



**AD HOC QUERY ON 2019.20 EMN Ad-Hoc DE Specially commissioned Decision Makers**

**Requested by Heiko HECHT on 7 February 2019**

**Compilation produced on 25 September 2019**

**Responses from Austria, Belgium, Finland, Germany, Lithuania, Luxembourg, Netherlands, Slovakia plus Norway (9 in Total)**

**Disclaimer:**

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**1. Background information**

In accordance with Art. 25 §3 of Directive 2013/32/EU of 26 June 2013 (Procedures Directive), the Member States of the European Union are to ensure that the interview of an unaccompanied minor applicant and the decision on his or her asylum application is conducted and prepared by a staff member who has the necessary knowledge of the special needs of minors.

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In accordance with recital 29 in conjunction with Art. 24 §3 of the Procedures Directive, over and above this certain applicants are in need of special procedural guarantees due, inter alia, to mental disorders or as a consequence of torture, rape or other serious forms of psychological, physical or sexual violence.

Accordingly, the Federal Office for Migration and Refugees has established the functions of the specially commissioned case-officers for unaccompanied minors, victims of trauma and torture, persons persecuted because of their gender, as well as victims of trafficking in human beings. In order to be able to meet the special needs of these vulnerable persons in the asylum procedure, the specially commissioned case-officers undergo further or special training..

The interviews and the decisions on unaccompanied minors resulting from them may only be conducted and taken by such specially commissioned case-officers.

Under the internal regulations, interviews and decisions of the other vulnerable groups (victims of trauma and torture, persons persecuted because of their gender, as well as victims of trafficking in human beings) must as a matter of principle involve specially-commissioned case-officers.

The deployment of specially commissioned case-officers in the Federal Office for Migration and Refugees is being examined as part of an investigation.

## **2. Questions**

### **1. Question 1**

1. Are vulnerable applicants divided into specific groups in your country? If so, into what groups are they divided?

### **2. Question 2**

2. Do you have case officers in your Member State who perform tasks similar to those of specially commissioned case-officers?

*Available choices: Yes, No*

### **3. Question 3**

If your answer is YES: a)What are the similarities? b)What are the differences?

### **4. Question 4**

4. Do you also have specific approaches to the conduct of asylum procedures for unaccompanied minors, as well as for vulnerable groups' applicants who require special procedural guarantees in accordance with recital 29? If so, which ones?

### **5. Question 5**

4. Are your staff specially trained to deal with these groups of people?

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Available choices: Yes, No


**6. Question 6**

a) If your answer is yes: Is all your staff who conduct interviews and make decisions trained, or only some of your staff trained? b) If your answer is no: Can you indicate who carries out the interviews of vulnerable groups and unaccompanied minors in your MS in accordance with the Directive?

We would very much appreciate your responses by **15 April 2019**.

**3. Responses**

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		Wider Dissemination <sup>2</sup>	
	EMN NCP Austria	Yes	<p>1. 1. There is no division into specific groups. Depending on the situation and examination of the individual case, specific needs of the applicants are identified (minority, vulnerability etc.) and the necessary measures regarding procedure and accommodation are taken.---Source: Ministry of the Interior</p> <p>2. No</p> <p>2. The Austrian law does not provide for such specialized case officers. It does, however, provide for</p>

<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.

