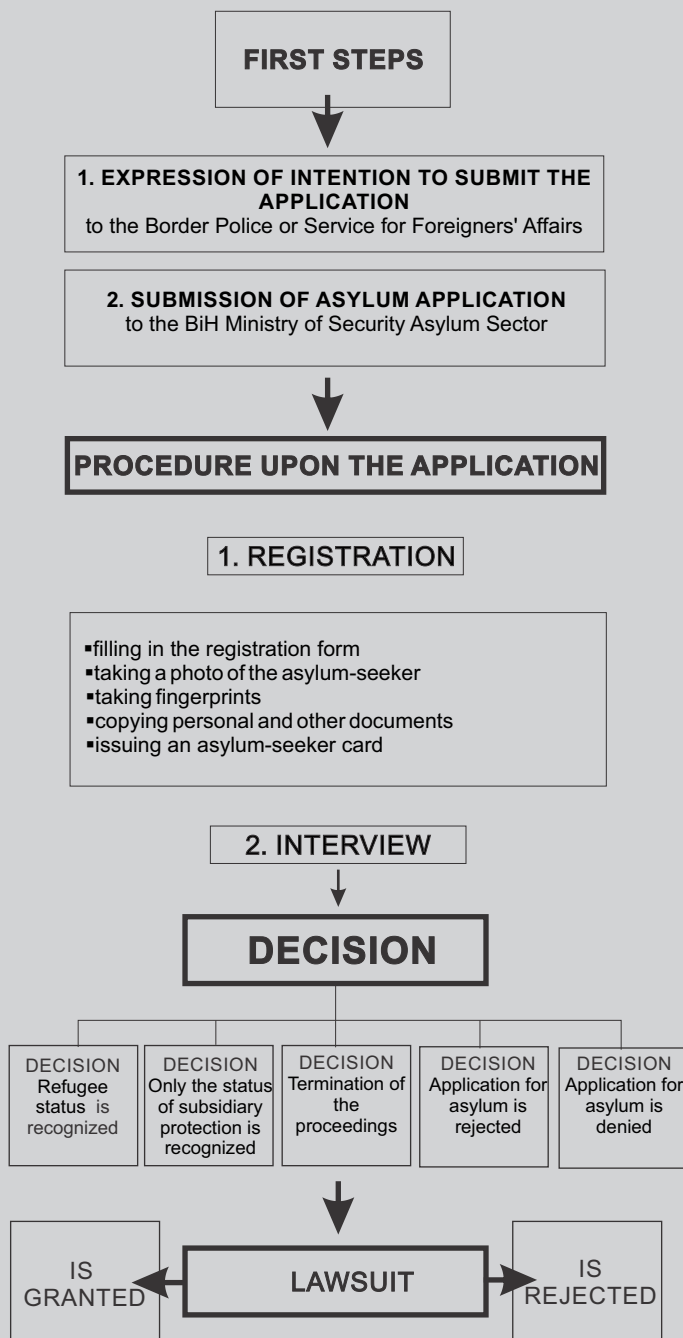


The schematic overview of the asylum procedure in BiH



Vaša Prava BiH- What is it?

The Association of Vaša Prava of Bosnia and Herzegovina is an NGO that provides free legal aid to asylum-seekers in Bosnia and Herzegovina.

Under the *Co-operation Protocol with the Ministry of Security of Bosnia and Herzegovina*, the Association Vaša Prava of Bosnia and Herzegovina provides free legal aid and information to refugees, asylum-seekers, victims of trafficking and other categories under international protection.

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ASYLUM IN BOSNIA AND HERZEGOVINA



YOU HAVE THE RIGHT TO REQUEST LEGAL AID FOR THE ASYLUM PROCEDURE.

**LEGAL AID WILL ONLY BE PROVIDED
IF YOU REQUEST IT!**

What is asylum and who can submit an application for asylum?

ASYLUM includes refugee status and subsidiary protection status.

ALIEN is any person who does not have BiH nationality.

ASYLUM SEEKER is someone whose request for sanctuary has yet to be processed.

REFUGEE STATUS is a form of protection that may be granted to alien who meet the definition of refugee. Refugee is an alien who, owing to his/her well founded fear of prosecution due to his /her race, religion, nationality, membership in a particular social group, or political opinion, is outside the country of his/her nationality or habitual residence, and who is unable, or due to such fear unwilling to avail himself/herself of the protection of that country, as well as stateless person who is outside the country of his former habitual residence and is unable or, owing to such fear, is unwilling to return to it.

ALIEN UNDER SUBSIDIARY PROTECTION is an alien who does not qualify for refugee status but in respect of whom there are serious ground for believing that if returned to the country of origin or country of habitual residence, he/she would face a real risk of serious violations of human rights and freedoms.

During the asylum procedure, Vaša Prava BiH will help you to:

- Express your intention for asylum;
- Submit the application for asylum;
- Go through the registration process;
- Go through interview;
- Exercise your rights;
- Draft submissions and lawsuits.

What are the first steps you must make?

1. The intention to submit an application for asylum must be expressed to the border police or service for foreigners' affairs.

