

Basic Information for Asylum-seekers in Sri Lanka

Role of UNHCR

The Office of the United Nations High Commissioner for Refugees (UNHCR) is known as the refugee agency of the United Nations and was established in 1951 to provide international protection to refugees and to find solutions for their displacement. UNHCR works to safeguard the rights of refugees, promote their well-being and help secure durable solutions for them.

Who is a refugee?

According to the *1951 Convention Relating to the Status of Refugees*, a refugee is a person who “...**owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.**”

Please also note that Applicants who are found to be responsible for serious crimes would be excluded from refugee status as they would be found to be undeserving of international protection.

How do I register with UNHCR?

Registration is the first step in seeking international protection with UNHCR. Registration involves recording your personal bio-data, travel route, reason for seeking asylum as well as capturing your photo for identification purposes.

Step 1:

In order to obtain an appointment for registration with UNHCR, you are requested to come to the Office on any day from Monday – Friday 8.30 a.m.-4.30 p.m. (except on UN Holidays). Please fill in the “New Arrival Information Sheet” that can be obtained at the gate and submit it to the office with your passport, if you hold one.

Step 2:

For those who are unable to speak English UNHCR will arrange an interpreter. The date/time of your registration appointment will be communicated to you by phone. Registration usually will be completed within 2-4 weeks from the date you approached the office. (Step 1)

Upon registration, your basic information will be shared with relevant Government authorities in Sri Lanka. However, your reasons for leaving your country will remain confidential.

What should I bring with me on the day of registration?

- Please bring all documents relevant to your case i.e. passports, identity papers, marriage certificate, birth certificate, family information sheet and National ID etc. on your appointment date;
- Please bring a detailed written statement, in the language of your choice, of how and why you left your country of origin and why you cannot return.

Remember that:

- All persons seeking asylum (including family members and/or any other dependants) should be present at the UNHCR Office for registration; please be at the UNHCR Office 15 minutes before your interview time.
- It is important that you provide correct and complete information when registering. Incomplete or incorrect information may be detrimental to your case.
- Each person or family that is registered will have a registration number and all further communication with the Office must indicate this registration number;
- You may need to spend a full day at the Office. Please be patient and be prepared.
- Once registered with UNHCR you will be issued with an asylum-seeker certificate which will expire in two weeks from the date of registration. From then on it will be renewed on a half yearly basis. (June 30 and December 31).

Family Inclusion

- If your family members arrive in the country of asylum and they want to seek asylum please follow the steps mentioned in the “HOW DO I REGISTER WITH UNHCR” section.

Updating information

- Please inform UNHCR of any changes to your information provided at registration or at any other stage during the process of your case.

e.g. marriage, birth of a child, change of address, change of phone number, serious medical illness etc.

How to complete Police Registration

Once you are registered with UNHCR, you are requested to register with the local Police (closest Police Station to your place of residence).

At your registration interview you will be counseled on how to do this. Proof of the completion of this registration will be required prior to the renewal of your asylum-seeker certificate.

Refugee Status Determination (RSD) by UNHCR

After you are registered you will automatically enter the Refugee Status Determination (RSD) process and you will be scheduled for an RSD interview – please note that this may take from 18 – 24 months. The RSD interview will be used to assess if you are a refugee according to the 1951 Refugee Convention or not.

During the Refugee Status Determination procedure, you are required to:

- Submit any documents and evidence available regarding your application that you have in your possession;
- Tell the truth and be cooperative;
- Inform UNHCR about family members accompanying you. Adult family members will be interviewed individually.

During the Refugee Status Determination procedure you have the right to:

- Be interviewed in a language you can communicate in;

How long will it take for me to be issued with a decision?

- This depends on the nature of your case, as each case has to be considered individually. It could take from 1 to 6 months since the date of your interview.

What if I am not recognized at first instance?

- If you are notified with a negative decision you have the right to submit an appeal to UNHCR within 30 days of your decision. When you submit an appeal your file will be reviewed by a different officer than the one who decided your claim in first instance.
- The officer can overturn the first instance decision and grant you refugee status. However, if the first instance decision is confirmed your file will be closed and the Sri Lankan authorities will be informed that you are no longer a person of concern to UNHCR.
- Please note that adjudication of appeal application is a separate process which may require some time. Also not everyone will be interviewed on appeal.

Please be noted that,

Failure appear to RSD interviews without prior notification, may lead to closure of your case.

