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Ad-Hoc Query

2025.33 Needs assessment for determining the extent of legal advice/counselling for asylum applicants

European Migration Network
Ad-hoc query

August, 2025

AD-HOC QUERY ON 2025.33 NEEDS ASSESSMENT FOR DETERMINING THE EXTENT OF LEGAL ADVICE/COUNSELLING FOR ASYLUM APPLICANTS

REQUESTED BY EMN NCP GERMANY ON 3 JULY 2025

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Exported for: Wider Dissemination

Responses from: EMN NCP Austria, EMN NCP Belgium, EMN NCP Bulgaria, EMN NCP Croatia, EMN NCP Cyprus, EMN NCP Czech Republic, EMN NCP Estonia, EMN NCP Finland, EMN NCP France, EMN NCP Germany, EMN NCP Greece, EMN NCP Hungary, EMN NCP Ireland, EMN NCP Italy, EMN NCP Latvia, EMN NCP Lithuania, EMN NCP Luxembourg, EMN NCP Malta, EMN NCP Netherlands, EMN NCP Poland, EMN NCP Portugal, EMN NCP Serbia, EMN NCP Slovakia, EMN NCP Slovenia, EMN NCP Spain, EMN NCP Sweden **(26 in total)**

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN National Contact Points (NCPs) in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN Country.

BACKGROUND INFORMATION

From January 2023, following the revision of Art. 12a of the Asylum Act, in Germany asylum procedure advice ('unabhängige Asylverfahrensberatung') is provided by welfare and non-governmental organisations, independently of public authorities, and funded by the federal state. This counselling is free of charge for applicants of international protection and its usage is voluntary. It consists of one-to-one sessions, which may include general information on the asylum procedure and/or case specific individual legal advice. Ideally, it begins before the asylum application is filed and can continue until the asylum procedure has been concluded but can be taken up at any time point within this time frame. Additionally, Germany plans to implement free legal counselling during the asylum procedure in accordance with Art. 16 of the Regulation (EU) 2024/1348. From 2026, applicants may obtain general information on the asylum procedure and/or information on the status of their asylum application (but not advice

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on their individual case) from the determining authority (i. e. the Federal Office for Migration and Refugees).

Germany is currently evaluating the asylum procedure advice, with a particular focus on determining the extent of the need for such a service. Therefore, we would like to ask how other Member States analyse and determine the needs of people seeking international protection in this regard. We are particularly interested in how other Member States decide how much counselling to provide (e. g. number of advice centres and counselled individuals) and thus how much money to allocate to such services (e. g. actual funding). Do Member States assume that all asylum seekers need and will apply for this service, or only a subset of them? If they are focusing on a subgroup, how are they identifying or defining it? Do they assume that applicants with vulnerabilities have different needs with regard to such service?

We are aware that the Member States have already described how they (plan to) implement free legal counselling during the asylum procedure in accordance with Art. 16 of the Regulation (EU) 2024/1348 for the Inform “Free legal counselling in the Asylum Procedure Regulation” through AHQ 2025.8. However, we are rather interested in learning more about the needs assessment aspects of determining the extent of individual legal advice / case-based counselling. We are intending to write an internal as well as a public evaluation report on this topic and therefore your contributions are highly valuable for us.

WE WOULD LIKE TO ASK THE FOLLOWING QUESTIONS:


We would very much appreciate your responses by **24 July 2025**.

1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?
2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?

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3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?
4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.


RESPONSES

	Wider Dissemination?	
 EMN NCP Austria	Yes	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>Yes, according to Art. 49 para. 1 of the Federal Office for Immigration and Asylum Procedures Act, foreign nationals in pending proceedings within the jurisdiction of the Federal Office – including proceedings on the granting of international protection – can be granted free legal advice in accordance with the actual possibilities. Furthermore, there is a right to legal advice in the admission procedure if it is intended to conduct an interview within 72 hours of the notification of the planned rejection at the border or refusal of an application for international protection in order to ensure that the parties are heard (see Art. 29 para. 4 Asylum Act). This also includes the counseling and representation of unaccompanied minors in accordance with Art. 10 Federal Office for Immigration and Asylum Procedures Act.</p> <p>The provision of legal advice is the responsibility of the Federal Agency for Reception and Support Services (Art. 2 para. 1 subpara 2 Federal Act Establishing the Federal Agency for Reception and Support Services</p>

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			<p>company with limited liability) and the legal advisors are independent in the performance of their legal advice task and must carry it out free from instructions. --- Source: Ministry of the Interior</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling? No. --- Source: Ministry of the Interior</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? n/i --- Source: Ministry of the Interior</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p>
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			<p>n/i --- Source: Ministry of the Interior</p>
	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>In Belgium, legal assistance and representation is offered to applicants for international protection from the start of the asylum procedure, after registering and lodging of the application. Article 23 of the Belgian Constitution determines that the right to a life in dignity implies for every person inter alia the right to legal assistance. The Immigration Act guarantees free legal assistance by a lawyer to all applicants for international protection, at every stage (first instance, appeal, cassation) of the procedure and in all types of procedures (regular, accelerated, admissibility, appeal in full jurisdiction, annulment and suspension). The Reception Act also guarantees applicants for international protection efficient access to legal aid during the first and the second instance procedure, as envisaged by the Judicial Code.</p> <p>The so-called “first-line assistance” is organised by local commissions for legal assistance, composed of lawyers representing the local bar association and the Public Centres for Social Welfare (CPAS / PCSW). There, first legal advice is given by a lawyer, or a person is referred to a more specialised instance, organisation, or to “second line assistance”, completely free of charge, regardless of income or financial resources. The first-line assistance is organised in each judicial district by the Commission for Legal Assistance. Besides these lawyers’ initiatives, other public social organisations and NGOs provide this kind of first-line legal assistance.</p>

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			<p>Second-line legal assistance is free of charge for persons with inadequate financial means and is provided in the form of a pro bono lawyer. This lawyer is assigned to give substantial legal advice and to assist and represent the person in the asylum procedure (including the right to be present during the personal interview). Secondary legal aid can be requested in two ways. Firstly, through the Bar Association of each judicial district via the Bureau for Legal Assistance. Secondly, through contacting a lawyer directly asking them to take on the case pro bono. Access to a free or partially free lawyer is determined by the maximum income limit, which depends on the family situation of the applicant.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>Yes, depending on the financial resources of the applicant, the cost of the legal advice provided by the lawyer can be recovered from the applicant.</p> <p>To make use of the right to second-line legal assistance, an applicant for international protection must prove their status. To this end, the applicant submits an annex 26 (the document issued from the Immigration Office attesting the lodging of an application for international protection), or a certificate of admission to an asylum reception centre. Applicants residing in a reception centre during their asylum procedure are considered to meet the conditions for free legal assistance, given that the condition of having insufficient resources also applies to get access to the reception system.</p> <p>Applicants staying at a private address during their asylum procedure, need in principle to provide information on the identity of the people staying at the same address and their respective income. Because of the presumption of being without sufficient financial resources, the elements of proof provided are assessed less strictly than is the case for other categories of people applying for free legal assistance. If an applicant benefits from this system and it is later discovered that they do have an income, the benefit received through the right to second-line legal assistance can be partially or fully reclaimed from them.</p>
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3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?


