



## Important information

Throughout the procedure, you have the right to have a lawyer with you, who can be with you already at the first interview. If you want a lawyer, ask for one.

You have the right to ask for **an audio recording of the interview** at the start of the interview and the Ministry official is obliged to make one.

**You have the right to an interpreter from a language in which you are able to communicate.** An interpreter can also be provided remotely by video call.

If you get the impression that you do not understand **the interpreter or that the interpreter is not translating correctly**, is presenting his or her own opinions or is intimidating or challenging you, **don't be afraid to tell the Ministry officials immediately.** If the situation persists, insist that the interview be terminated and repeated with a different interpreter.

If you don't understand something, **feel free to request clarification or ask for further explanation or repetition.**

**Don't let yourself be forced into making any statement that is not true or does not correspond to the reality of your situation.**

**Never sign anything you don't understand** - especially the interview protocol, which you should request to be read aloud line by line by the interpreter before you sign it, as this is your right. In case you do not agree with something that is written in the protocol, it is very important to immediately tell the officer conducting the interview and request a change.

After signing, you have the right to **take photos of each page of the protocol with your mobile phone.**

Throughout the procedure, you **may ask to see any files relating to your case. You may also add further proof into the files** and request another interview.

You have the option to request a medical examination to look for signs of persecution or serious harm and to have this report added to the file.

You don't have to be afraid to give complete and truthful information about your situation, the authorities in your **country of origin will never learn you have applied for international protection in the Czech Republic.**



## Do you need legal assistance?

**We strongly advise you to seek legal assistance as soon as possible! We also recommend that your lawyer is present at the interview, because it is an important part of the procedure.**

**Throughout the procedure for granting international protection, you have the right to legal representation**, although it is not mandatory. If you do not have the financial means to secure a paid lawyer, **you always have the right to free legal counsel through nonprofit organizations providing free legal services to asylum seekers.**

Free legal counseling and representation is provided to asylum seekers at the Prague Airport by the **Association for Integration and Migration (Sdružení pro integraci a migraci, or SIMI for short).** SIMI is a non-governmental organization providing free legal, social, and psychosocial counseling for foreigners in the Czech Republic, including people who are applying for international protection in the Czech Republic.



## Contact us

If you need help, you can contact SIMI via e-mail: [poradna@migrace.com](mailto:poradna@migrace.com)  
phone: +420 224 224 379.  
or website: [www.migrace.com](http://www.migrace.com)



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## Information leaflet for applicants for international protection at Václav Havel Airport Prague



## Do you need to apply for international protection in the Czech Republic?

If you are persecuted in your country of origin, upon arriving in the Czech Republic, you can apply for international protection, which may be granted in the form of **asylum** or **subsidiary protection.**



## Asylum

Asylum will be granted to a person who **establishes that he or she has been persecuted for exercising political rights and freedoms** or a person who has a **well-founded fear of being persecuted for reasons of race, sex, religion, nationality, membership of a particular social group or political opinion** in the country of his or her nationality or, in the case of a person who has no nationality, in the country of his or her former habitual residence.

Another ground for granting asylum is **family reunification with a family member** (for example: husband/wife, registered partner, or child) who **has already been granted asylum in the Czech Republic**.

Asylum may also be granted on so-called **humanitarian grounds**. There is **no legal entitlement** to humanitarian asylum. It is at the discretion of the Ministry of Interior whether to grant it or not.



## Subsidiary protection

**Subsidiary protection** will be granted to an applicant who does not meet the requirements for asylum but who proves that, **if returned** to his or her country of origin, he or she **would face the death penalty or execution, torture or inhuman or degrading treatment or punishment, or would face a serious threat to his/her life or human dignity if returned to his/her country because of arbitrary violence in situations of international or internal armed conflict**.

It is also possible to apply on the grounds of **family reunification with a family member** who has been granted subsidiary protection in the Czech Republic.

Subsidiary protection is **granted for a fixed period of time, for at least 1 year**, after which it is always reviewed whether the grounds for the protection are still valid and whether it needs to be extended.

**Adverse economic conditions or unemployment are not reasons for granting international protection in the Czech Republic!**

## Procedure for granting international protection

The procedure for granting international protection starts when you submit your application to the police or Ministry of the Interior officials. **You can do this immediately at the airport as soon as you arrive in the Czech Republic by telling the police or Reception Centre staff that you want to apply for international protection in the Czech Republic** - for example, you clearly explain that you wish to apply for asylum in the Czech Republic since that you are in danger of serious harm or persecuted in your country of origin.

In case you have been detained and **are currently in a detention facility for foreigners**, you have the possibility to submit an application for international protection **only within 7 days from the day you were informed by the police about the possibility to apply for international protection in the Czech Republic** and the consequences of the expiry of this deadline. **You must be informed in a language you understand! Never sign anything you do not understand.**

At the Reception Center, your identity will be verified, you will undergo a medical examination and you will be interviewed twice. The first interview is to provide information about your application and is very general. **The second interview is one of the most important parts of the whole procedure, and you must give all the reasons that led you to leave your country.** During the interview you will be asked detailed questions about your situation. **Do not tell stories you have heard from other people that are not based on your personal experience.** If you have any documents or other proof that can support your claims, submit them to the Ministry officials. There is always a written protocol of the interview which you will sign at the end.

### Were you not allowed to enter the Czech Republic during the international protection procedure and are you being held in a Reception Centre?

The Ministry can issue a denial of entry **within 5 working days from the day when you applied** for international protection, for example due to forged documents, etc. **You can file a lawsuit in court against the denial of entry within 15 days** (the sooner the better). After 15 days from the day when the denial of entry takes legal effect, you can apply to be allowed to enter

the territory. **It is always better if you consult these situations with a lawyer! The maximum period for stay at the Reception Center at the airport is 180 days.**

If your application for international protection is not decided **within 4 weeks, you should be allowed to enter the territory.** If the international protection procedure takes longer than 4 weeks, you can apply to the Ministry of Interior to grant you permission to stay at a private address at your own expense or to be transferred to a residential centre, where you may stay until the ministry decides on your asylum application. You may leave the residential centre at certain times, but there are still a number of rules to follow. The Ministry should decide on your application for international protection **within 6 months.**

### Were you issued a decision on administrative expulsion at the Prague Airport?

**You can appeal this decision within 10 days** of receiving it. If your appeal is rejected, **you can also file a lawsuit in court within 10 days. Always consult this situation with a lawyer!**

### Was your application for international protection denied?

If you are still in detention or in the Reception Centre at the airport, you have the right to **file a lawsuit in a regional court within 15 days** of receiving the negative decision. If you have been granted entry, the time limit for filing a lawsuit against a negative decision is **1 month**. The legal proceedings do not always have a suspensive effect. In practice, suspensive effect means that you do not have to leave the country until the court decides. **In some cases, you need to apply for suspensive effect, but it needs to be done at the same time as you are filing a lawsuit.**

If the court accepts your claims, it will annul the negative decision and send the case back to the ministry for re-examination. This does not automatically mean that you will be granted international protection. It only means that the ministry will review your application again and you still need to actively participate in the procedure.

If the court rejects your claims, you have the possibility to file a cassation complaint with the Supreme Administrative Court in Brno within 2 weeks of receiving the court decision. You must be represented by a licensed attorney. If the cassation complaint is rejected, you need to leave the Czech Republic. The cassation complaint does not have a suspensive effect if you are still in detention or in the Reception Centre at the airport at the time of filing. The cassation complaint is inadmissible if you filed a further repeated application for asylum (i.e. a 3rd application).