<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>trainings for caseworkers (see question 5). However, the relevant regulations stipulate that underage asylum seekers may be interviewed only in the presence of a legal representative (e.g. a legal counselor, Art. 10 para 3 Federal Office for Immigration and Asylum Procedures Act; Art. 19 para 5 Asylum Act 2005). If an asylum seeker bases his/her fear of persecution on an infringement of his/her right to sexual self-determination, s/he shall be interviewed by an official of the same sex unless s/he requests otherwise (Art. 20 para 1 Asylum Act 2005). (for details see question 4).---Source: Ministry of the Interior</p> <p>3. 3. n/a---Source: Ministry of the Interior</p> <p>4. 4. Ad UAMDue to the principle that the child’s best interests shall be a priority consideration in all actions taken by public institutions, which is based in the CRC and the Federal Constitutional Act on the Rights of Children, special features are to be considered when interrogating minors:- According to Art. 10 para 6 Federal Office for Immigration and Asylum Procedures Act, unaccompanied minors aged 13 and under may be initially interviewed only in the presence of the legal counselor (=the legal representative in the admission procedure, see Art. 10 para 6 Federal Office for Immigration and Asylum Procedures Act), i.e. an initial interview must not take place in the context of the transfer, but only at the initial reception centre in the presence of a legal counselor who is responsible for the legal representation of the unaccompanied minor aged 13 and under.- The initial interview of an unaccompanied minor aged 14 and over is usually carried out by the police on site. If the initial interview of an unaccompanied minor aged 14 and over has been carried out without the legal adviser, it has to be repeated in the presence of the legal counselor, if the legal adviser objects to the conducted interview prior to the initial interview in the admission procedure (Art. 10 para 3 Federal Office for Immigration and Asylum Procedures Act). The initial interview of an unaccompanied minor aged 14 and over may be carried out without the legal counselor if applicable. - In the asylum procedure, there is an obligation for the asylum seeker to be interviewed or to appear in person respectively. According to Art. 19 para 2 Asylum Act 2005, an interview may be omitted if the asylum seeker “owing to circumstances relating to his person is unable to contribute to the establishment of the material facts by testifying”. Thus, minors aged 13 and under are usually not interviewed themselves, but their legal representative or they are only interviewed themselves if this is the only way to obtain information about their person, their escape routes and escape reasons. Minors aged 14 and over, on the other hand, are usually interviewed themselves. In any case, underage asylum seekers are always to be interviewed in the presence of the legal representative (Art. 19 para 5 Asylum Act 2005). The legal representative must be present during the entire interview. The</p>
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			<p>interview of minors, especially of unaccompanied minors (aged 13 and under), must be conducted with particular caution. For unaccompanied underage aliens, the regular time limit of 4 weeks for appeals against the administrative decision applies (Art. 16 para 1 Federal Office for Immigration and Asylum Procedures Proceedings of 4 para 7 .Act in conjunction with Art Administrative except for ,(Courts Act rulings in airport procedures (1 week time limit for appeal, Art. 33 para 3 Asylum Act 2005). According to Art. 76 para 1 Aliens Police Act 2005, minors aged 13 and under must not be kept in detention pending removal. Minors aged 14 and over may be kept in detention pending removal for a maximum of two months (Art. 80 para 2 (1) Aliens Police Act 2005). An extension is not possible. According to Art. 77 para 1 Aliens Police Act 2005, the authority has to apply alternatives to detention for minors aged 14 to 16, unless certain facts justify the assumption that thereby the purpose of detention pending removal cannot be achieved. Ad vulnerable groups: According to Art. 20 para 1 Asylum Act 2005, an asylum seeker who bases his/her fear of persecution on an infringement of his/her right to sexual self-determination shall be interviewed by an official The asylum seeker shall be .he requests otherwise/of the same sex unless s These procedural aspects are regulated .informed in a provable manner of the existence of that possibility by decree in the Federal Office for Immigration and Asylum.---Source: Ministry of the Interior</p> <p>5. Yes</p> <p>5. Yes. For example, in 2017, two trainings on “Interrogation – Dealing with Minors” with a total of 23 participants from the Federal Office for Immigration and Asylum were offered. The aim was to sensitize the case officers in the asylum procedure for the adequate treatment of children and underage adolescents. This is to ensure that interviews, especially of unaccompanied minors, take into account age, maturity, cultural differences and experiences (ARMA 2017, p. 23). The 5th National Action Plan on Combating Human Trafficking (2018–2020) identifies people seeking refuge and particularly unaccompanied minors as a potential risk group and includes advanced trainings for staff of initial reception centres, basic care facilities and police detention centers (<a href="https://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Menschenrechte/Nationaler_Aktion_splan_2018-2020.pdf">https://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Menschenrechte/Nationaler_Aktion_splan_2018-2020.pdf</a>).---Source: Ministry of the Interior</p> <p>6. 6. In Austria only a part of the staff is specially trained (see Q5).---Source: Ministry of the Interior</p>
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	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. There are several possible reasons to consider an applicant as a vulnerable applicant with special procedural needs in accordance with Article 24 of the Asylum Procedures Directive. Based on all the elements in the administrative file it can be decided that the applicant has such specific procedural needs that justifies specific supportive measures. The most frequent type of vulnerable applicants are unaccompanied minors and applicants who invoke gender based violence. The Office of the Commissioner General for Refugees and Stateless Persons (CGRS) responsible for assessing the applications for international protection has specific coordinators for those two types of vulnerable applicants. However, there is no exhaustive list of groups of vulnerable persons. Moreover, an applicant can have several characteristics making him a vulnerable person with specific procedural needs.</p> <p>2. Yes</p> <p>3. For several types of vulnerable applicants such as unaccompanied minors, victims of human trafficking, LGTBI and gender related applications and applicants with psychological problems specialized protection officers are responsible for handling the applications. a) All the protection officers have to demonstrate an open attitude and show respect for the individuality, convictions and qualities of the other person. They have to assess every application individually without any prejudices. Personal interests, preferences or feelings have no impact on the decision. All the protection officers are selected on the he basis of qualities such as empathy, sense of responsibility, decisiveness, professional commitment and loyalty. b) On top of the basic training for a protection officer, a number of protection officers can be trained to handle applications of specific types of vulnerable applicants (see reply to question 5).</p> <p>4. Yes, an interview of a child differs in several aspects from that of an adult. For instance, it takes place in a separate interview room. The protection officer adapts his language to the child and encourages it to tell as much as possible of its story spontaneously, from the perspective of its own perception. In doing so, the protection officers avoids asking closed questions as much as possible to avoid influencing the child. During the interview the child can draw or use other tools to clarify its story. Breaks are regularly provided and the child can request a break whenever it needs one. The interpreters who assist the children during the interview have also received specific training. Also for other applicants where specific procedural needs have been identified, several measures can be taken to address these procedural needs such as for example: - no application of accelerated procedures, - logistic measures (for example: special interview room, gender of the protection officer and interpreter),- specific brochures and tailored</p>
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			<p>information provision and information on referral towards specific procedures (for example for victims of human trafficking),- interview and assessment by a specific protection officer who are experienced and received specific training,- shorter interviews, more breaks (for example for elderly persons)- specific interview methods,- Postponement of the interview or written procedure (for example for medical cases),- ...</p> <p>5. Yes</p> <p>6. For unaccompanied minors for example, in addition to the basic training and at least two years interviewing experience, these protection officers have also received specific training. This training to handle applications for unaccompanied minors focuses, in particular, on:- Belgian and European legislation, directives, provisions and the legislation on guardianship- the principle of the best interest of the child- the phases in children's development and the different levels of maturity- the functioning of children's memory- indicators of vulnerability in children- the possible mandate of a child- the position of a child in the different cultures and intercultural communication with children- child-specific forms of persecutionAlso 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 a specific internal training (such as the training to assess applications based on gender). Protection officers who interview vulnerable applicants are in principle also more experienced and have specific experience with interviewing vulnerable applicants. Not all the protection officers are trained to conduct interviews for different types of vulnerable applicants. Protection officers can be trained to conduct interviews and to assess the application of a specific type of vulnerable applicants or for several types of vulnerable applicants (see reply to question 5).</p>
	<p>EMN NCP Finland</p>	<p>Yes</p>	<p>1. Basically only unaccompanied minors are considered a specific group with specialised case-officers. We acknowledge other vulnerabilities as well, but all our case-officers have received the EASO Interviewing Vulnerable Persons training module and are capable of dealing with them. In case of particularly difficult vulnerability, there are more experienced case-officers to whom the case is then given. Generally we recognize vulnerability on individual basis rather than as a membership in listed</p>

