Complaints Mechanism - Frequently Asked Questions

○ 1. Whom can I complain about?

You can submit a complaint if you believe that **a member of an EUAA asylum support team** has violated your fundamental rights.

EUAA personnel may interact with you at different phases of the asylum procedure, such as registration, interviews or reception activities. The EUAA provides operational and technical assistance to Member States in the framework of operational plans. Check the list of operational plans signed by the Agency with Member States.

Members of the EUAA asylum support teams are identifiable by **distinctive clothing** (such as vests, coats, T-shirts) or **badges displaying their name and the EUAA logo** (see below).

EUAA logo blue background

If you are unsure whether someone is part of an EUAA asylum support team, you can always **ask them to identify themselves**.

Please ensure that your complaint identifies the **member of the EUAA asylum support team** you are complaining about. Even if you do not know their personal details (such as name or surname), you can still provide information to help identify the individuals concerned. Therefore, when submitting a complaint, try to provide as many details as possible, including the description of the person, their clothing and their name (if known). Please also consider that information on the location and date of the alleged actions can help identifying the persons involved.

○ 2. What can I complain about?

You can submit a complaint if you believe your fundamental rights have been violated by an expert participating in an EUAA asylum support team.

Your rights are enshrined in the Charter of Fundamental Rights of the European Union, a binding legal instrument that safeguards the dignity and freedoms of everyone in the EU, regardless of nationality and status. Every member of an asylum support team is obliged to respect these rights without exception in all their interactions with you.

Some of the key fundamental rights you are entitled to include:

- The right to **human dignity**: you must be treated with respect at all times.
- The right to **seek asylum**: you have the right to seek asylum and to have your application processed fairly, impartially and efficiently.
- The right to **respect for private and family life**: your private sphere and your connections to your family members must be respected.
- The rights of **the child**: if you are a minor, your best interests must be a primary consideration in all decisions affecting you.
- **Non-discrimination**: you must not be treated unfairly because of any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national

minority, property, birth, disability, age or sexual orientation.

- The **prohibition of torture and inhuman or degrading treatment**: no one has the right to treat you in a way that is cruel, degrading or inhumane.

- The **right to integrity of the person**: your physical and mental integrity must be respected.

- The right to **good administration**: you have the right to be heard, to receive reasons for decisions that affect you and to have your case handled impartially.

- The right to **protection of personal data**: information about you must be handled confidentially and only as stipulated in the respective legal provisions.

- The right to an **effective remedy**: if your rights are violated, you must have access to a fair and effective legal redress.

To better understand these rights and how they apply to your situation, visit the website of the **European Union Agency for Fundamental Rights (FRA)**. The FRA provides clear guidance and practical tools to help you know what your rights are.

○ 3. Where are members of EUAA asylum support teams deployed?

Asylum support teams are deployed in **Member States** where the EUAA is providing operational and technical assistance within the framework of an operational plan.

The members of EUAA asylum support teams are involved in a variety of activities, such as registering asylum applications, conducting asylum or vulnerability interviews, providing information, interpretation or cultural mediation services. The countries and

locations where EUAA asylum support teams are deployed are subject to change.

> **Visit the web page to find more information about the EUAA country operations.**

○ 4. What happens if my complaint is inadmissible?

If your complaint is found to be inadmissible, the Fundamental Rights Officer will inform you and, where possible, provide guidance on **other ways** to address your concerns. This may include referring you to relevant **national fundamental rights bodies** in the country where the issue occurred.

For example, if your complaint relates to **staff of national authorities**, the Fundamental Rights Officer might refer you to the competent **national ombudsperson** (visit the European Ombudsman website for more information).

If you consent, the Fundamental Rights Officer **may** also **forward** your complaint to these national fundamental rights institutions, especially if your complaint raises serious fundamental rights concerns but does not fall under the scope of the EUAA complaints mechanism. In such cases, the Fundamental Rights will inform you and **provide you with the contact details** of the body to which your complaint has been forwarded.