The Office of the Commissioner General for Refugees and Stateless Persons (CGRS) reports that the challenge of implementing legal advice is to provide qualitative assistance to applicants for international protection in the face of a quantitatively increasing number of applications for assistance.

Any applicant for international protection may seek the assistance of a pro bono lawyer, if the applicant can demonstrate insufficient financial means to hire a paying lawyer. As a result, about 2/3 of applicants effectively seek such assistance. There is therefore a high demand for lawyers specialising in immigration law. The challenge is to provide the same and sufficiently qualitative assistance to every applicant, with an increasing number of requests for assistance. Proper assistance is labour and time-intensive (reception at the office for the intake interview; second appointment to prepare for the personal interview with the CGRS; accompanying the applicant to the interview; filing an appeal and following up the appeal procedure after a negative decision by the CGRS,...), and most lawyers are overstretched and can no longer provide proper assistance.

As a result, many lawyers either limit the number of clients or engage deputy lawyers to represent them. However, in practice, these deputy lawyers often turn out to be insufficiently prepared themselves and do not know their client's file sufficiently well to provide quality assistance. Moreover, the same lawyers are also often recommended by word of mouth within a particular community, leading to some lawyers working almost exclusively for the same target audience and adding to the workload.

Starting lawyers in Belgium are also required to devote a number of training hours to immigration law and must handle a number of asylum cases. Due to the high workload, however, many of these lawyers turn their backs on immigration law after completing the compulsory hours, which means that not enough new

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			<p>lawyers move on to the “pool” of those who assist applicants for international protection. Moreover, the compensation for providing assistance has been reduced in recent years and the conditions for obtaining compensation have been tightened, resulting in a decrease in the number of lawyers willing to continue to engage in this activity.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>The Office of the Commissioner General for Refugees and Stateless Persons (CGRS) reports that the advantage of setting up such assistance is that it can effectively help the applicant for international protection through the procedure, if this assistance is provided correctly. Indeed, a motivated lawyer can provide their client with an informed legal understanding of the asylum procedure and the various asylum authorities in Belgium. Moreover, they can also help with the timely transmission to the asylum authorities of any supporting documents that the Protection Officer (officer in charge of examining the application and conducting the interview) needs to prepare for the personal interview and to verify the elements presented afterwards against the Geneva Convention. In addition, good mental preparation for the personal interview is also certainly useful and may be of benefit to the applicant, especially if they can present their narrative in a calm, structured manner, even though, in principle, the lawyer is not allowed to intervene during the personal interview and only comment at the end.</p>
	EMN NCP Bulgaria	Yes	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated,</p>


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			<p>etc.)?</p> <p>Currently, according to Art. 23, para. 2 of the Law on Asylum and Refugees (LAR), the State provides conditions for receiving legal assistance for foreigners seeking international protection in the Republic of Bulgaria. A foreigner who has expressed a wish to apply for international protection is given instructions on the procedure for submitting the application. The law explicitly mentions the obligation of the State Agency for Refugees (SAR) to provide information to those seeking international protection within 15 days of submitting the application. The applicant is informed in writing in a language he understands about the procedure to be followed, about his rights and obligations, about the consequences of failure to comply with his obligations or refusal to cooperate with the officials of the State Agency for Refugees, as well as about the consequences of the tacit or explicit withdrawal of his application. The applicant is also informed about the organisations providing legal and social assistance to foreigners. When circumstances require it, this information may be provided orally.</p> <p>Legal aid for asylum seekers in Bulgaria is integrated into the general legal aid system regulated by the Law on Legal Aid. Legal aid is financed from the State budget, and the services are provided by lawyers appointed by the National Bureau for Legal Aid (NBLA). The Law includes within the scope of legal aid legal advice and the preparation of documents for the initiation or conduct of administrative proceedings or for appealing decisions issued in such proceedings. Asylum seekers have the right to request the appointment of a lawyer for legal aid from the moment of registering their asylum application. The Law on Legal Aid provides for state-funded legal aid for asylum seekers at all stages of the international protection procedure, but the condition for providing legal aid is that the person in need does not have the means and resources to hire a lawyer. A means and merits test is required when considering the right to legal aid - an assessment of the applicant's age, financial, health, family and employment situation.</p> <p>In addition to the state legal aid system, free legal advice and representation of asylum seekers and persons granted international protection are also provided by the Bulgarian Helsinki Committee as an official legal partner of UNHCR, as well as by other non-governmental organisations.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to</p>
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			<p>applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>In practice, free legal aid in the administrative phase, funded by the state budget, is provided unconditionally to representatives of the vulnerable group of unaccompanied minors. For each unaccompanied minor, a representative is appointed - a lawyer from the National Bureau for Legal Aid, who provides legal assistance, looks after their interests in the procedure for international protection, represents them before all administrative bodies and acts as a procedural representative in all proceedings before administrative and judicial bodies.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>With regard to the implementation of the Pact on Migration and Asylum, a review of the laws and regulations is being carried out with a view to amendments and adaptation to the new requirements and opportunities.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>N/A</p>
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	<p>EMN NCP Croatia</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>Yes. Through the implementation of the AMIF project “Free Legal Aid in the International Protection Procedure” (implementation from the second quarter of 2024 to the fourth quarter of 2027), free access to legal remedies and protection of the rights of applicants for international protection is provided. Free legal aid in the international protection procedure includes: assistance in drafting lawsuits, representation in first-instance court procedure, exemption from payment of costs related to the first-instance court procedure.</p> <p>Free legal aid is provided by lawyers and legal professionals from associations registered with the ministry responsible for justice, and listed on the List of Providers of Free Legal Aid in the International Protection Procedure.</p> <p>Furthermore, the AMIF project “Legal Counselling in the International Protection Procedure 2024” is currently being implemented (for the period from the first quarter of 2025 to the fourth quarter of 2027). Project activities contribute to the effective protection of applicants in the international protection procedure, through the continuous provision of legal counselling to applicants during the first-instance international protection procedure. The project also includes legal guardians of unaccompanied minors acting as their legal representatives in the international protection procedure, who will be provided with legal information and advice.</p> <p>The project activities are implemented by an NGO selected through a public tender. In addition to individual counselling, project activities include: organizing workshops on rights, obligations, and the importance of specific actions in the international protection procedure (group counselling), printing informational materials and brochures on the ways and conditions of exercising the right to legal counselling in the most commonly spoken languages of applicants for international protection, and presenting the project at Reception Centers for applicants for international protection and at locations where border asylum procedures will be conducted.</p>
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			<p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>No distinction is made between applicants for international protection. As a general rule, within the framework of the regular procedure, officials provide certain information that guides applicants through specific phases of the international protection procedure:</p> <p>Reception centre staff, prior to the lodging of an application for international protection and in the presence of interpreters and legal guardians of unaccompanied minors, inform applicants that they must present all facts and circumstances relevant to their application for international protection. They are notified that the information they provide constitutes official confidential data and will not be shared with their country of origin or with any authorities not involved in the procedure. Applicants are warned of the consequences of giving false statements, and are informed that in processing their application, personal and biometric data will be collected and processed in accordance with personal data protection regulations, through the EURODAC system, for the purpose of determining the Member State responsible for examining their application. They are also informed of the consequences of refusing to provide fingerprints.</p> <p>In the case of a subsequent application, applicants are informed that an accelerated procedure will be conducted in accordance with the Act on International and Temporary Protection.</p> <p>Furthermore, at the time of lodging the application for international protection, applicants are provided with the following forms and documents:</p> <p>Information for applicants for international protection about their rights, obligations, and the procedure for granting international protection, Information about the EURODAC and Dublin procedures, A statement on the financial situation of the applicant, A statement confirming that the applicant is familiar with the house rules, Consent form authorizing the applicant's case to be made available for UNHCR review. Before the interview, officials inform applicants about the course and purpose of the interview, including the obligation to provide truthful answers and to submit any available evidence. They are reminded again that the information provided is confidential and will not be shared with their country of origin or with authorities not participating in the procedure. All present are under an obligation of confidentiality, and applicants are warned of the consequences of making false statements. They are also instructed to notify the authorities if there are any issues with interpretation during the process.</p>
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			<p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>One of the challenges is ensuring continuity in the provision of free legal aid through project activities. Another challenge lies in the fact that, during court proceedings, applicants often leave the territory of the Republic of Croatia without informing the competent authorities (although it is applicants legal obligation). Nevertheless, in such cases, costs for legal representation by lawyers or associations registered to provide legal aid are still to be covered by the competent authority.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>An advantage is the protection of the rights of applicants for international protection, as well as the quick and efficient access to legal remedy immediately upon delivery of the decision issued by Ministry of the Interior, through the establishment of contact with lawyers and legal professionals who is to provide legal aid.</p>
	<p>EMN NCP Cyprus</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated,</p>