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			<p>groups.</p> <p>2. No</p> <p>3. N/a</p> <p>4. There are clear procedural rules on the process for unaccompanied minors. There are some internal guidelines on trafficking, FGM, domestic violence, and Sexual orientation and gender identity.</p> <p>5. Yes</p> <p>6. All case officers receive the EASO curriculum trainings on Interviewing Vulnerable Persons and Gender, gender identity and sexual orientation. The ones dealing with unattended minors study the Interviewing Children module and receive other relevant national training. There is also some national training on Trafficking ( the national training on Trafficking module will begin this year).</p>
	EMN NCP Germany	Yes	<p>1. Four groups have been identified and established in Germany for the following vulnerable individuals:- unaccompanied minors- persons persecuted because of their gender- victims of trauma and torture- victims of trafficking in human beings</p> <p>2. Yes</p> <p>3. In addition to their role as interviewers and decision-makers in asylum procedures, specially commissioned case-officers also have an advisory function with other colleagues. They furthermore also act as contact persons of the Federal Office for Migration and Refugees for external players (e.g. NGOs). Specially commissioned case-officers for vulnerable persons in Germany must have at least two years of professional experience in interviewing and decision-making processes, as well as a personal aptitude and willingness to handle asylum procedures of the individual groups of vulnerable persons. Moreover, in addition to the EASO's ETC CORE Modules (Interview Techniques, Evidence</p>