2. Then, you have to submit application for asylum within deadline which cannot be longer than 8 days. Application for asylum must be submitted before registration process, at the time and place specified in the invitation for registration delivered by the Ministry of Security of BiH.

What else happens in the asylum application procedure what are your rights?

How the further asylum application procedure continues and what kind of rights you are entitled for?

During the asylum application procedure in BiH you are entitled to:

- An interpreter;
- Legal counsel/representative from Association "Vaša Prava BiH";

Ask for the presence and assistance of a lawyer from the Association "Vaša Prava BiH" right away when you meet with the competent authority to submit your asylum application. A lawyer can help guarantee that all your rights are protected during application process and can answer your questions.

- Interviewer and interpreter of the same gender as you;
- An adequate legal remedy;
- Contact with UNHCR;
- Accommodation in asylum center.

The Ministry of Security's Sector for Asylum is responsible for registering the asylum-seeker and issuing an asylum-seeker card.

The registration procedure includes:

- a) filling in the registration form;
- b) having your fingerprints taken as well as signature;
- c) having your photo taken;
- d) copying of your personal documents and other documents.

After registration, the Ministry of Security's Sector for Asylum will schedule and conduct an interview.

The INTERVIEW is very detailed conversation conducted by an official of the Ministry of Security's Sector for Asylum and is the most important step during the review of your application for asylum. The interview gives you the opportunity to express your reasons for submitting the application for asylum. If required, more detailed interviews can be conducted in order to establish the facts fully and properly. Please indicate whatever is important for your application, including such important issues as why you left your country, who persecuted you, why they persecuted you and why you are afraid of returning to your country of origin.

You will be notified of the scheduled date and time of the interview by written summons.

REQUEST the presence of a lawyer from the Association "Vaša Prava BiH" and representative of UNHCR at the interview.

It is your obligation to respond to summons at the scheduled time and place or, where this is not possible you must notify the Ministry of Security's Sector for Asylum of the reasons why you are unable to attend interview. If you change your address, you have to inform competent unit of the Service or police department within three days of the change of the address.

An asylum-seeker card will be issued to each applicant. The card is considered a residence permit pending the completion of your asylum application and exercising rights in accordance with Article 76 of the Law on Asylum. The card is valid for three months and may be extended.

What decision may be taken by the Sector for Asylum?

The Ministry of Security's Sector for Asylum will examine each application individually and will take one of the following decisions:

1. Approve the application for asylum and recognize refugee status
2. Approve the application for asylum and recognize status of subsidiary protection:

An alien who has his/her status of subsidiary protection recognized in BiH is entitled to stay in BiH for one year with possibility of extension as long as conditions for subsidiary protection exists. The status of subsidiary protection can be extended for two years.

3. Terminate the application for asylum
4. Terminate asylum procedure and set up a deadline to leave BiH

Reasons for terminating the procedure may be as follows:

- If it is determined, during the procedure, that the applicant is a BiH national;
- If asylum seeker does not cooperate with the Ministry;
- If the asylum seeker leaves or attempts to leave BiH during the duration of procedure;

- If the asylum seeker fails to respond to the summons for the interview and does not provide explanation;
- If the asylum seeker does not stay at the last reported address and has failed to inform the competent authority of his/her change of address within 3 days;

5. Reject the application for asylum if his/her claim is unfounded and set a deadline to leave BiH.

If the asylum seeker disagrees with the decision, he may submit lawsuit to the BiH Court seeking cancellation of the negative decision, which must be filed within 15 days or within 8 days in case of urgent procedures;

The applicant shall enjoy the status of applicant for asylum until the BiH Court makes a decision on his/her lawsuit.

Lawyers of Association Vaša Prava BiH will draft a lawsuit for you and deliver it to the Court of Bosnia and Herzegovina.

What are the rights and obligations of asylum seekers?

An asylum seeker is entitled to legal stay in Bosnia and Herzegovina pending a final decision upon his/her lawsuit.

Lawyers of Vaša Prava BiH will inform you of your rights and obligations.

RIGHTS TO:

- Stay in BiH;
- Informing in accordance with Article 15 of this Law;
- Accommodation in the asylum center;
- Primary health care;
- Primary and secondary education;
- Employment;
- Free legal aid;
- The monitoring of the proceedings in a language they understand;
- Psycho social assistance.

YOUR OBLIGATIONS:

- To respect constitutional order of BiH, laws and other regulations and decisions made by competent authorities in BiH;
- To co-operate with competent authorities in order to determine identity;
- To co-operate with the competent authorities during the whole procedure;
- To submit the documents on your disposal which are required for reconsidering of application;
- To submit an application for extension of asylum;
- To report lost of card;
- To register your residence and every change of your address.
- To respects the house rules in the asylum center.

VAŠA PRAVA BIH SHALL RESPECT THE PRIVACY AND CONFIDENTIALITY OF EACH BENEFICIARY.

IT IS IMPORTANT TO KNOW
THE PUBLIC IS EXCLUDED FROM ASYLUM PROCEEDINGS
AND ALL INFORMATION RELATING TO THE PROCEEDINGS IS
CONSIDERED CONFIDENTIAL.



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