Spain

YOUR RIGHTS AND OBLIGATIONS ON RECEPTION DURING THE ASYLUM BORDER PROCEDURE

This information is for you if:

- you are an adult (older than 18 years old)
- you applied for international protection (also called asylum) in Spain and you are now an applicant for international protection.

Version for registration / asylum border procedure

ENGLISH

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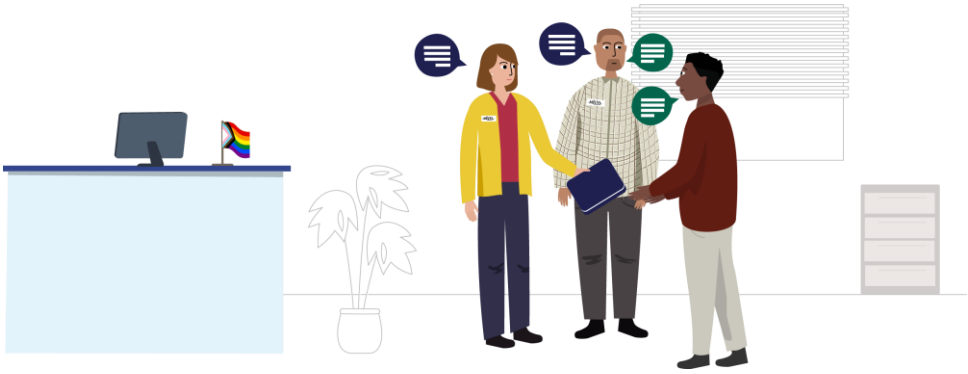
WHAT IS RECEPTION?

Reception is the support you receive as an applicant while you wait for the authorities to conclude the examination of your application for international protection. It includes the reception rights and obligations that are explained in this brochure.

In Spain, the authority responsible for reception is the State Secretariat for Migration, under the Ministry of Inclusion, Social Security and Migration. The authority responsible for examining your application is the Office of Asylum and Refuge (Directorate-General for International Protection).

Ask the staff at the reception centre your questions if something is not clear.



You are safe in this country.

During your stay, the staff at the reception centre will inform you about the reception services and support available to you depending on your situation.

You can also ask other organisations for information and help free of charge. You can find a list of organisations at the end of this brochure.

An interpreter will help you communicate with the staff at the reception centre in a language you understand, where necessary. The interpreter will not share anything you say with anyone else.

You can find information about the asylum procedure and the rules to follow in separate brochures.

You are now in Spain which is an EU+ country.
The EU+ countries are:

- the 27 Member States of the European Union (EU): Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Republic of Ireland, Romania, Slovakia, Slovenia, Spain, Sweden and

- 4 other countries: Iceland, Liechtenstein, Norway, Switzerland.

Attention!

Applicants have similar reception rights and obligations in all EU+ countries.

There are rules regarding applying for asylum and travelling to other EU+ countries.

You must apply for asylum and register your application in the EU+ country where you first arrived, unless the authorities informed you otherwise.

Only one EU+ country is responsible for examining your asylum application. The authorities in Spain will follow a procedure to decide which EU+ country is responsible for your asylum application.

You must stay in Spain. You cannot travel to another EU+ country without the permission of the authorities. If you leave, there will be negative consequences. Your asylum procedure in Spain may be stopped. Your freedom of movement in the other country might be limited and some reception services will be cancelled.

WHERE WILL YOU RESIDE?

The authorities have decided that your application for international protection will be examined in the asylum border procedure.

During the asylum border procedure **you must reside at a specific designated place.**

You must follow the rules of that place and your presence in that specific place will be checked regularly.

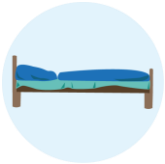
The authorities must communicate to you the decision for you to reside at a designated place in writing in a language you understand. They must inform you about your rights, obligations and the negative consequences if you do not respect the decision.

You can appeal the decision to reside at the specific designated place, if you feel that place is not right for you .

You can ask the authorities if you can stay somewhere else for a limited period in exceptional situations. The authorities may approve your request or not. If your request is rejected, you can appeal this decision.

WHAT WILL YOU RECEIVE?

While the authorities examine your application for international protection, and depending on your personal and financial situation, you will receive:



- accommodation

- personal hygiene products

- food

- clothing

- money for daily expenses

The reception authorities will ask you questions to better understand your personal and financial situation.

RIGHT TO HEALTH CARE

The authorities will ensure that you receive the **necessary health care**. This can include for example, visits to a nurse or doctor, examination for severe illnesses and chronic conditions, medication prescribed by a doctor and mental health support.

If you have a medical problem, tell the staff.

If you have a medical emergency or injury that need urgent treatment, tell the staff or call for free the emergency number 112

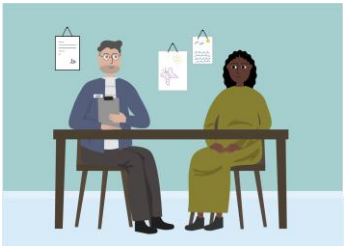
You might have a medical check with a doctor or nurse. They will check on your health and assist you. They might ask you questions about present or past diseases, your vaccine records and any medication you are taking. They might also ask you about any injuries, pain, conditions or worries you might have.