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			<p>Assessment, Inclusion) and the EASO's training modules "Interviewing Children", "Interviewing Vulnerable Persons" and "Gender", the Federal Office's own basic and advanced training courses based on the EASO modules are offered for further skill-building of the selected specially-commissioned case-officers:-</p> <ul style="list-style-type: none"> <li>- basic course entitled "Specially-commissioned case-officers for unaccompanied minors"-</li> <li>- basic course entitled "Specially-commissioned case-officers for trauma/torture"-</li> <li>- basic course entitled "Specially-commissioned case-officers for persons persecuted because of their gender"-</li> <li>- basic course entitled "Specially-commissioned case-officers for victims of trafficking in human beings"-</li> <li>- advanced course entitled "Specially-commissioned case-officers for unaccompanied minors"</li> </ul> <p>The basic course provides specially commissioned case-officers with legal, cultural and psychological knowledge. The advanced courses provide a forum for an exchange of experience and to develop legal foundations.</p> <p>4. The Federal Office has internal instructions for conducting asylum procedures for vulnerable persons. Unaccompanied minors can already be identified as such during the application process, in which case the interview is scheduled with a specially-commissioned case-officer for unaccompanied minors. If applicants are already identified as other vulnerable persons at the time of application, the interview will be scheduled with a specially-commissioned case-officer. If the vulnerability only becomes apparent during the interview, the interview is continued by a specially-commissioned case-officer, or a specially-commissioned case-officer is consulted, depending on the organisational circumstances. A specially-commissioned case-officer will subsequently review the case file where appropriate in order to determine whether the facts of the case have been sufficiently clarified, or whether a supplementary interview needs to be conducted by a specially-commissioned case-officer. The participation of a specially-commissioned case-officer is recorded in the file in all cases.</p> <p>5. Yes</p> <p>6. See remarks regarding Question 3.</p>
	EMN NCP	Yes	<p>1. YES. A vulnerable person / applicant in LT is considered a person with special needs (for example, a</p>