Please note that:

- **Each applicant has a different profile, background and reason for fleeing his/her country; hence each case will be assessed individually according to UNHCR rules and procedures.** Please, do not pay attention to anyone who

says that specific stories have to be presented in order to be granted refugee status;

- **Intentionally misleading UNHCR about the facts of your case or your identity is fraud.** Please note that this will negatively affect the processing of your case and may lead to a negative decision. UNHCR reserves the right to take appropriate measures in such cases;
- Your statements and documents will be kept confidential and will not be shared by UNHCR with third parties without your consent; **Please note that under no circumstances will UNHCR share your information with the Government of your country of origin;**
- While in Sri Lanka you are expected to respect the laws, customs and traditions of the society hosting you;
- **Verbal and physical threats made to UNHCR staff violate national law. UNHCR will report any person making such threats to the Police and these persons may be prosecuted;**

Detention

The Sri Lankan Government is not party to the international conventions which recognize and protect refugees (*1951 Convention Relating to the Status of Refugees and its 1967 Protocol*). This means that while you are in Sri Lanka you will not be recognized as a legal resident in the country.

If you are stopped / arrested by the Police

- You should calmly cooperate with the police and other authorities and find out the reason for your arrest;
- Show the police your UNHCR document/UNHCR Registration Number and tell the police to call the **UNHCR Hotline number 11-268-3968** to verify your status;
- Memorise the UNHCR Hotline number and if possible, your UNHCR Registration Number;
- Alert UNHCR, friends or family as soon as possible and provide UNHCR Registration Number, place of arrest/detention, which police station and the contact number of the Investigating Officer (if possible).

Services for Asylum-seekers and Refugees

As an asylum seeker/refugee, you *can* access treatment at all public (government) health facilities free of charge upon showing your asylum- seeker/ refugee certificate.

UNHCR doesn't provide financial or material assistance to asylum-seekers. Both asylum-seekers and refugees are not authorized to engage in any type of work.

You may approach other humanitarian organizations /charities or religious institutions for services and assistance.

You may contact UNHCR Community Services staff for further assistance in identifying service providers by emailing us, lkaco@unhcr.org

If you wish to speak to an officer regarding any matter please receive a prior appointment (via email , by phone or through refugee community centres)before you visit the office. Those who come without an appointment will not be seen unless it is an emergency.

Durable Solutions

Once you are recognized as a refugee, you will receive a refugee certificate in substitution of your asylum-seeker certificate and UNHCR will try to identify a durable solution for you. UNHCR recognises three durable solutions for refugees: voluntary repatriation, local integration, and resettlement.

Voluntary Repatriation is when a refugee safely and willingly decides to return to his/her country of origin. UNHCR may be able to assist you to return home if you choose to do so.

Local Integration is when a refugee is permitted by the country of asylum to legally reside within that country and he/she is able to enjoy equally most of the rights of a citizen and is under the protection of the asylum country. The Government of Sri Lanka does not permit refugees to locally integrate.

Resettlement

Resettlement is when a refugee leaves the country of asylum and legally settles in another country that has agreed to admit him/her as a refugee and to grant him/her a permanent status in their country. **Resettlement is not a right** nor a guarantee. UNHCR has no legal obligation to submit you for resettlement. If resettlement is found to be an option for you, you are requested to wait patiently until your turn arrives. You will not be able to choose resettlement countries as options and places are limited. In addition, once a case is submitted to a resettlement country, it is that country that will decide on whether the case is accepted or not. Different countries have different procedures and take differing periods of time to process resettlement submissions.

- Please inform UNHCR of any changes to the information you have provided at registration or at any other stage during the processing of your case.

e.g. marriage, divorce, birth of a child, death, change of address, change of phone number, serious medical illnesses etc.

All UNHCR services are free of charge.

Please report anyone who is requesting money or any other favour from you in order to benefit from UNHCR services by using the Complaints Box situated in front of the security area at UNHCR or by emailing to lkacofraud@unhcr.org

UNHCR Contacts:

When you write, call or approach UNHCR in person for any reason related to your case, please always make reference to your registration number. Please do not share your registration number with third parties.

Address:

**UNHCR Representation Office in Sri Lanka
97 Rosmead Place
Colombo 7**

Telephone: +94-11-268-3968

Fax: +94-11-268-3971

Email: lkaco@unhcr.org

Given the number of queries received daily by the Office, please be patient, we will respond to you as soon as possible

Complaints:

Complain about any mistreatment, harassment, abuse or other improper conduct. You can drop your written complaints into the Complaints Box situated in front of the security area of the UNHCR Office or email it to lkaco@unhcr.org.

Your complaint will be treated with sensitivity and will be kept strictly confidential.

Please note that UNHCR cannot consider anonymous complaints.

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