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			<p>etc.)?</p> <p>YES. Currently Cyprus does not offer free legal counselling to applicants for international protection (individual or otherwise). Although a relevant provision (art. 18(7Γ)(α)) exists in the Refugee Law of 2000, this has not been implemented in practice. The existing provision does not make any mention on the type of counseling provided (e.g. group vs individual, in person vs remote). However, Cyprus plans to implement free legal counselling during the asylum procedure in accordance with Art. 16 of the Regulation (EU) 2024/1348, by July 2026.</p> <p>We are currently evaluating our needs in terms of services and resources required, as well as on the type of actor/modalities of providing the legal counselling. The assessment and determination will depend on the applications received, the potential interest of the applicants to apply for free legal counselling, as well as the expected capacity of the legal counsellor to process legal counselling requests (time needed per file, admin and other organisational tasks, breaks).</p> <p>Based on current data regarding Cyprus (organisation of the asylum system and reception centres, number of asylum applicants and current flows) we estimate that up to 3 legal counsellors are needed, with more required in cases of unexpected influx. The hiring of the legal counsellors must be taken into account while planning the annual budgeting of the Deputy Ministry.</p> <p>The counsellors will be likely based at Pournara and Kofinou camps. Upon request, and depending on the needs, legal counsellors can also be sent to the headquarters of the Asylum Service. For detained applicants, remote modalities or in-person visits to detention centres (Central Prisons, Limnes pre-departure center, Mennogia Detention Centre etc.) will have to be organised. The counsellors will likely require equipment which may include: offices and office equipment, as well as desktops or laptops to facilitate the mobility of the legal counsellors. In addition, given the mobility considerations, the costs of transportation/gas of the legal counsellors, or setting up bus services is also considered.</p> <p>Also, the Asylum Service has discretion not to provide free legal counselling to categories of applicants that fall under Art. 16(3) of the Regulation (EU) 2024/1348.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to</p>
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			<p>applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>YES. We are planning to offer both group and/or individual sessions. Applicants who can, upon request, benefit from individual legal counselling include: Minors, including unaccompanied minors Applicants that have been identified as highly vulnerable during the vulnerability assessment (such as victims of human trafficking, people who have suffered torture, rape or other serious forms of psychological, physical or sexual violence) pursuant to the definition of vulnerable persons contained in article 2 of Refugee Law 2000/ draft Refugee Law of 2025. [Note: in the vulnerability assessment carried out three outcomes are possible: high, medium and low vulnerability] Other applicants when this is deemed justified, for example due to the complexity or sensitivity of their case, or if they have specific questions regarding the administrative procedure which would not be appropriate to be asked and answered during a group session because of confidentiality reasons. Criteria that might be taken into account in assessing the complexity and sensitivity of the case include, but are not limited to, the country of origin of the applicant, identified vulnerabilities, identification of potential exclusion indicators, documents provided by the applicant relating to acts or persecution, such as legal documents concerning them issued by the country origin, issues of statelessness or multiple nationalities. The need for individualized counselling in such cases would be evaluated on a case-by-case basis by the legal counselors on site on the basis of information provided by the applicant requesting the individual counselling session. If the questions are of a generic nature the applicants would be guided to follow a group session. Additionally, the country/place of origin or former habitual residence, in combination to the profile and the personal circumstances of the applicant, may also be taken into account (e.g. countries/profiles that statistically have a high recognition rate). Apart from the above, the Asylum Service is also planning to ensure that the legal counselling also covers assistance in the lodging of the application for international protection. The administration is taking into consideration the EUAA Guidelines on Free Legal Counselling in the process of designing and planning the implementation of free legal counselling.</p>
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			<p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>N/A</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>N/A</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>YES. The scope of services is known in advance. It includes a precise description of services through a contract with the relevant law firm as well as the AMIF project for NGOs (the second part of free legal advice). The scope of services is precisely defined (e.g. how many hours per week a lawyer must be available to provide advice in a particular asylum facility), as well as the funding, i.e. how much the Ministry of Interior will pay the law firm and for what is the AMIF project’s budget.</p>