You have the right to receive specialised support if you have special needs.

Inform the staff if:

- you are ill or injured
- you are or you might be pregnant
- you have family members in need of specific support
- you have disabilities (for example, limited mobility, hearing loss, vision impairment)
- you feel constantly nervous, worried or anxious, you cannot sleep, or you have negative thoughts
- you are suffering from past violence or torture
- you feel unsafe, threatened, or you are afraid of someone, either a stranger or a person you know
- you have been or are being forced to do things you don't want to do
- you feel unsafe due to your faith, who you love, how you dress or behave
- you are younger than 18 and you arrived without your parents, either alone or with other family members.

Specialised support can only be provided when the staff at the reception centre knows about your special needs.



Specialised staff will ask you questions to:

- evaluate your **special needs**
- identify **what specialised support** is best for you.

This is called a **vulnerability assessment**.

An interpreter will help you communicate in a language you understand, if necessary.

Always contact the staff at the reception centre if you need specialised support.

You will receive this support for as long as the authorities consider you are in need.

You can trust the doctor, the nurse and the specialised staff and talk freely to them. All information will be kept confidential, meaning it will not be shared with others without your agreement.

The only exception is if your life or someone else's is at risk.

RIGHT TO EDUCATION FOR CHILDREN

All children, boys and girls, below 18 years old have the right to education.

They will receive support such as language classes as well as other recreational activities.

In Spain, all children aged between six and sixteen must attend school.

Parents have the obligation to send their children to school.

LANGUAGE COURSES AND VOCATIONAL TRAINING

Depending on your situation, the authorities might ask you to attend:

- language courses,
- courses about the society where you live (laws, rules and culture)
- courses to learn new skills (vocational training).

The staff will inform you about these courses and when you can start them.

WHAT OTHER RIGHTS DO YOU HAVE WHERE YOU ARE RESIDING?

- **be safe:** nobody, including the staff, is allowed to threaten, insult or harm you

- **stay with your husband, wife, children and siblings under 18 or with an adult relative who needs daily care**
- **stay with your relatives,** if you are an adult in need of daily care

- get help **to communicate** with your family and **to try and find them, if you do not know where they are**.

You can make a formal complaint if you believe that:

- any of the staff threatened, insulted or harmed you.
- You are not receiving the services or support to which you are entitled.

The reception authorities will inform you how to make a formal complaint.

You can always ask the authorities, non-governmental organisations or the United Nations Refugee Agency (UNHCR) for more information.

Attention! If you don't respect the decision to stay in this specific place and the restrictions imposed, and there is a risk you might run away again, you may be detained.

CONDITIONS IN WHICH AN APPLICANT MAY BE DETAINED

Detention means that you are placed in a specific facility that you cannot leave freely. The authorities must have a valid reason to detain you. They must be sure that no other option is possible in your case. The judicial authorities will consider your personal situation before deciding.

The reasons for detention can be, for example:

- important aspects of your asylum application (for example your identity) cannot be verified without detention
- you did not respect the obligation to stay in a specific place, and there is a risk you run away again and the authorities cannot reach you
- you received a decision to be transferred to the EU + country responsible for examining your asylum application and there is a risk you run away before the transfer
- you pose a security risk.

If you are detained, you can appeal the decision. You can request free legal assistance and representation.

WHAT ARE YOUR RECEPTION OBLIGATIONS?

Below are some of the obligations you must comply with.

- Follow the laws of this country.
- Stay in Spain and do not travel to another EU+ country without the permission of the authorities.
- Do not leave without permission the geographical area or the specific place where the authorities said you must stay.
- Cooperate fully with the authorities and follow their instructions.
- Respect the rules of the place where you are staying.
- Respect the other residents, the staff and other persons.
- Inform the reception authorities about your financial resources.
- Inform the asylum procedure authorities about your current address and contact information (telephone number, email), and any changes, so they can contact you at all times.
- Participate in the compulsory courses for integration decided by thereception authorities.

WHAT HAPPENS IF YOU DO NOT COMPLY WITH YOUR OBLIGATIONS?

The reception authorities will evaluate your situation and may decide to reduce or cancel some type of support. The reception authorities will inform you about such a decision in writing and specify which support they will reduce or cancel.

Attention!

