

LEGAL STATUS



What are my legal options?

There are four different options to solve your situation depending on their suitability for you:

- To stay in the Center with a granted tolerated stay permit until you are 18 years old;
- To apply for international protection (asylum or subsidiary protection) in Slovakia;
- To return voluntarily to your home country;
- To reunite with members of your family who legally live in another country.

What is a tolerated stay in Slovakia?

As a child with no adult relatives, you have a right to be granted a tolerated stay, so you can be in Slovakia legally. The guardian will ask you various questions such as home address or name of the parents to fill the application properly. He/she and the social worker from the Center will take you to the Foreign Police. If you are 14 years or older, the policeman will take a picture of your face, your fingerprints and ask you to sign the application. Don't worry, it is standard procedure, and the information will be kept confidential. This is not an application for asylum. The tolerated stay is granted for 180 days, but it can be extended repeatedly until you are 18 years old.

What is an international protection?

There are two forms of international protection that Slovakia can grant you: asylum and subsidiary protection. The asylum is the highest form of international protection. It can be granted, if you are afraid of being persecuted because of your race, nationality, religion, political opinion or membership of a particular social group and therefore you don't want to or can't return to your home country. The fear of being persecuted means that you are afraid you can face physical or psychological violence, sexual violence, discrimination, disproportionate or discriminatory prosecution or punishment, proceedings against children, etc. In case the asylum is not granted but there is a proved risk of serious harm if you return to your home country (i.e. you would face a death penalty or torture, or your life is at risk because of violence during armed conflict in your home country), the subsidiary protection can be granted to you. Both forms of international protection allow you to legally live, study or work in Slovakia.

How does the asylum procedure look like?

If you would like to apply for asylum, talk to your guardian or contact the social workers at the Center. Your guardian and the lawyer from the IOM will explain the entire procedure and answer all your questions.

Who can help me return to my home country if I want?

If you want to return to your family in your home country, inform your guardian about it who will assess if this alternative is the most appropriate for you. If so, he/she will contact the IOM who will assist you returning home. They can help you with travel documents, provide you with travel tickets, accompany you at the airport and transfer you from the airport to your home address. Everything is free of charge but your consent is required.

How can I be reunited with my family in another country?

If you know that a parent of yours or some other relative lives in an EU country or another country different from your home country and you would like to live with him/her, tell your guardian about it. The guardian will then need to know whether your relative lives in that country legally, how you are related, and whether your relative is willing and able to take care of you. If so, the guardian decides upon the best way to ensure the travel to your relative in another country.

When should I decide what to do?

You will be informed about your rights and legal options as soon as possible after your arrival at the Center. It's completely all right that you need more time to decide and discuss with your family if you want to. The lawyer from the IOM will explain to you all options in detail and will be available for you during your whole stay at the Center in case you need legal consultations.

ABOUT US

The International Organization for Migration (IOM) in Slovakia can provide you with free legal assistance. If you have more questions, please call **0850 211 478** or write an email to **mic@iom.int**.



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ENGLISH

Ahoj!

Hello,

Welcome to

Slovakia



ENGLISH

KNOW YOUR RIGHTS



Where am I?

Hello! You are in the Slovak Republic (Slovakia), which is located in the center of Europe. Slovakia is a Member State of the European Union (EU). The capital city is Bratislava, and the official language is Slovak. In Slovakia, until you reach 18 years, you are considered a child. As a child, you are protected, and local authorities have a legal duty to care for you. Please read on about your rights, responsibilities, and legal options.

Why am I seized by the police?

Because you were found in Slovakia without a valid visa/residence permit, the Police took you to the police station to make sure that you will be all right. To better understand your situation, they need to ask you some simple questions. Based on your answers and documents that you have with you (if any), they can find out that you are younger than 18 years old without any adult relative present. The Police notifies then the Authority for Social Protection of Children, who will take care of you until you are placed at the Center for Children and Families (Center). In case you have no documents proving your age and there are doubts about it, you will be asked to undergo a medical check at the hospital (x-ray, body examinations).