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	Lithuania		<p>minor (including unaccompanied minors), a disabled person, a person over the age of 75, a pregnant woman, a lone father or mother raising a minor, a mentally ill person, a victim of trafficking in human beings or a person who was tortured, raped, or subjected to other serious psychological, physical or sexual violence). Likewise, severely ill, illiterate persons, LGBTI persons can also be considered as vulnerable persons.</p> <p>2. No</p> <p>3. n/a</p> <p>4. Vulnerable asylum seekers may be subject to the following special procedural guarantees: not to apply for an accelerated procedure; not to apply provisions for inadmissible applications; to accommodate asylum seekers in his / her special needs accommodation administered by non-governmental organizations working with asylum seekers; to allow the asylum seeker to reside with an adult or a close relative legally residing in the territory of the Republic of Lithuania; to organize medical examination of the asylum seeker; to examine the application for asylum as a matter of priority; to conduct a complex vulnerability assessment; to postpone the asylum seeker's interview until the conclusion of the complex assessment of the asylum seeker's vulnerability; to ensure location and comfortable environment for the asylum seeker to meet with social workers and psychologist; to choose the right environment for the survey, taking into account the specific needs of the asylum seeker; to ensure that an asylum seeker is interviewed by a specially trained civil servant to work with vulnerable persons; to ensure that an asylum seeker is interviewed by a same-sex civil servant and an interpreter and other. Apart from the above-mentioned special procedural guarantees, additional special procedural guarantees apply to minor asylum seekers: the initial asylum application concerning a minor asylum seeker is carried out in the presence of at least one of his parents (adoptive parents) or another legal representative with whom the minor asylum seeker has arrived in the Republic of Lithuania and other guarantees.</p> <p>5. Yes</p> <p>6. a) Civil servants examining asylum applications are obliged to be familiarized with the requirements of international, European Union and Lithuanian legal acts, established for examination of applications for asylum and decision-making, according to the methodological and practical recommendations issued by</p>
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			<p>EASO and UNHCR for state officials dealing with asylum applications. They also have to undergo appropriate training that includes those organized by EASO, and to continue to be continuously trained on these issues. Civil servants conducting interviews with asylum seekers ought to have participated in specialized training to familiarize themselves with the survey techniques and best practices, to select the most appropriate way of communicating with the asylum seeker, taking into account, inter alia, his / her age, maturity, cultural origin, gender, sexuality orientation, gender identity and vulnerability, as well as to identify problems that may adversely affect the asylum seeker's ability to be interviewed. Civil servants dealing with asylum applications relating to the examination of vulnerable asylum seekers' requests for asylum and the establishment of special procedural guarantees, have to be involved in appropriate training and to further take part in trainings on issues related to the needs of such asylum seekers. b) N/a</p>
	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<p>1. In the Grand-Duchy of Luxembourg, the national law on international and temporary protection (law of 18 December 2015) stipulates in its Article 19(1) that special procedural guarantees have to be granted to certain applicants of international protection, if need be, due to: - Their age (elderly people and unaccompanied minors); - Their sex, their sexual orientation or their gender identity; - A possible disability (physical or mental); - A serious illness; - Mental disorders; - The consequences of torture, rape, and other serious forms of psychological, physical or sexual violence.</p> <p>2. Yes</p> <p>3. In Luxembourg some of the staff members are specially trained to take charge of cases involving vulnerable persons or 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 has to adapt the interview accordingly. a) Similar to the specially commissioned case-officers of the Federal Office for Migration and Refugees, the specially trained case-officers in Luxembourg may assume an advisory function with other colleagues. All of these case-workers followed the EASO's training modules "Interviewing Children", "Interviewing Vulnerable Persons" and</p>


