



INFORMATION FOR APPLICANTS FOR INTERNATIONAL PROTECTION: RIGHT TO ASYLUM AND SUBSIDIARY PROTECTION

I · TO WHOM SPAIN GRANTS INTERNATIONAL PROTECTION?

- **Refugees**, i.e. foreign nationals of non EU nationality or stateless persons who have a well founded fear of being persecuted in their own country for reasons of race, religion or nationality, political opinions, membership of a particular social group, gender or sexual orientation and who are therefore unable or unwilling to receive protection from the authorities of their country. **Refugees have the right to asylum.**
- Foreign nationals who do not qualify as refugees but who cannot return to their country of origin because they face a real risk of suffering any of these harms :
 - Conviction or death sentence.
 - Torture, inhuman or degrading treatment or punishment.
 - Serious threats to life or integrity as a result of situations of indiscriminate violence.**These persons receive subsidiary protection.**

If you are in one of the above situations and need protection from the Spanish authorities, **you can submit an application for subsidiary protection.**

II · HOW AND WHERE TO APPLY FOR INTERNATIONAL PROTECTION?

- If you arrive in Spain and cannot enter Spanish territory **at the border port.**
- If you are in Spain :
 - a) At the **authorized police stations.**
You must request an appointment through the means indicated for each province in the downloadable document that you will find at the following link :
https://www.policia.es/es/extranjeria_portada.php
 - b) In Detention Centres for Foreigners (CIE).

- The application is submitted personally and consists of an interview, which is always carried out individually by an authorized official. If necessary, an interpreter and a lawyer may also be there. At the interview, the official will help you to describe the facts relevant to your application. In order to do so, the applicant must explain the reasons that lead him to request international protection and how he arrived in Spain. The content of the interview will be set out in a document that will have to be signed by the applicant and of which a copy will be supplied to him.

IT IS IMPORTANT THAT YOU TRUST THE SPANISH AUTHORITIES. REMEMBER THAT :

- In order to help you they need to know what has happened to you.
- You have the duty to state the true reasons for seeking protection and all documentation must be authentic.
- Anything you say is CONFIDENTIAL.
- People who deal with you (officials, police officers, interpreters) are obliged to keep everything you say secret.
- You may contact at any time the UNHCR and non governmental organizations (NGOs) involved in the management of the reception system for applicants for international protection.
- The personnel attending you will take into account the special needs of pregnant women, persons with illnesses or disabilities, victims of torture and severe forms of sexual, psychological or physical violence, or victims of human trafficking.

III · WHAT RIGHTS DOES AN APPLICANT FOR INTERNATIONAL PROTECTION HAVE ?

- **The right to be documented** as an applicant for international protection.
- **The right to remain in Spain** until your request is resolved, **unless claimed by another country of the European Union** or a third country based on the obligations contracted with international criminal judicial bodies.
- **The right to be assisted by a lawyer** free of charge if you cannot afford one (Law Associations or NGOs).
- **The right to the assistance of an interpreter** in a language in which you can easily explain yourself.
- **The right to have your request communicated to the United Nations High Commissioner for Refugees (UNHCR)** in Spain.
- **The right to know the contents of the file** at any time.

IV · WHAT ARE THE DUTIES OF THE APPLICANT?

- The applicant shall cooperate with the Spanish authorities:
 - By telling the truth about his identity and presenting the identity documents he has or, if applicable, justifying his absence.
 - By explaining in detail the reasons why he is requesting international protection.
- By submitting as soon as possible every document supporting the application.
- By informing or appearing before the authorities when required in connection with his application, renewal of documents, etc.
- By informing about any change of address. **Failure to report a change of address may result in his application for international protection not being processed, which may result in his application being closed.**
- By facilitating the collection of his fingerprints by the authorities.

V · HOW IS THE INTERNATIONAL PROTECTION PROCEDURE ?

1. ADMISSION STAGE FOR PROCESSING

At this stage applications whose examination does not correspond to Spain, but to another country, or which do not meet the requirements established by law for their resolution, such as when the person is recognized as a refugee in a third country, or when he comes from a safe country, or has reiterated an application already rejected in Spain, will be discarded. Applications will also be discarded when there are no new relevant circumstances, or when you are a national of a member State of the European Union.

IF YOU HAVE SUBMITTED YOUR APPLICATION IN SPANISH TERRITORY:

- It will be assessed within ONE MONTH if your request is admitted for processing and when an urgent procedure is to be followed. Once this period has expired, if you do not receive a decision of inadmissibility, your application will be understood to have been accepted for processing by administrative silence, and you will be in a situation of provisional stay or stay in Spanish territory.
- If your application is not admitted for processing, your return, deportation, expulsion, compulsory departure from Spain or transfer to the country responsible for the examination of your asylum application will be ordered, as appropriate, unless you meet the requirements to remain in Spain in a situation of stay or residence.
- An appeal may be filed against the decision of non-admission.

IF YOU HAVE SUBMITTED YOUR APPLICATION AT A BORDER POST OR IN A DETENTION CENTER FOR ALIENS (CIE) :

- You must remain in the authorized center until a decision is taken on whether your application is accepted or rejected, The authorities have 96 hours to notify the decision.
- If your application is accepted you will be able to enter Spain or leave the CIE.
- If your application is unsuccessful or rejected, you may request a reexamination of your application within 48 of being notified of the rejection of your application. The authorities have 48 hours to notify you of their decision.
- If the decision on your request for reexamination is negative, you will have to leave Spain.
- An appeal may be filed against decisions not admitting or denying your application.