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			<p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>Currently, the Czech Republic provides individual counselling to all asylum applicants. The Pact on Migration and Asylum allows group counselling, as well as the planned amendment to the Asylum Act, but in practice it has not yet been decided whether this will be applied. Group counselling could be useful e.g. during the next possible migration waves.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>N/I So far, no evaluation has been carried out. The Czech Republic plans to start addressing the specific aspects of legal counselling in the autumn of 2025, while evaluating the existing contracts with the law firm that currently provides free legal advice to asylum seekers and discussing the possible needs for changes to these contracts. However, there are no plans for any major changes to the current practice (e.g. the presence of a lawyer in the asylum facility approx. once a week, etc.).</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p>
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			<p>N/I Please see Q 3.</p>
 EMN NCP Estonia		<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>No, the Police and Border Guard Board (PBGB) offers counselling during administrative stage of the asylum proceedings. The counselor does not have legal education and does not offer legal help or legal counselling and does not represent the applicant. Counselors provide in depth information on the asylum process and support a person in obtaining information on the other topics of life in Estonia. The counselors (3) are employed by the PBGB. They are situated in the legal unit and they also belong to the asylum procedure team.</p> <p>Estonia in planning to offer free legal counselling and representation during the asylum procedure in in the framework of the new Pact.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>No.</p>


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			<p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>N/A</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>N/A</p>
+	EMN NCP Finland	Yes	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>Currently yes, but limitations to this are envisaged on the implementation of the Pact on Migration and Asylum and the introduction of free legal counselling. The extent of the individual services offered as part of the legal counselling and how they will be organised in practice is not determined yet. Therefore Finland is unfortunately not able to respond to the forward-looking aspect of the query, and response is merely to explain the current system briefly. Please note that the information given below is subject to change on the</p>

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			<p>implementation of the Pact in June 2026.</p> <p>Currently, the main rule is that applicants for international protection are granted free legal services including individual legal assistance during the asylum procedure. Provisions on this are laid down in the Legal Aid Act. Currently, services include advising the applicant on what to do at the various stages of the asylum process and assisting the applicant in preparing for the asylum interview. Currently, legal counsels can also participate in the asylum interview: the legal counsel will evaluate with the applicant if the counsel's participation in the asylum interview is necessary or not. If the legal counsel does not participate in the asylum interview s/he can read the interview record with the applicant. If there is anything to correct in the interview record, the legal counsel can send a request for correction to the Finnish Immigration Service.</p> <p>Legal aid during the administrative procedure is currently provided by public legal aid attorneys. However, in some cases also a private attorney who has consented to the task may be appointed as an attorney. For example in situations, where public legal aid attorneys cannot handle urgent matters due to their high workload.</p> <p>Currently, legal aid is provided on application, for free or against a deductible, on the basis of the economic situation of the applicant. In practice, applicants for international protection usually receive legal aid free of charge, as their financial position is usually such that they cannot pay for the costs themselves. In this case, the counsel's fee is currently paid from state funds as provided in the Legal Aid Act.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>Currently no: the main rule is that all applicants for international protection can access individual legal advice during the asylum procedure based on their need. In effect, currently there is no differentiation of applicants</p>
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			<p>to sub-groups some of which would not be entitled to individual legal assistance during the asylum procedure. It is not decided yet if and how this will change on the implementation of the Pact.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>The costs incurred and prolongation of the asylum procedure if the legal counsel will participate in the asylum interview and a suitable time for the interview is not found in the very near future.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>Applicants for international protection have access to high-quality legal assistance and their asylum claim is thoroughly investigated already during the administrative stage.</p>
	<p>EMN NCP France</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p>


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			<p>YES</p> <p>All asylum seekers are entitled to free legal advice throughout the entire administrative procedure. To lodge an asylum application, the applicant must first have their request registered at the one-stop shop for asylum seekers (GUDA). Before going to the one-stop shop, the applicant is required to report to a first reception structure for asylum seekers (SPADA). These structures are managed by private operators (often associations) that are contracted and funded by the State. Their mission is to carry out a pre-registration of data relating to the asylum application registration, which involves collecting identity and background information from the applicant, issuing an appointment at the one-stop shop, where the competent authority formally registers the asylum application, and taking the necessary ID photographs for registering and submitting the application to the determining authority.</p> <p>However, this form has no legal status; it serves only to collect part of the information required for the registration of the asylum application, particularly identity data and family composition.</p> <p>During this initial stage, SPADA staff provide preliminary information about the asylum procedure and the roles of the various actors involved, as outlined in a specific set of guidelines.</p> <p>Once their application has been registered by an official at the prefecture, the asylum seeker meets with an officer from the French Office for Immigration and Integration (OFII) in order to access material reception conditions (accommodation and financial allowance).</p> <p>If the applicant is housed as part of the national reception scheme, they receive administrative and social support at their place of accommodation. In fact, professionals working at these accommodation centres provide free assistance to asylum seekers with administrative and legal procedures throughout the examination of their asylum claim. They inform asylum seekers about the asylum procedure and the rights of foreign nationals to reside in France. They ensure that asylum seekers have effective access to their rights and are regularly informed about the progress of their application.</p> <p>They support asylum seekers in their procedures with the French Office for the Protection of Refugees and Stateless Persons (OFPRA). This support includes, in particular:</p> <ul style="list-style-type: none">Assistance in preparing the asylum application file (form, additional information, correspondence related to the procedure);Support in translating the asylum narrative;Help with procedures at the prefecture to renew the asylum application certificate;Providing all relevant information related to the examination of the asylum claim.
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			<p>If the applicant is not housed, they receive support through a SPADA (first reception structure for asylum seekers), which provides services under the same terms as accommodation centres, in accordance with the specifications defined by contract, particularly regarding updates on the progress of the procedure. The SPADA informs and assists the asylum seeker with procedures related to the asylum process and residence rights for foreign nationals in France, including digital procedures. It provides information about the asylum procedure and how the application will be examined by the OFPRA (notably the interview), helps the applicant write their asylum narrative or any additional statement, reviews and translates this narrative and any relevant supporting documents where necessary, ensures the application is submitted within the legal deadlines, and covers any postage costs that may arise. Asylum applications are examined during the administrative procedure by the OFPRA. Any asylum seeker may request to be accompanied, at their own expense, by a lawyer or a representative of an authorised NGO during the interview conducted by the Office. This is optional. During the interview, the lawyer or NGO representative may make comments if invited to do so by the protection officer conducting the interview but may not speak on their own initiative.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>No</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p>
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			<p>The challenges are twofold: Firstly, ensuring territorial coverage with 68 SPADA locations across mainland France and the overseas territories, covering 63 departments, while also providing social and legal support in line with the specifications of the public contract. Audits of all structures are carried out to ensure that the services provided by the NGOs under agreement with the State comply with the required standards. Secondly, improving the detection of vulnerability (e.g. victims of trafficking of human beings) in order to better support these asylum seekers.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>To improve the detection of vulnerabilities and the care provided to female asylum seekers who are victims of violence or trafficking of human beings, local protocols have been initiated to facilitate the flow of information between NGOs providing support services and local SPADAs. The aim is to enhance the identification of vulnerable female asylum seekers in order to strengthen their protection and the social and legal support provided to them. For example, protection and support protocols for female asylum seekers have been signed in Marseille and Bordeaux.</p>
	<p>EMN NCP Germany</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p>