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			<p>“Gender”, and most of them did also complete the EASO’s ETC CORE Modules (Interview Techniques, Evidence Assessment, and Inclusion).b) Unlike Germany, specially trained case-workers in Luxembourg do not act as contact persons for external players (e.g. NGOs); neither do they have to have at least two years of professional experience in interviewing and decision-making processes. Moreover, Luxembourg does not have its own basic and advanced training courses, in addition to the EASO training modules. In addition to this information, it might be interesting to mention that in 2018, Luxembourg has launched two new projects concerning unaccompanied minors:- The "Family tracing" program, in collaboration with the International Organization for Migration (hereinafter "IOM") for the tracing of family members of the unaccompanied minor.- The creation of the "committee for the best interests of the child", a collegial body whose mission is to assess whether it is in the best interest of the unaccompanied minor to remain in Luxembourg until s/he reaches the age of majority or to return in his country of origin.</p> <p>4. As regards unaccompanied minors, the Luxembourgish Directorate of immigration assigns the applications to an agent who has the necessary competences for dealing with children, and who makes sure to guarantee the best interest of the child. Besides, an ad-hoc administrator will be appointed by a guardianship judge immediately at the beginning of the procedure to assist the unaccompanied minor in all the procedures related to his/her international protection application and potentially to accomplish legal acts on his/her behalf. The ad-hoc administrator will inform the UAM of the consequences of the interview in which s/he will have to explain the reasons for his/her application. Furthermore, the ad-hoc administrator has to prepare him/her for the interview itself. The interview is scheduled with a specially commissioned case-officer for unaccompanied minors. The agent of the Directorate of Immigration will conduct the interview in an adequate manner, and must adapt the questions to the presumed age of the applicant. For this purpose, the agent has to ask the questions in a simple and comprehensible manner. During the interview the ad-hoc administrator has to be present. At the end of the audition s/he is allowed to ask questions and make observations in the framework established by the agent who is conducting the interview (article 20 (2)). In the case of unaccompanied minors under the age of sixteen, the interview is recorded and subsequently transcribed. It is important to note that the unaccompanied minor can be submitted to an accelerated procedure in accordance with article 21 (1) only under three circumstances. Furthermore, article 103 of the amended national law on freedom of movement and on immigration (2008) also provides that a return decision cannot be issued against an unaccompanied minor unless it is necessary for his or her best interest or if it is based on serious grounds of public safety. In the case of other vulnerable groups the procedure is as follows: Once the international protection</p>
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			<p>application is filed, the Minister will, in a reasonable period of time, assess whether the applicant is an applicant in need of special procedural guarantees. For this assessment, the Minister may seek the advice of a physician. 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. The need for special procedural guarantees is also taken into account when such a need arises at a subsequent stage of the procedure, without necessarily having to start all over again (article 19 (4)).</p> <p>5. Yes</p> <p>6. In the Luxembourgish Directorate of Immigration, some of the staff members in charge of the interviews and decision making are specially trained to deal with these groups of people.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. In practice, different types of procedural support are integrated in the asylum procedure. Examples are letting specialised employees interview unaccompanied alien minors and working arrangements for victims of trafficking in human beings. In addition, on behalf of the Immigration and Naturalisation Service (IND), a medical advice is given about the question whether the alien could be interviewed and is able to tell his or her story in a coherent way. The way in which the IND takes the medical advice into account is the responsibility of the employee. Each case requires a unique decision. It is important that the decision whether a person is vulnerable or not is not restricted to the aforementioned examples and the medical advice given during the rest and preparation period. From the first application onward and during the whole asylum procedure, the employee needs to be aware of emerging needs for a procedural guarantee. If it is clear that this is a case of vulnerability, the Directive requires the IND to offer appropriate support. This concept has not been defined officially. The way this concept is interpreted depends on the examination of the IND and again, each case requires a unique decision. Preamble 29 of the Procedures Directive mentions that some aliens require special procedural guarantees on the basis of for instance age, sex, sexual orientation, gender identity, disability, severe disease, mental illness or as a result of torture, rape or other forms of serious psychological, physical or sexual violence. It is not the case that every alien who had to deal with one or more of these circumstances should always be seen as</p>

