

Ad-Hoc Query on Chechen asylum applicants with refugee status in Georgia

Requested by Finnish EMN NCP on 23rd September 2010

Compilation produced on 27th December 2010

Responses from Austria, Belgium, Bulgaria, Estonia, Finland, Germany, Hungary, Italy, Latvia, Lithuania, Malta, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Sweden (17 in Total)

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

1. Background Information

Finland would like to utilise the FI EMN NCP to request information on what is your return policy for Chechen asylum applicants, who have been granted asylum in Georgia.

We would be grateful for responses to the following questions by 7 October 2010.

EMN Ad-Hoc Query: FI asylum applicants with refugee status in Georgia.

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2. Responses

		Wider Dissemination?	<ol style="list-style-type: none"> 1. Does your MS receive asylum applicants with refugee status in Georgia? 2. If yes, does your MS consider Georgia to be a safe country of asylum? 3. If yes, have you contacted Georgian officials in order to return the person in question to Georgia? Have they accepted the return? If problems faced, please specify.
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Belgium	Yes	<ol style="list-style-type: none"> 1. NO 2. N/A 3. N/A
	Bulgaria	Yes	<ol style="list-style-type: none"> 1. The State Agency of Refugees in Bulgaria doesn't have data for such cases. There are 66 applicants from Georgia. Four of them were granted humanitarian status (subsidiary protection). 2. Yes, Georgia is considered to be a safe country of asylum. 3. The competent authority in Bulgaria for return is Migration Directorate (MD) under the Ministry of Interior that is way the answer of this question (as we understand it) is – when we have cases with Georgian citizens the officials from MD make a contact only with the Georgian Embassy here in Bulgaria. We don't have any problems with issuing from their side the relevant documents for return, if the third-country national <u>is not under the asylum procedure</u> (if he/she do not fill in the application for asylum in Bulgaria).
	Estonia	Yes	Estonia has not received any Chechen applicants who have been granted refugee status in Georgia.
	Finland	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Germany	Yes	Such asylum applications could not be identified.
	Hungary	Yes	<ol style="list-style-type: none"> 1. Hungary did not receive any Chechen asylum applicants with refugee status in Georgia. 2-3. See above.
	Italy	Yes	The NCP is not aware of cases of Chechen citizens with refugee status in Georgia seeking asylum in Italy. There is instead the case of Georgian citizens applying for asylum. In case of refusal to the request for international protection, the return is made according to traditional diplomatic-consular channels and through detention in ad hoc "identification and expulsion centres" to a maximum of 180 days.
	Latvia	Yes	No, up to now we have not received any Chechen asylum applicants with refugee status in Georgia.
	Lithuania	No	We do not have such persons in Lithuania. Even if there are such people, they do not admit it.
	Malta	Yes	The Refugee Commissioner in Malta has never dealt with asylum applicants from Chechnya.
	Netherlands	Yes	There are no specific data available on the above-mentioned issue.

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	Poland	Yes	<ol style="list-style-type: none"> 1. Yes. 2. Poland does not apply the concept of first country of asylum. 3. N/A
	Portugal	Yes	<ol style="list-style-type: none"> 1. No. 2. Portugal does not have a list of safe countries.
	Slovak Republic	Yes	<ol style="list-style-type: none"> 1. The Slovak Republic has registered only one case of Chechen asylum applicant, who has been granted asylum in Georgia this year. 2. Yes, the Slovak Republic considers Georgia as a safe country of asylum. Georgia is a party of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. Its laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. 3. The Slovak Republic has no experiences in this regard.
	Slovenia	Yes	<ol style="list-style-type: none"> 1. No. There has been one Chechen family, seeking International Protection in Slovenia, but there was no allegation of having been granted refugee status in Georgia. Afterwards they absconded, so the procedure was later discontinued. 2. In Slovenia, there is no position on safe countries of asylum accepted or any policy in general on this matter. According to (telephone information on 27.09.2010, 11:40) from Mr. Boštjan BIČEK, the inspector of the authority responsible for deportations - Centre for Foreigners Postojna (part of Slovenian police), policy or adopted position regarding deportations to the particular countries does not exist either. This is a matter of assessment and evaluation on "case-to-case basis" of a particular official, responsible for the case. 3. Above named official in that conversation also explained that the last deportation to Georgia he know of (he personally had been responsible for the case) was in April 2010. The Georgian officials at Embassy in Slovakia had been contacted, travel document obtained and the person returned without any problems faced.
	Sweden	Yes	<ol style="list-style-type: none"> 1. No-