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			<p>Yes, with the revision of Art. 12a of the Asylum Act in 2023, in Germany asylum procedure advice ('unabhängige Asylverfahrensberatung') is offered by welfare and non-governmental organisations, independently of public authorities, and funded by the federal state. This counselling is free of charge for applicants of international protection and its usage is voluntary. It consists of one-to-one sessions, which may include general information on the asylum procedure and/or case specific individual legal advice . Ideally, it begins before the asylum application is filed and can continue until the asylum procedure has been concluded but can be taken up at any time point within this time frame.</p> <p>During the legislative process for Art. 12a of the Asylum Act, it was assumed that approximately 60% of individuals seeking international protection would take advantage of voluntary legal advice. As part of an evaluation of the program this assumption is being analysed empirically. The analyses are ongoing and are based on three data sources:</p> <p>First, the longitudinal representative IAB-BAMF-SOEP Survey of Refugees will be analysed. In this survey refugees indicate whether they require or have received legal advice in regard to their asylum application/residence permit at the time of the survey.</p> <p>Secondly, the number of people seeking advice during the existing programme is set in relation to the number of asylum applications (advice rate).</p> <p>Thirdly, in qualitative expert interviews, experts are asked for their assessment of the need. We are assuming that results may vary among data sources. Since each data source has its particular strengths and weaknesses, we will combine the results and determine an estimated range of need.</p> <p>In 2023, most advice centres took up their work starting from July or October. In 2023, with 10.7 million euros Germany funded 235 advice centres in which around 34 000 persons were counselled. In 2024, 22.9 million euros were spent on 203 advice centres in which 71.000 persons were counselled.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p>
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			<p>In Germany, alongside general asylum procedure advice ('unabhängige Verfahrensberatung'), the so called 'special legal advice ' is available for vulnerable people seeking protection ('besondere Rechtsberatung'). These two programmes are managed and organised in a similar way, with most funding (about 80%) going to the general asylum procedure advice and the remaining 20% going to special legal advice. Advice centres offering general legal advice mostly (but not only) operate in the vicinity of reception centres for asylum seekers run by the federal states, whereas special legal advice centres are mostly located in larger cities. However, due to insufficient data, the needs of vulnerable people seeking international protection cannot be determined in particular.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>With the revision of Art. 12a of the Asylum Act asylum procedure advice was implemented within a short time frame. While it was possible to establish advice centres across Germany already in 2023 (with a particular focus on advice centres close to reception centres) some challenges remained. One major challenge is ensuring that asylum applicants make use of the service at an early stage in the application process, ideally before the initial asylum application interview. This is because it is assumed that the earlier the counselling takes place, the greater its impact. As the service providers are independent bodies, they must actively reach out to newly arrived asylum seekers. Another challenge is an ongoing debate how the current advice program can be reconciled with free legal counselling during the asylum procedure as set out in Art. 16 of the Regulation (EU) 2024/1348. To implement free legal counselling, from 2026, applicants for international protection may obtain general information on the asylum procedure and/or information on the status of their asylum application (but not advice on their individual case) from the determining authority (i. e. the Federal Office for Migration and Refugees). Additionally, to other recent changes within the programme such as a new funding directive ('Förderrichtlinie') in 2024 the introduction of free legal counselling fosters insecurity among service providers of the asylum procedure advice. To further develop the programme, all parties involved believe that long-term planning security is required. The implementation of the programme</p>
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			<p>will also be analysed during the ongoing evaluation, and recommendations for improvement will be formulated.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>According to the law, asylum procedure advice is intended to increase the efficiency of asylum procedures as well as to improve the quality of official decisions, by ensuring that asylum seekers are well-informed and prepared. Another aim is to increase the acceptance of the asylum decisions among people seeking international protection. Due to a lack of data, it is difficult to empirically verify the effectiveness/the benefits of the program. During the ongoing evaluation the necessary requirements for empirically verifying its effectiveness will be analysed.</p>
	<p>EMN NCP Greece</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>Yes.</p> <p>A) for the first instance of examination</p> <p>To that end, applicants for international protection, upon submitting their application, are informed in a simple and accessible manner by means of an information brochure supplied in a language they can understand, having due regard to each applicant's personal situation and age. Such brochure shall be</p>


