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Applicants for international protection are exposed to several stress factors which can place a strain on mental health and wellbeing. Providing timely access to mental health and psychosocial support is crucial for applicants since their mental state could deteriorate rapidly in the host country. This could ultimately affect their asylum procedure and how they fully engage in the personal interview. The Finnish Institute for Health and Welfare found that 80% of asylum seekers arriving in Finland experienced some sort of traumatic events in their country of origin or during their journey, such as war, torture, sexual violence or a loss of family members.1023 In the host country, inadequate living conditions, uncertainty about future prospects, linguistic and cultural challenges, stigma, exclusion and difficulties in accessing mental health services are some of the stress factors that can affect an individual's mental health and wellbeing.1024

In order to address both physical and mental health needs, the World Health Assembly adopted a resolution in May 2023 to extend the WHO Global Action Plan on promoting the health of refugees and migrants until 2030. The new Action Plan calls on governments and relevant stakeholders in collaboration with the WHO to continue to improve the health of refugees and migrants worldwide and make health systems more accessible and inclusive, including for mental health issues.1025

In 2023, some courts ruled on cases related to applicants with mental health conditions. For example, an applicant from the Democratic Republic of the Congo who suffered from mental health issues had his application rejected in Greece. After assessing the healthcare system in the country of origin, especially with regard to mental health conditions, the Independent Appeals Committee found that the applicant would not have a support network and was at risk of serious harm if returned.

In another case in Greece, an application on the grounds of sexual orientation of a man from Sierra Leone with schizophrenia received a negative decision from the Regional Asylum Office of Samos. He appealed the decision which was first rejected by the committee, arguing a lack of credibility in the applicant's statements about his sexual orientation. The applicant contested the committee's decision before the Administrative Court of Athens, which found that the Appeals Committee had failed to assess the applicant's statements and the evidence he

provided about his mental health condition. Therefore, the administrative court upheld the applicant's appeal and annulled the decision.

The ECtHR found Hungary in violation of the ECHR when not taking into consideration the mental state of an applicant. The woman, who was accompanied by a minor child, was at risk of committing suicide while being illegally detained in insufficient living conditions in the Tompa transit zone for a mother and her minor child. However, she had not received medical care. The court noted that the government had not explained why she was not examined by a psychologist in a local hospital, if there was no psychologist available in the transit zone, and that they did not provide records of medical consultations to prove that they were not aware of the medical issues raised by the applicant.

In this regard, Maltese civil society organisations raised concerns about asylum seekers with mental health problems who were detained for prolonged periods.1026 Maltese authorities stated that they continued to invest in the provision of healthcare, including mental health services, at detention facilities, for example by setting up of the Migrant Health Clinic Service in 2021 and providing psychiatric care and other specialisations.

- 1023Finnish Institute for Health and Welfare. *Refugees and mental health*.
- 1024World Health Organization. (2021, August 31). *Mental health and forced displacement* .
- 1025World Health Organization. (2023, November 1). *Action plan for refugee and migrant health in the WHO European Region 2023–2030 - Summary* . https://www.who.int/poland/publications/m/item/action-plan-for-refugee-and-migrant-health-in-the-who-european-region-2023-2030-summary
- 1026Migrant Offshore Aid Station - MOAS. (2023). Input to the Asylum Report 2024; Malta Refugee Council. (2023). Input to the Asylum Report 2024. https://euaa.europa.eu/sites/default/files/2024-02/migrant_offshore_aid_station_moas.pdf

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