Where will I stay?

You will be placed in the Center for Children and Families. People working there will take care of you and protect you. They will provide accommodation, food, necessary clothing, and toiletries for you. You have the right to get all of this. You will also receive pocket money that you can spend as you wish. You can also contact your family if it is not too risky for you.

Why is my age important?

Because you are a child outside your home country without your parents, your rights are to some extent different from those of adult foreigners. They grant you enhanced protection.

- A guardian will be established for you to protect your rights.
- The police cannot deport you from Slovakia until you are 18 years old. You cannot be as well placed into detention center (center guarded by policemen).
- You will be placed in the Center where you can stay until your 18th birthday and, in some cases, even longer.

Who is a guardian?

A guardian is a person legally responsible for your overall care, representing you in front of other authorities, such as foreign police or court, and assuring your best interest is respected. You have a right to turn to him/her anytime you need, the caretakers or social worker in the Center will connect you. You have a right to make free decisions and communicate freely regarding any of the circumstances and measures concerning yourself. However, all the necessary steps must be taken by your guardian. Do not sign any documents without speaking to him/her first. Do not worry that you do not speak Slovak, an interpreter who speaks your language will help you communicate with your guardian.

Who else will be taking care of me?

In the Center, you will meet various people taking care of you. The caretakers will look after you on a day-to-day basis, cook for you and spend your free time with you, but they can also impose some duties on you (e.g. cleaning your room, washing dishes, etc.). The social worker will look after your overall well – being – physical as well as mental. You will be provided also a lawyer by the IOM who will explain to you all your rights and legal options in detail after your arrival at the Center.

Can I move freely outside the premises of the Center?

Since the Center is responsible for your care and safety, you may only leave the premises with the consent of the social worker, the director, or caretakers. They will mainly consider whether the place you want to go to is suitable for you.

Can I practice my religion in Slovakia?

Of course, you can! You have a right to have your culture, habits and religion respected by others. Also, you have a right to practice your religion in private as well as in public. The living conditions in the Center are adjusted to it (e.g. serving the religion-appropriate food, respecting your holidays and tradition, etc.), so you don't have to worry about that. If you have some requests or questions, do not hesitate to ask and discuss them with your caretakers.

What if someone hurts me or treats me badly?

You have a right to be protected from physical or mental violence and abuse. If it happens, don't hesitate and tell about it the adult you trust. Also, if something like that happened to you in your home country or during your journey to Europe, tell it to your guardian, who can take the necessary steps to help you feel better.

Can I visit a doctor if I don't feel well?

The Center will provide the necessary health care to you. After your arrival at the Center, you will be examined by a doctor who will check whether you suffer from any disease and whether you need to undergo any treatment. Until obtaining results, you will be temporarily placed in the reception part of the Center, a closed section where you can't move freely and get in touch with other children. Once the examinations show you are healthy, you will be placed to the residential part, where you can meet others. In case of any health problems, talk to the social worker or caretakers who will help you and take you to the doctor.

Do I need to speak Slovak?

You have a right to speak in the language you understand, and you have the right to an interpreter. But it's always good to know another language. Learning the Slovak language can help you communicate with your caretakers in the Center, meet new friends, learn new things in school and find a job in Slovakia. Since you have a right to free, full-time education, you will be provided classes of the Slovak language at the Center. In case of a good command of Slovak, you will also attend a Slovak school together with local children.



YOUR RESPONSIBILITIES

What rules should I follow?

With rights come responsibilities.

Please follow these basic rules:

- Respect the house rules of the Center, other children, and people who are taking care of you.
- Do no harm to others or to facility equipment, engage in creating positive and friendly atmosphere at the Center.
- Help your caretakers to keep your environment clean and tidy up after yourself.
- Be patient and use your time at the Center to learn the Slovak language and new things.