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			<p>issued by care of the competent reception authority and shall include information on the bodies offering legal or psychological support, including any organisations that might be able to help the applicants or inform them concerning the available reception conditions and services, including health care.</p> <p>According to par. 2 of article 76 law 4939/2022 (transposing art. 19 and 21 of directive 2013/32), applicants shall be provided at every stage of the examination of the international protection application, with legal and procedural information, free of charge, on the procedure concerning their case.</p> <p>B) second instance</p> <p>Besides the provision of information set in the previous provision, according to art. 76, par.2 law 4939/22 (GG A'111) in the event of a negative decision on an application at first instance, applicants, following a relevant request, shall be specifically informed as to the reasons for such a decision and the possibility to appeal against it. The information and updating referred to in the previous subparagraphs may be provided by certified organisations.</p> <p>According to par. 3 of the aforementioned article transposing art. 20 of directive 2013/32, in procedures before the Appeals Authority, applicants shall be provided, upon request, with free legal assistance. Specifically, according to the Joint Ministerial Decision No. 788502/2023 [G.G. B 42], applicants for international protection are provided with free legal assistance for the filing of the appeal prescribed by Articles 96 and 97 of Law 4939/2022 before the Appeals Authority by a lawyer included in the Registry of Lawyers of the Asylum Service, provided that the applicant is not represented by another lawyer outside the Registry. The legal assistance includes: a. the drafting and submission of the appeal and in cases where the appeal does not have a suspensive effect the submission of a request for stay under paragraph 2 of Article 110 of Law 4939/2022, b. holding meetings with the applicant for the appropriate preparation of their case, and c. the drafting and submission of a memorandum and any other required document or evidence.</p> <p>C) application for annulment before national courts</p> <p>In the cases of an application before a court, applicants may receive free legal assistance under the terms</p>
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			<p>and conditions set in Law 3226/2004 [G.G. A' 24], which shall apply accordingly. This free legal assistance and legal aid shall be provided to applicants who are proven to be present in the country.</p> <p>The national operating plan of the Pact on Migration and Asylum, including the provision of a framework for free legal guidance during the first-instance asylum procedure will be implemented both at the legislative level and through operational planning, with the aim of ensuring timely and accurate legal guidance regardless of the specific procedure for examining the application. Within this context, consideration will be given to the discretion granted for organizing the provision of free legal guidance.</p> <p>The provision of free legal guidance at first instance is expected to exceed the annual expenditures currently allocated for legal assistance at second instance. This estimation takes into account, on the one hand, the reasonably anticipated increase in applications that Greece, as a country of first entry, will have to manage with the implementation of the new Pact, and on the other hand, the more targeted framework for the provision of legal assistance during the appeals procedure.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>In addition to the general provisions, there is a specific provision for minors residing in accommodation Facilities for Unaccompanied Minors, as provided in the Ministerial decision 193953/2024 [G.G B' 4214]. Specifically, according to section 16 of the annex of the abovementioned decision, it is stipulated that legal assistance services are provided to minors, including legal advice, support, and representation, where deemed necessary. These services are provided by trained legal professionals/lawyers of the Emergency Accommodation Facility for Unaccompanied Minors and/or the operating agency, or through referral to other legal aid providers (bar associations, civil society organizations offering legal assistance programs). Free legal assistance and support are ensured for hosted minors in international protection procedures at first and second instance, family reunification, applications for residence permits under the Migration Code</p>
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			<p>(I.5038/2023, GG A' 81), and any other administrative or judicial procedure where legal assistance is provided for under the applicable legislation.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>-</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>-</p>
	EMN NCP Hungary	Yes	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>Yes, legal service is free of charge if requested, and the asylum seeker cannot afford to pay for it at his/her own expense. These services are provided by County Government Offices in the same manner as they</p>

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			<p>would be for Hungarian nationals. Public benefit human rights organisations may also be involved in the procedures given that the applicant reaches out for such assistance. The extent of such need depends on the individual circumstances of the asylum seeker.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>No</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>Not applicable.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>Early access to free legal aid helps the asylum seekers to better understand their rights and obligations which can facilitate cooperation during the procedure.</p>
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	<p>EMN NCP Ireland</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>Current situation In Ireland, legal aid is available through the Legal Aid Board (LAB), an independent State body under the remit of the Department of Justice (DoJ), however this service is not currently free and requires a small contribution from an applicant, which can be waived in some cases.[1] The International Protection Act 2015 makes explicit reference to 'legal assistance' which is defined under the Act as legal aid or advice, and to a 'legal representative' which is defined under the Act as a practising solicitor or barrister.[2] Applicants for international protection are informed of their ability to access legal aid or advice through an information booklet available in multiple languages on the International Protection Office (IPO) website.[3] Applicants seeking legal advice have a right to consult a legal representative through the LAB about the lodging of their application for international protection. This legal representative will: Provide legal assistance and advice in support of an application Assist in the preparation for an international protection interview and any written representations to the Minister for Justice In the case of a negative recommendation, provide representation in any appeal to the International Protection Appeals Tribunal (IPAT) Should an applicant choose not to use the services of the LAB, they may alternatively seek the services of a legal representative privately and at their own expense.[4] All applicants can apply for legal services as soon as they have made their application for international protection to the IPO or at any point thereafter. The LAB operates a mixed model of delivery to persons seeking international protection. The model involves the use of in-house staff, including solicitor staff, working in law centres and the use of private practitioners' panels of legal professionals in meeting service needs. In cases dealt with in-house, applicants are assigned a solicitor and a caseworker.[5] International protection applicants are treated with priority in the law centres and all applications received are assessed by the managing solicitor. If the law centre cannot offer a priority appointment or service</p>