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			<p>vulnerable and require procedural support. However, extra awareness is required if the employee signals one or more of these circumstances for the alien. In that case, the employee needs to decide whether, and if so, what kind of, support is required in the procedure. In every phase of the procedure the need for procedural support could be ascertained. This approach requires that the employee assesses during the whole asylum procedure whether the alien needs procedural support.</p> <p>2. Yes In principal, every employee concerned with interviewing and decision making received the necessary education to warrant procedural guarantees and treat cases of vulnerable persons. Their tasks could thus be compared to those of the specially commissioned case-officers. Besides, specially educated employees exist for interviewing minors.</p> <p>3. All employees concerned with conducting interviews and decision making in asylum cases are required, besides other courses, to follow the EASO course 'Interviewing Vulnerable Persons.' Here they will learn for instance techniques which could be used during conducting interviews and decision making in cases of vulnerable persons (Dutch House of Representatives, 2013-2014, Appendix 636). As a result, all employees are able to warrant the procedural guarantees for vulnerable aliens in the asylum procedure and thus to carry out more or less the same tasks as the specially commissioned decision makers. In addition, coordinators are present who function as contact points for difficult cases and who provide extra training. Examples are medical coordinators, LGBTI coordinators and coordinators for trafficking in human beings.</p> <p>4. Yes, there are specific approaches to the conduct of asylum procedures for unaccompanied minors. The Nidos Foundation is responsible for unaccompanied minors. A guardianship must be arranged for anyone who arrives in the Netherlands as a minor asylum seeker without their parents or anyone to look after them. The Nidos Foundation has to provide this. If the age of an unaccompanied minor is uncertain, an age assessment examination is required. An AMV receives a minimum of three weeks to prepare and rest before the start of the procedure. In addition, AMVs under the age of 12 will be interviewed by a specially trained employee of the IND in a child-friendly room. If it is determined that an alien is vulnerable and requires extra procedural support besides the regular guarantees integrated in the asylum procedure, the IND needs to decide for each case separately how this will be implemented. This is also the case when medical advice indicates that appropriate support is required. The IND decides for each case</p>
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			<p>separately which support will be offered. Decisions are made on the basis of Work Instruction Medical Advice (WI 2010/13), the protocol of the organisation which provides medical advice, and the corresponding reading guide. It is not possible to formulate in the prescription the adequate support for each unique case. The support needs to be adapted to the person in question and his or her situation. In practice, appropriate support could range from having extra breaks during the interviews, giving extra explanations, allowing the alien with back problems to walk through the room during the interview, accompanying a visually impaired alien from the waiting area to the room where the interview will take place, having "interviews on location" and not constantly pointing out contradictions in case of a mentally confused alien. Incidentally it could be decided that other interviews will take place outside the general asylum procedure or that the general asylum procedure will be postponed. (C1/2.3 Aliens' Act) In exceptional cases, another form of adequate support could be that the alien will be 'interviewed' by letter. Offering appropriate support could be connected to the way in which the medical advice is treated. Work Instruction Medical Advice (WI 2010/13), the protocol of the organisation which provides medical advice, and the corresponding reading guide provide tools for offering appropriate support even if this is not stated literally in the medical advice. In certain cases, whether or not a medical advice has been given, it would be recommended to consult the authorized representative about offering adequate support. Furthermore, the alien could take care of appropriate support himself, for instance by bringing someone from the Dutch Council for Refugees (VluchtelingenWerk Nederland) or an authorized representative.</p> <p>5. Yes</p> <p>6. AMV's under the age of 12 are interviewed by a special employee who received special training. All employees concerned with conducting interviews and making decisions in asylum cases are obliged to, besides other courses, follow the EASO course 'Interviewing Vulnerable Persons.' Here they will learn for instance techniques which could be used during conducting interviews and decision making in cases of vulnerable persons (Dutch House of Representatives, 2013-2014, Appendix 636). Furthermore, the training 'Gender, Sexual Orientation and Gender Identity' is offered, where participants will gain insight in the (often more vulnerable) roles of women and LGBTIs, and how to integrate this in the procedure. This training is (yet) optional and therefore only a part of the employees has followed this training.</p>
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	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<p>1. In the Slovak Republic, vulnerable applicants are divided only on the basis of their placement in asylum facilities (or facilities of socio-legal protection for children and social guardianship). They are divided onto unaccompanied minors who are placed in a foster home for unaccompanied minors, which is under the competence of the Ministry of Labour, Social Affairs and Family of the SR and other vulnerable applicants who are placed in the asylum facility of the Ministry of Interior of the Slovak Republic in Opatovska Nová Ves, which is allocated to vulnerable persons.</p> <p>2. No</p> <p>3. N/A</p> <p>4. Interviews with vulnerable persons are carried out by procedural workers, so called decision makers, who were trained to conduct interviews with one of the vulnerable groups. These decision-makers, however, do not interview only the vulnerable group, but they can also interview the person who is not vulnerable i.e. they are not specifically allocated to make decisions only on vulnerable groups. The abovementioned is, in the case of UAMs, also elaborated in the Act on Asylum in Section 19a, 10 as follows: "An assessment of the application for asylum shall be carried out by a staff member of the Ministry with adequate knowledge of asylum; in the case of an unaccompanied minor, with adequate knowledge of their particular needs." As part of the asylum procedure, this staff shall take account the special needs of such persons as well as the procedural safeguards, in accordance with the the Art. 29. The Act on Asylum also regulates the specifics of the asylum procedure with unaccompanied minors whose application cannot be rejected as inadmissible (as regard to Article 11 (1) b) if it is not in the best interests of the minor and in line with Article 12 (4) can not be rejected as unjustified.</p> <p>5. Yes</p> <p>6. Only part of the staff is trained.</p>
	<p>EMN NCP</p>	<p>Yes</p>	<p>1. The Norwegian Directorate of Immigration (UDI) hasZAAszxDXDDXDC. WWWAWSAf g the following</p>



