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5.2 Identifying and attending to special needs



Adults arriving to Europe can also be in a vulnerable position or have individual circumstances which require special attention. Notable developments and activities took place in several countries despite the COVID-19 pandemic, resulting in some EU+ countries updating their legislation, policies and guidance. Some developed new vulnerability assessments for applicants with special procedural need or implemented quality monitoring measures.

Amendments to the Asylum Act in Bulgaria made vulnerability assessments mandatory and a support plan necessary if needed (LAR, Article 30a). The change was in response to previous concerns that no specific identification mechanism was in place for applicants with special needs, except for children.[1300]

Estonia introduced an additional assessment tool with a checklist to assess vulnerabilities and inform the reception center. The Ministry of the Interior, the PBGB and the Social Insurance Board also launched a new information and data-sharing system on children and adults in need of assistance. Through the new system, the police can immediately send information about a person in need of assistance or considered to be at risk to the Social Services and Benefits Data Register (STAR).

The Irish IPAS is in the process of implementing a new formal vulnerability assessment, and expertise in supporting vulnerable people will be commissioned to NGOs to support highly-vulnerable applicants. For example, victims of torture are referred to a specialised NGO which provides services on behalf of the state and their health services will be mainstreamed. The IPAS is also considering introducing referral mechanisms to LGBTI support groups. The new vulnerability assessment process takes into account the particular needs of LGBTI applicants, and case officers are provided with relevant training to respond to homophobic prejudices, including among other residents of shared facilities.[1301]

UNHCR examined the situation of applicants with special needs under the new Swiss asylum procedure and noted that the introduction of legal counselling and a legal representative for each applicant in the country has also meant that the needs of applicants are considered in a more adequate manner.[1302]

Detecting any health problems or medical conditions is important in the identification process since a return could pose a serious risk to the well-being of applicants and put their life at risk in the country of origin. In Italy, the Civil Court of Milan granted refugee protection to a Guinean national suffering from epilepsy and found he would be at risk if returned because he was deemed to belong to a particular at-risk social group.

[1300] AIDA Bulgaria. (2021). *Country Report: Bulgaria - 2020 Update*. Edited by ECRE. Written by Bulgarian Helsinki Committee. https://asylumineurope.org/wp-content/uploads/2021/02/AIDA-BG_2020update.pdf

[1301] Department of Children, Equality, Disability, Integration and Youth. (2020). *A White Paper to End Direct Provision and to Establish a New International Protection Support Service*. https://www.gov.ie/pdf/?file=https://assets.gov.ie/124757/ef0c3059-b117-4bfa-a2df-8213bb6a63db.pdf#page=0

[1302] United Nations High Commissioner for Refugees. (August 2020). *Neustrukturierung des Asylbereichs: Asylsuchende mit besonderen Bedürfnissen im neuen schweizerischen Asylverfahren; Problemaufriss und erste Empfehlungen [Restructuring the asylum field: Asylum seekers with special needs in the new Swiss asylum procedure; Challenges and Recommendations]* . https://www.unhcr.org/dach/wp-content/uploads/sites/27/2020/08/Besondere-Beduerfnisse-im-Asylverfahren.pdf

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