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4.9.1.3. Concerns raised on providing access to information

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icon for concerns by civil society

Despite progress, there were concerns raised about the quality and accessibility of information on the asylum procedure, as has been the case in previous years. NHRIs identified a trend of insufficient or poor-quality information being provided to migrants by state authorities on their rights to request international protection and to seek a remedy when rights have been breached.785

In Cyprus, an overall concern was raised about the lack of information provided, both in terms of the number of NGO providers, their availability and the information material available.786 In Greece, it was underlined that access to information was problematic, bearing in mind the need to provide information on an expanded set of obligations and penalties that can be imposed on applicants in line with national law.787

In monitoring access to the asylum procedure, the Lithuanian Red Cross identified several instances when applicants had not been given sufficient information about the applicable asylum procedure, including information on their legal situation, the status of their application and the possibility of being able to actively participate in the asylum procedure.788

Often the mode of providing information was not considered to be conducive to applicants to fully understand the framework and their own particular circumstances. In the Italian hotspot of Lampedusa, based on their visit, ASGI raised an issue with information being provided through a general paper brochure with no specific instructions and through monitors displayed in the area where photo identifications are completed. ASGI considered both these tools to be inadequate given the circumstances in which they were used.789

Moreover, several NHRIs drew attention to the inability of some national authorities to overcome linguistic and cultural barriers that prevent asylum seekers from understanding their rights and the complaint mechanisms that are available. The concerns raised included insufficient or non-existent translation of crucial information on migrants' rights, the availability of interpreters and a lack of a commitment to ensure that the information is presented in a way that the person can understand.790

In keeping with the above, the Justice of Peace of Syracuse highlighted the failure of Italian authorities to translate the decree of rejection (entry ban/*refoulement*) into a language known by the applicant, as neither the applicant's language nor potential illiteracy had been determined. The Italian authorities also did not provide any proof of having fulfilled the obligation of informing the individual of their right to apply for asylum.

The High Court in Ireland found in another case that an applicant had not been provided with adequate information on the family reunification procedure in a language that they understood, which violated Article 22 of the recast QD.

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