contra la Violencia de Género (Law on Protection against gender violence). Besides that, every Autonomous community has specific legislation on this matter, as some of the competencies are transferred to those administrations.</p> <p>2. Yes. Asylum agents in charge of applications are always in charge of specific needs. Every agent has access to specific training through EASO and the Ministry training programs.</p> <p>3. Yes</p> <p>4. The person in charge is always the asylum agent. The procedure consists of: contact with specialized</p>

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			<p>entities (gender, children and sexual orientation, mainly); procedural guaranties in interviews (specific support, gender of the interviewer). Besides that, the COI pays specific attention to vulnerable groups, so their specific risks can be recognized as IP.</p> <p>5.</p> <p>6. The impact lies in the implementation of the specific procedures and, mainly, in the recognition of the specific prosecution risks as a motivation for IP.</p> <p>7. See above</p> <p>8. See above</p>
	<p>EMN NCP Sweden</p>	<p>Yes</p>	<p>1. No change. Please see the previous adq. A lot of effort is put into informing the applicant.</p> <p>2. The case officer. All employees are subject to education on these matters. All training is aiming at increased capacity for the official to identify vulnerable groups and ensure that the persons get support through the support structures present in the society.</p> <p>3. Yes</p> <p>4. Yes – both internally and externally. if applicable it is reported to the responsible authorities.</p> <p>5. Not applicable</p> <p>6. This will be taken into consideration in the individual cases on a case-by-case basis.</p> <p>7.</p>

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