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	<p>Norway</p>		<p>categorisation of vulnerable groups:• Unaccompanied minors• LGBTI-persons• Human trafficking• Victims of domestic violence and/or forced marriage• Victims of Female Genital Mutilation• Applicants who have been subjected to torture, rape or other serious forms of psychological, physical, or sexual violence• Applicants with physical and/or psychological impairments• Pregnant women• Single parents with accompanying minor children• Elderly applicants</p> <p>2. Yes</p> <p>3. a) What are the similarities? UDI has specially commissioned case-officers for all cases regarding unaccompanied minors. They undergo special training, conduct the interviews and handle all cases from UAM. b) What are the differences?UDI does not have specially commissioned case-officers for processing cases from other vulnerable groups.</p> <p>4. For unaccompanied children:- All UM without a legal stay are registered as asylum seekers. The National Police Immigration Service (NPIS) registers the formal asylum application and obtains consent to carry out an age assessment. The Medical age assessment is voluntary.- A Representative (guardian) is appointed for all UM. There is an on-call representative service at the immigration police offices. This means that unaccompanied minors can have their asylum claim registered at all hours. The representative is required to be present when the UAM is interviewed by the police and UDI. The Representative shall also ensure that all decisions are made in the best interest of the child. - The police will subsequently transport the UM to a transit reception centre for registration and induction into the reception system. Accommodations are determined by age groups. UM stay at Norwegian reception centres of their own free will. If the UM wants to leave he/she can, but then the reception centre reports the disappearance to the UDI, the local police and the local child welfare system. UDI is responsible for providing proper care for UAMs between the ages of 15 -18 y.o. until they are either settled in a municipality or leave Norway. For UM under the age of 15, the responsibility and day to day care is provided by the "Office for Children, Youth and Family Affairs", in special care centres for children. - The asylum interview is conducted by our Special unit for Children. The asylum interview is conducted in accordance with The Dialogical Communication Method (DCM). This is a much researched, well-known method developed especially for communicating with children on difficult topics. During the interview, the interviewer also presents the result of the medical assessment to the UM and the legal</p>
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			<p>guardian who is present during the interview. For other vulnerable groups:- Both the Immigration Police and the UDI case-officers are trained to identify indicators of vulnerability.- If we have information, or if there are indicators of vulnerability, we will adjust the interview situation according to the needs of the applicant; offering additional information, more breaks and adjusting the questioning strategies if necessary.-During the interview the case-officer will provide information about o a safe place to stay (if needed, especially in cases involving victims of trafficking, domestic violence and forced marriage)o getting help or guidance from the police or voluntary organisations o reporting criminal acts to the policeo the case officer will also ask the applicant if s/he wants assistance to pass on relevant information to the reception centre or other relevant agencies- The applicant can be offered facilitated accommodation according to his/her needs in the reception centre- Vulnerable applicants will be taken out of fast track procedures</p> <p>5. Yes</p> <p>6. a) All interviewer and decision makers are almost always college educated caseworkers who have additional basic training in topics relevant for conducting interviews and handling claims from vulnerable applicants.In addition, Norway has experts on relevant topics in several of the units in the Norwegian Directorate of Immigration. We have experts on accompanied children, human trafficking, domestic violence and forced marriage, FGM and LGBTI. These experts are experienced caseworkers who receive additional training and participate in relevant meetings as needed. They provide additional guidance to colleagues on these topics when needed.</p> <p>no_response.asa_.de_emn_ahq_on_specially_commissioned_decision_makers.vulnerable_applicants.docx</p>
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