Even if a complaint is inadmissible, the Fundamental Rights Officer will inform the Executive Director and, where appropriate, the Management Board of the EUAA, if it raises serious fundamental rights concerns.

○ 5. What does confidentiality entail in the context of the EUAA complaints mechanism’s procedures?

Your complaint will be treated with the utmost confidentiality. This means that the information you provide will be used by the Fundamental Rights Officer and the EUAA only for the purpose of **processing your complaint**. Only the Fundamental Rights Officer and the EUAA staff directly **involved in handling** your complaint will have access to this information. When you submit a complaint, **you implicitly waive your confidentiality towards anyone within the EUAA** that needs to be involved in the handling of your complaint at various stages of the procedure. The Fundamental Rights Officer and the Agency are committed to sharing complaints-related information within the Agency on a strictly **need-to-know basis**.

Confidentiality also means that your data **will not be shared** with **anyone outside the EUAA**.

When you submit the EUAA standard complaint form, you will be asked whether you consent to the sharing of your personal data with the competent national authorities and the relevant national fundamental rights institutions, as applicable.

If you submit your complaint without using the standard complaint form, we recommend that you clearly indicate whether you consent to the sharing of your data as above. If this information is omitted, the Fundamental Rights Officer will request a clarification. If you do not respond, we will assume that confidentiality has not been waived.

If the Fundamental Rights Officer shares your data outside the EUAA, you will be duly **informed** and **you will receive the contact details** of the authority or body with which your information has been shared.

○ 6. Can I contact the EUAA Fundamental Rights Officer in case of an emergency?

The EUAA complaints mechanism **is not designed for emergency situations**. If you are in immediate danger—for example, if your life or physical or mental well-being is at serious risk, or if you are experiencing abuse or violence—you should immediately contact relevant national authorities in the country where you are located.

You may still report the incident to the EUAA Fundamental Rights Officer at a later stage. Please be aware that the processing of complaints may take time.

○ 7. How long does this procedure typically take?

The EUAA complaints mechanism is an administrative process and may take **several weeks, months** or even **years** to complete. The duration depends on several factors, including the **complexity of the case**, the **amount of evidence submitted** and whether the complaint is found to be **admissible or inadmissible**.

Once your complaint is received, the **Fundamental Rights Officer** will acknowledge it within **five working days**. The Fundamental Rights Officer will then begin reviewing the **admissibility** of your complaint and will aim to issue an admissibility decision within **30 working days**.

If more information is needed to assess the admissibility of your complaint, you may be asked to **submit additional information, clarifications or evidence.** In such cases, the review process may take longer.

Following the submission of additional information, whether provided at the request of the Fundamental Rights Officer or submitted voluntarily, the above-mentioned 30 working-day period may begin from the date the additional information is received. As a result, **each new submission may extend the overall duration of the admissibility assessment**.

Additionally, in particularly complex cases the Fundamental Rights Officer may require **15 extra working days** to issue a decision.

You will always be **informed in writing** about the **deadlines for issuing an admissibility decision**, **the status of your complaint** and **when to expect further updates or decisions**.

If your complaint is found to be **inadmissible**, you will be informed of the inadmissibility decision within the timeline described above and this will conclude the process.

If your complaint is deemed **admissible**, the EUAA or other competent authorities as needed will proceed to **investigate the facts**. The Fundamental Rights Officer will inform you when your complaint has been assessed as admissible and will provide you with a **written update within six months,** and at regular intervals of six months thereafter, if the procedure takes longer.

Once the investigation conducted by the EUAA or the competent national authorities is complete, the Fundamental Rights Officer will **inform you in writing** that your complaint has been closed and will share information about the **findings**, **follow-up actions** and **relevant decisions made**.

Related content

- Complaints Mechanism
- List of Operational Plans
- EUAA Country Operations

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