QUESTIONNAIRE ON PROTECTION PROCEDURES

This questionnaire will serve to gather information related to the referral mechanism in accordance with Article 16.3 j) and m) of the 2016/1624 Regulation. To this end, we kindly request Host Member States to provide a detailed description of procedures that aim to guarantee the fundamental rights of persons in need of international protection as well as persons in a vulnerable situation, information on the referral mechanism available and the institutions involved in the areas where the Agency is operating and on a complaint mechanism.

Annex to the OPLAN envisaged in the future on: ‘Legislative framework and procedural safeguards in host MS’

Please inform the Agency about the national procedures and indicate if there are any changes from the previous year. In case there have been no changes since December 2017, please indicate it under each question.

Please make sure that your country’s referral mechanism is explained during the national pre-deployment briefing(s).

Member State: ........................
National Authority: ........................

1. Identification and referral for persons in need of international protection

   a) Is there a border procedure foreseen in the Member State’s national legislation? How is it applied in practice?
   b) Brief description of step-by-step procedure for referral mechanism of persons in need of international protection. What are the institutions involved in this process in the Agency’s operational areas? Please provide their contact details.
   c) Do border authorities provide information how and where to lodge applications for international protection? Explain the role and content of this information provision.
   d) Does Member State register and report the number of persons referred by border authorities to the responsible asylum authorities? If yes, where do you register them and whom do you report to?
      - Do you collect data on persons in need of international protection or those wishing to apply for asylum that border authorities refer to the competent authorities for appropriate assistance in Frontex operational areas?
      - If yes, do you disaggregate data with regards to nationality, age and gender?
      - Can you provide data for the reporting period (December 2017-December 2018)?

2. Referral mechanism for vulnerable persons

   a) Unaccompanied, separated children or other accompanied minors
      - Brief description of step-by-step of the referral mechanism for unaccompanied, separated children or other accompanied children and the referral mechanism available in

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3 According to the UNHCR separated children are those separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members. Unaccompanied children (also called unaccompanied minors) are children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so. https://www.unhcr.org/protectio/children/409831772/inter-agency-guiding-principles-unaccompanied-separat childen.html
operational areas. What are the institutions involved in this process in the Agency’s operational areas? Please provide the institutional name and contact details.

- Do you collect data on children referred by border authorities to the competent authorities for appropriate assistance in the Agency’s operational areas?
- If yes, do you disaggregate data by nationality, gender and age of children, and whether they are accompanied or not?
- Can you provide data for the reporting period (December 2017-December 2018)?

b) Victims of trafficking in human beings

- Description on how identification of potential victims of trafficking in human beings is regulated in national procedures.
- Brief description of step-by-step procedure for detection, identification and referral of victims of trafficking in human beings. Are the victims of gender based persecution or sexual violence included in this mechanism? What is the name and role of institutions involved in the referral of victims of trafficking in human beings, in the Agency’s operational areas?
- Is there a differentiated procedure for children? How does it operate?
- Do you collect data on victims of trafficking referred to the competent authorities, in the Agency’s operational areas? If yes, do you disaggregate data by nationality, age and gender? Can you provide data for the reporting period (December 2017 - December 2018)?

c) Other vulnerable groups:

- Which vulnerable groups are considered in national legislation? Please provide a list, for example, pregnant women, persons in need of medical assistance, single parents with small children, elderly or disabled persons, including mentally ill, or other categories of vulnerable persons in accordance to your national law.
- Brief description of step-by-step procedure for identification and referral of each of the vulnerable groups, when they have different procedures. What are the name and role of institutions involved in protection of these groups?
- Do you collect data on other vulnerable persons referred to the competent authorities under any of these categories? If yes, do you disaggregate data by nationality, age and gender? Can you provide data for the reporting period (December 2017 - December 2018)?

d) Stateless persons

- What is the national legal framework for identification and registration of stateless persons? Is there any national procedure designated for stateless persons?
- Do you collect data on persons identified as stateless in the Agency’s operational areas? If yes, do you disaggregate data by nationality, age and gender? Can you provide data for the reporting period (December 2017 - December 2018)?

3. Complaints mechanism for alleged violations of fundamental rights against any person participating in the operational activity

a) What are internal bodies dealing with violations of fundamental rights by law enforcement authorities? (i.e. independent police board, internal affairs, ministerial or other inspectorate, complaints unit, locally and/or centrally based). Briefly explain the procedure of application and refer to the publicly available information on bodies dealing with complaints.

b) Do you have cooperation with any external institutions dealing with violations of fundamental rights in the MS (ombudsperson, human rights institutions, etc.) either locally or centrally? Can you briefly explain the scope of this cooperation?

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4 Individuals who are not considered citizens or nationals of any country.