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			<p>where it is required, the applicant will be granted an authority for advice from a private practitioner or will be granted a legal aid certificate for representation in court from a private practitioner.[6]</p> <p>Three law centres located in Dublin (Smithfield), Cork (Popes Quay) and Galway (Woodquay Law & Family Mediation Centre) either deal with exclusively or have a particular specialisation in international protection applications. Due to demand for the service at present, the majority of applications are referred to private practitioners.[7]</p> <p>A specific unit in the Dublin (Smithfield) law centre deals with international protection applications made by children[8] and there is a Human Trafficking Unit located at this law centre that provides legal advice to alleged victims of human trafficking.</p> <p>The LAB provides legal aid for appeals to IPAT. If the appeal is unsuccessful there is the option, if grounds exist to do so, to seek judicial review of the decision, and legal aid is available (subject to the application of the means and merits criteria provided for under the Civil Legal Aid Act, 1995). In practice, meritorious judicial reviews are frequently dealt with by private practitioners under a conditional fee agreement outside of the legal aid system.</p> <p>The LAB also operates a specialised, independent and professional research and library service for all of the main bodies involved in the international protection process.[9]</p> <p>The Irish Refugee Council (an NGO) operates as an Independent Law Centre and runs a free legal advice service for a limited number of people experiencing additional vulnerability, such as age-disputed minors. Representation involves providing intensive legal assistance at early stages of the international protection process, including preparing Personal Statements, making submissions and attending client IPO interviews and representation at appeal stage, where necessary.[10] The Irish Refugee Council has additionally represented many individuals in respect of their reception conditions, when IPAS failed to provide them with accommodation or meet their reception needs.</p> <p>Legal counselling is not a concept which currently exists/is operated in the international protection administrative procedure in Ireland, nor in the legal system in general.</p> <p>Future plans</p> <p>The concept of Legal Counselling is novel in Irish law and consideration is at an advanced stage as to how to best provide for it in national law, with particular emphasis on what “legal counselling” will consist of and who will be in a position to provide it. As such there has been no final decisions on how this will be provided</p>
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			<p>under the APR.</p> <p>It is not yet clear how the Legal Aid Board's services fit within this new concept and whether solicitors will provide legal counselling or whether the concept fits within professional, ethical and regulatory rules for solicitors and barristers. The Legal Aid Board is engaging with the Department of Justice, Home Affairs and Migration and other stakeholders in respect of service delivery under the EU Migration & Asylum Pact including in respect of counselling and legal advice and representation at the different stages of the new processes planned for under the International Protection Bill 2025.[11]</p> <p>[1] Legal Aid Board, Applications for International Protection Applicants, https://www.legalaidboard.ie/media/gomhfan1/ip-application-form.pdf last accessed 24 July 2025.</p> <p>[2] Section 2, International Protection Act 2015 (No. 66 of 2015) https://www.irishstatutebook.ie/eli/2015/act/66/enacted/en/print#sec1</p> <p>[3] International Protection Office, Information Booklet for Applicants for International Protection, para. 3.14 https://ipo.gov.ie/en/IPO/Information%20Booklet%20(IPO%201).pdf/Files/Information%20Booklet%20(IPO%201).pdf</p> <p>[4] International Protection Office, Information Booklet for Applicants for International Protection, para. 3.14.3</p> <p>[5] Correspondence with the Legal Aid Board, February 2025.</p> <p>[6] https://www.legalaidboard.ie/en/our-legal-aid-service/how-we-can-help-you/international-protection/</p> <p>[7] Correspondence with the Legal Aid Board, July 2025</p> <p>[8] Correspondence with the Legal Aid Board, February 2025.</p> <p>[9] Correspondence with the Legal Aid Board, February 2025.</p> <p>[10] For more information, see: https://www.irishrefugeecouncil.ie/Listing/Category/law-centre</p> <p>[11] Correspondence with the Legal Aid Board, July 2025</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you</p>
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			<p>answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>As previously mentioned, Ireland does offer legal advice during the asylum process currently but not legal counselling, thus there is no “individual legal counselling” to speak off.</p> <p>There is no real differentiation between subgroups of applicants however, as covered in Question 1, there is a specific unit in a Dublin law centre which deals with international protection applications made by children[1] and there is a Human Trafficking Unit located at this law centre that provides legal advice to alleged victims of human trafficking.</p> <p>[1] Correspondence with the Legal Aid Board, February 2025.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>The Legal Aid Board currently offer legal advice to all applicants for our services in the current international protection process as set out in the 2015 Act. The process to be introduced in 2026 under the EU Asylum and Migration Pact references Legal Counselling. This has yet to be clearly defined, and the role of the Legal Aid Board is not yet totally clear as outlined above.</p> <p>Likely challenges under the new system will be the capacity and the resourcing of all stakeholders in the process to ensure that applications can be processed appropriately within the envisaged timelines as well as the quality of decision-making within the timelines provided. There are concerns in respect of the ability of lawyers to fully advise applicants in the administrative process. Other issues arising are the remaining cases to be dealt with under the current system and the insufficient numbers of medico-legal experts providing necessary reports.[1]</p>
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			<p>[1] Correspondence with the Legal Aid Board, July 2025</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>Legal advice is provided under the current system and is a right of an international protection applicant under the International Protection Act 2015.[1] According to the Legal Aid Board, the clear benefit of early legal advice is that it supports good decision making and fairness in the process, as well as leading to streamlining and efficiencies in the processing of applications where there is early legal advice from expert solicitors specialising in international protection.[2]</p> <p>[1] Section 18(1)(b) of International Protection Act 2015, Available at https://www.irishstatutebook.ie/eli/2015/act/66/enacted/en/pdf [2] Correspondence with the Legal Aid Board, July 2025</p>
	<p>EMN NCP Italy</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p>


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			<p>The issues raised are currently under review and discussion. Therefore, at this stage, it is not possible to provide responses to requests involving specific details, as there are no elements to share at the moment.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p>
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	EMN NCP Latvia	Yes	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>Until now the Office of Citizenship and Migration Affairs of the Ministry of Interior (1st instance in the asylum procedure) and the Court Administration under the Ministry of Justice are authorities which in close cooperation provide the legal aid to asylum seekers at appeal stage of asylum procedure. In accordance with the Asylum Law making, registration and lodging are not separate processes and take place simultaneously. Currently all applicants are provided with legal and procedural information about the asylum procedure and applicant's rights and obligations during the examination of the application - Guideline for asylum seekers in Latvia. Above information is issued in the form of brochure and available on the website.</p> <p>From our point of view the free legal counselling at administrative stage could be ensured by the Court Administration, just as, according to the State Ensured Legal Aid Law, it is currently provided at appeal stage within the framework of the asylum procedure (the amendments of the State Ensured Legal Aid Law must be adopted). The Court Administration is independent authority set up to promote the right of a person to a fair court protection by ensuring State guaranteed financial support for the receipt of legal aid according to the State Ensured Legal Aid Law.</p> <p>Given that discussions between the parties involved in the development of the draft law are at the early stage it is difficult to predict the final solution. Currently we can indicate that the possibility of using remote communication channels for counselling is being considered, if necessary provided consultation in-person, for example, where persons with special needs are involved.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p>
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			<p>No.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>Currently free legal counselling at administrative stage has not been provided yet.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>Currently free legal counselling at administrative stage has not been provided yet.</p>
	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>YES. Lithuania currently offers state-guaranteed legal aid to applicants for international protection, in accordance with the Law on the Legal Status of Foreigners of the Republic of Lithuania (hereinafter referred to as "the</p>