2. INSTRUCTION STAGE

- If your application is accepted for processing at a border post or on Spanish territory, it will be examined in more detail.
- At this stage you may be called for a new interview or you may be required to provide further documentation.

3. RESOLUTION STAGE

- If the **decision is favourable**, you will be recognized as a refugee or as a person under subsidiary protection.
- If the decision is unfavourable, it will have the same effects as the rejection of the application, as describe above.
- An appeal against the unfavourable decision may be filed.

Remember that you have the right to the assistance of a lawyer, free of charge if you cannot afford one, during all stages of the procedure and to file appeals.

VI · WHO DECIDES FOR APPLICATIONS ON INTERNATIONAL PROTECTION?

All applications are evaluated by the Office for Asylum and Refugee (OAR) who will decide whether the application will be examined by Spain or by another member country of the European Union, which may imply its transfer to the responsible country.

- Decisions are taken by the Ministry of the Interior on the proposal of the Interministerial Commission for Asylum and Refugee (CIAR).

VII · SOCIAL PROGRAMMES FOR APPLICANTS AND BENEFICIARIES OF INTERNATIONAL PROTECTION

- Applicants for international protection may benefit from assistance to ensure that their basic needs are met.

Asylum seekers without sufficient financial resources to meet their needs and those of their families may access a reception and support programme managed by the Ministry of Inclusion, Social Security and Migration with the collaboration of NGO's. For this purpose they should contact those who manage the initial reception in the province in which they are located (ACCEM, CEAR and RED CROSS).

- The rights of reception shall be extended to those who are granted international protection under the terms established by the regulations in force.

VIII · WHAT ARE THE EFFECTS OF THE GRANTING OF INTERNATIONAL PROTECTION ?

Those persons granted international protection may benefit from social, educational and health services provided by the competent Public Administrations and shall also have the following rights:

- Not to be returned to the country of origin.
- Permanent residence and work permits.
- Obtaining the identity document and, where appropriate, travel documents.
- Reunification of immediate family members.
- Access to public employment services, education, health care, housing, social assistance and services, care programmes for people who are victims of gender violence, social security, integration programmes, continuous training and the procedure for recognizing academic and professional degrees under the same conditions as Spaniards,
- Access to specific integration programmes to be established.
- Reduction of the term of access to Spanish nationality.

IX · USEFUL ADDRESSES

ASYLUM AND REFUGEE OFFICE (OAR)

C/Arturo Soria 109 28043 - 28002 Madrid.

<https://proteccion-asilo.interior.gob.es>

MINISTRY OF INCLUSION, SOCIAL SECURITY AND MIGRATION

C/ José Abascal, 39, 28003 Madrid.

<https://extranjeros.inclusion.gob.es/es/ProteccionAsilo/index.html>

UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR)

Avda. General Perón, 32, 2ºIzq - 28020 Madrid.

Tel.:00 34 661 706 462

www.acnur.org

NON-GOVERNMENTAL ORGANIZATIONS (NGOs) MANAGING THE INITIAL RECEPTION OF ASYLUM SEEKERS

ACCEM

Plaza Sta. M^a Soledad Torres Acosta, 1, 1º - 28004 Madrid

Tel.: 91 532 74 78 /9

accem@accem.es

www.accem.es

SPANISH COMMISSION FOR REFUGEE AID (CEAR)

Avenida de Asturias, 33, bajo - 28029 Madrid

Tel.: 91 555 06 98

recepcion.madrid@cear.es

www.cear.es

SPANISH RED CROSS

C/Valdecanillas, 112 - 28037 Madrid

Tel.: 91 532 55 55

administracion.refugiados@cruzroja.es

www.cruzroja.es

OTHER NON-GOVERNMENTAL ORGANIZATIONS (NGOs) OFFERING ASSISTANCE AND GUIDANCE

ADORATRICES

c.tecnica@adoratrices.com

www.adoratrices.es

ANDALUCÍA ACOGE

acoge@acoge.org

<https://acoge.org/>

APIP-ACAM

fundacionapipacam.org@fundacionapipacam.org

<http://fundacioapipacam.org/>

COLUMBARES ASSOCIATION

asociacion@columbares.org

www.columbares.org

PROGESTIÓN ASSOCIATION

info@progestion.org

www.progestion.org

CESAL

refugiados@cesal.org.

www.cesal.org/refugiados

STATE COORDINATOR OF SALESIAN SOCIAL PLATFORMS

info@psocialesalesianas.org
www.psocialesalesianas.org

DIACONÍA ESPAÑA

info@diaconia.es
www.diaconia.es

CEPAIM FOUNDATION

protecciondedatos@cepaim.org
www.cepaim.org

LA MERCED MIGRACIONES FOUNDATION

lamerced@lamercedmigraciones.org
www.lamercedmigraciones.org

MPDL

mpdl@mpdl.org
www.mpdl.org

MARILLAC-HIJAS CARIDAD ESPAÑA

chatillonhc@hijascaridadee.org
www.hijascaridadee.org/es

PROVIVIENDA

coordinacion.pi@provivienda.org
www.provivienda.org

RED ACOGE

acoge@redacoge.org
www.redacoge.org

RESCATE INTERNACIONAL (Gender and LGTBI+)

atencion.directa@ongrescate.org
www.ongrescate.es

SAN JUAN DE DIOS

refugiados@sjd.es
www.sanjuandedios-fjc.org

YMCA

proteccion.internacional@ymca.es
www.ymca.es