You may receive less support, for example, if:

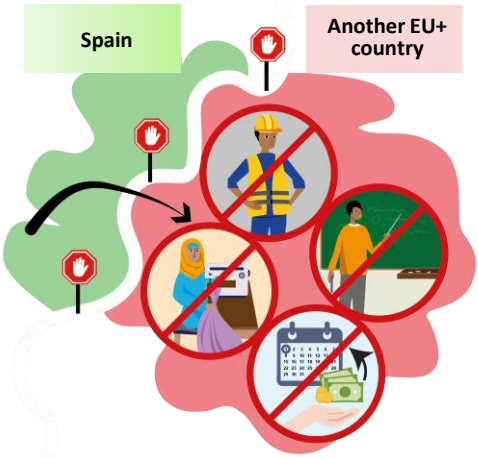
- you do not cooperate with the authorities
- you lie about your financial resources
- you break the rules of the of the place where you are staying
- you do not participate in the mandatory courses
- you already applied for asylum in another EU+ country, and you left from that country.

You may lose the support you are receiving if you are violent, if you threaten others or if you break the rules of the place where you are staying in a repeated or serious way. In this case, the police might also be called to intervene.

Attention! If you do not respect the obligation to reside at the specific place and the restrictions imposed, and the authorities fear you may run away again:

- You may be detained
- Your asylum procedure will end and your application will be considered withdrawn or rejected. This means that you may lose your status as an applicant for international protection and all the related rights.

WHAT HAPPENS IF YOU TRAVEL TO ANOTHER EU+ COUNTRY WITHOUT THE PERMISSION OF THE AUTHORITIES?



In Spain:

- Your asylum procedure will end and your application will be considered withdrawn or rejected.

In the EU+ country where you travelled without permission:

- The authorities may decide to send you back to the country that you left without permission

From the moment the authorities inform you about the decision to send you back, you will not have access to certain rights, for example:

- You will **not receive most services and economic support**
- You will **not be allowed to work**
- You will **not be allowed to attend language courses or courses to learn new skills.**

YOU CAN APPEAL A DECISION OF THE AUTHORITY

If the reception authorities decide to limit your rights as an applicant and you believe this is unfair, **you can appeal the decision**.

You can appeal if the reception authorities decide:

- you do not have the right to accommodation and other reception support
- to reduce or cancel the reception support provided to you
- not to approve your request to leave temporarily a specific geographical area or a specific place
- you are obliged to stay in a specific place (for example in a specific reception centre) and you can go out with certain restrictions

You may lodge an appeal with the Secretary of State for Migration within one month, starting from the day after you are notified of this decision.

If the judicial authority has decided that you must be detained, with no freedom of movement, you may also appeal against that decision to the court that issued it.

If you travelled to another EU+ country without the permission of the authorities and you lost certain reception rights there, you can appeal this decision in that country.

When the reception authorities in Spain decide to reduce or cancel the reception support provided to you because of the situations explained at page 21, you will have certain rights. For example, you will be able to see a doctor or a nurse, to receive medical assistance, some support and a place to sleep as decided by the authorities.

The type of support will depend on your personal situation and needs.

When the authorities of the EU+ country that you travelled to without permission decide to withdraw the reception support provided to you, the type of support you will still receive will depend on your personal situation and needs.

YOU MAY RECEIVE LEGAL ASSISTANCE

If you want to appeal the decision of the authorities to limit your reception rights before a judge, you may receive free legal assistance and representation, depending on your financial situation.

This means that a legal adviser or a lawyer will help you. Legal advisers or lawyers provide you with legal assistance before a judge, defend your interest and are independent from the authorities and the judge.

You can also consult a legal adviser or a lawyer at your own cost.

The reception authorities will inform you how to appeal a decision.

You can always ask the authorities, non-governmental organisations or UNHCR for more information, including on available free legal assistance and representation.

CONTACT DETAILS

If you have any questions or you need support during your stay, you can talk to staff working in:

the reception authority	
GOBIERNO DE ESPAÑA MINISTERIO DE INCLUSIÓN, SEGURIDAD SOCIAL Y MIGRACIONES	**Ministry of Inclusion, Social Security and Migration** State Secretariat for Migration Telephone: 0034 91 363 76 70 Email: portal@inclusion.gob.es

CONTACT DETAILS

If you have any questions or you need support during your stay, you can talk to staff working in:

ACCEM

ACCEM Contact: https://www.accem.es/contacto

Phone: +34 91 531 23 12 // Email: accem@accem.es

SPANISH RED CROSS

Spanish Red Cross Contact: https://www2.cruzroja.es/contacto

Phone: +34 900 22 11 22 // Email: informa@cruzroja.es

SPANISH COMMISSION FOR REFUGEE AID (CEAR)

CEAR Contact: https://www.cear.es/donde-estamos/

Phone: +34 91 598 05 35 / +34 91 598 05 92 // Email: recepcion.madrid@cear.es

CEPAIM

CEPAIM Contact: https://www.cepaim.org/contacta

Provincial contact phone numbers: https://www.cepaim.org/nuestros-centros

UNHCR (United Nations High Commissioner for Refugees) protects the interests and rights of asylum seekers and refugees.

UNHCR Contact: https://www.acnur.org/es-es/

Phone: +34 91 077 21 50Email: spama@unhcr.org

If you have a medical emergency or you are in danger, you can call these numbers for free:

medical emergency: 061/112

police: 091/112

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