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			<p>Law") and Order No. A1-939 "On the Approval of the Description of the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners" (hereinafter referred to as "the Procedure").</p> <p>This aid is provided free of charge to asylum seekers whose income is less than three times the state-supported income (currently EUR 663).</p> <p>In accordance with the Procedure, state-guaranteed legal aid covers legal services for the following third-country nationals:</p> <p>Unaccompanied minor third-country nationals: Both primary and secondary legal aid are provided. Asylum seekers: Information and secondary legal aid are provided specifically concerning their detention, the imposition or extension of alternative measures to detention, and appeals against first-instance court decisions related to an asylum application. The Reception and Integration Agency (a budgetary institution under the Ministry of Social Security and Labor of the Republic of Lithuania, hereinafter referred to as "the Agency") is responsible for providing state-guaranteed legal aid. The Agency:</p> <p>Conducts public procurement for legal services in accordance with the Law on Public Procurement of the Republic of Lithuania. Concludes contracts for the provision of legal services with legal service providers and monitors their performance. These contracts specify the scope and content of state-guaranteed legal aid, its provision and payment procedures and conditions, requirements for providers, and the rights and obligations of the parties. Ensures interpretation services, where necessary, for those providing state-guaranteed legal aid when communicating with foreigners. Ensures, if possible and requested by the foreigner, that legal aid providers and interpreters are of the gender preferred by the foreigner. Initial state-guaranteed legal aid may be provided by civil servants and employees of the Agency whose job descriptions or employment contracts include legal functions, and/or by partners selected by the Agency (e.g., non-governmental organizations).</p> <p>State-guaranteed legal aid is not provided if:</p> <p>The foreigner or their legal representative has privately contracted for legal services at their own expense to ensure the requested assistance. The foreigner has sufficient funds to pay for the legal aid themselves. For unaccompanied minors, primary state-guaranteed legal aid includes:</p> <p>Provision of legal information as needed. Legal consultation as needed. Preparation and submission of documents to state and municipal institutions and agencies, when necessary for the foreigner to exercise their rights and when the foreigner or their legal representative cannot prepare and submit them independently. Participation in and representation of the foreigner before state and municipal institutions in relevant procedural actions. Asylum seekers are entitled to primary state-guaranteed legal aid covering the</p>
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			<p>following services: Provision of legal information on reception conditions. Legal advice on issues related to detention or the imposition or extension of an alternative measure to detention. A foreigner is provided with no more than two legal consultations on the same issue, each lasting no longer than one hour. Preparation and submission of documents to state institutions related to detention or the imposition or extension of alternative measures to detention. Participation and representation in the asylum seeker's interview and during the notification of decisions. Secondary legal aid is provided by legal service providers contracted by the Agency. It covers procedural documents related to decisions on the transfer of an asylum seeker to another EU country, detention, the refusal of the responsible authority to examine the asylum application, or the refusal or revocation of asylum. This service also includes: Familiarization with the documents in the foreigner's case file. Individual coordination with the foreigner regarding the grounds (content) of procedural documents. Individually informing the foreigner about the lodging of the appeal and the progress of the case. Individually explaining the substance of the court decision to the foreigner. Representing the foreigner's interests in court in cases related to the above-mentioned decisions, which includes preparation for the hearing.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>No</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>The main challenges are:</p>
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			<p>Quality of Legal Services: Legal services acquired through public procurement tend to be cheaper, but this can lead to a decline in the quality of the service provided. Risk of Abuse: There remains a possibility of abuse by asylum seekers, where procedures are deliberately prolonged, hindering the removal process.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>The main benefits of implementing such a service are: Ensuring the fundamental human rights of asylum seekers to liberty and security. Protecting against errors made by the responsible authority handling asylum cases. We can't provide much more detail on additional benefits or best practices yet, as the new procedure only came into effect this year. Moreover, the Agency does not collect data on how legal advice in the course of the procedure affects its course.</p>
	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>YES. Luxembourg has transposed the recast Asylum Procedures Directive, and the recast Reception Conditions into national law through the amended Law of 18 December 2015 on international protection and temporary protection (amended Asylum Law); and the amended Law of 18 December 2015 related to the reception of applicants for international protection and temporary protection (amended Reception Law); as well as the amended Law of 29 August 2008 on the free movement of people and immigration (amended</p>


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			<p>Immigration Law). It has also implemented the Dublin III Regulation. According to article 1 of the law of 7 August 2023 on the organization of legal aid and the abrogation of article 37-1 of the amended law of August 10, 1991 on the legal profession (Law of 7 August 2023), the President of the Bar Association or the member delegated by the President of the judicial district of the applicant's place of residence is the competent authority to grant legal aid to persons whose resources are insufficient to defend their interests. According to article 3 of the law of 7 August 2023, any foreign national whose resources are insufficient is entitled to legal aid for procedures relating to applications for international protection within the limits of article 17 of the amended Asylum Law.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>NO.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>In Luxembourg, state-funded free legal aid has been available to individuals who lack financial resources to cover the cost of a lawyer for over 30 years and applicants for international protection can benefit from it just like other Luxembourgish residents. According to the General Department of immigration, there is no known challenges in the implementation of the said service. The General Department of immigration provides the applicants with all the necessary information on this subject both orally and in written form.</p>
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			<p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>Since the state-funded free legal aid is available for the applicants for international protection, Luxembourgish authorities have implemented all the safeguards to ensure that their rights are fully respected throughout the entire procedure. Legal aid is provided by the lawyers registered in one of the two Bar Associations (Luxembourg and Diekirch), therefore the quality of legal counsel provided to applicants is guaranteed.</p>
<p>•  EMN NCP Malta</p>		<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>In view of the legal obligations emanating from the Pact on Migration and Asylum, starting from June/July 2026 Malta will start offering legal counselling to asylum seekers. This service will be provided by the Agency for the Welfare of Asylum Seekers (AWAS) and will be limited to what is mandatory under the Pact. It will be available on request to all asylum seekers, with the exception of persons falling under Article 16(3) of the APR and Article 21(7) of the AMMR.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to</p>

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			<p>applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>Refer to Q1.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>Refer to Q1.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>Refer to Q1.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p>

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			<p>YES.</p> <p>Each individual applicant for international protection is appointed a legal representative from the start of the administrative procedure. Their service is free of charge. He or she is then responsible for an individual preparation of the asylum interview and checking the correctness of the asylum interview report (and submitting corrections and additions if necessary). If the deciding authority (IND) sends a letter of intent to refuse international protection and the applicant disagrees with the decision, the legal representative formulates and submits a letter explaining their perspective. If the IND decides not to change the decision to refuse granting asylum, the legal representative can help appeal against the decision.[1]</p> <p>In addition to a legal representative, applicants for international protection receive preparatory information about the asylum procedure[2] and their rights throughout the process[3] from the Dutch Council for Refugees (VluchtelingenWerk Nederland, VWN). VWN is an NGO which receives subsidies from the government for the activity of providing this information.</p> <p>...</p> <p>[1] Immigration and Naturalisation Service, 'Apply for asylum in the Netherlands', https://ind.nl/en/residence-permits/asylum/apply-for-asylum-in-the-netherlands, last accessed July 17, 2025.</p> <p>[2] See Vreemdelingen circulaire 2.2 under Voorlichting, https://wetten.overheid.nl/BWBR0012288/2025-07-03, last accessed July 17 2025</p> <p>[3] See Article 3.108c Vreemdelingenbesluit, https://wetten.overheid.nl/BWBR0011825/2025-07-01/#Hoofdstuk3_Afdeling5_Paragraaf2_Artikel3.108c, last accessed July 17 2025</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>NO.</p>
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3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?

High pressure on the capacity of the asylum processing system is a challenge. The Legal Aid Board is the authority appointing a legal representative to the asylum seeker. Since July 2022, the moment when it appoints a legal representative has been brought forward from when the IND begins processing the request for international protection to soon after submitting the request for asylum.[1]

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[1] Legal Aid Board, 'Raad gaat asielzoekers eerder koppelen aan advocaat', [https://www.rvr.org/@11551/raad-gaat-asielzoekers-eerder-koppelen/#:~:text=De%20Raad%20\(Legal%20Aid\)%20gaat,%2C%20bijlage%20A%20distributieregeling%20AC\).](https://www.rvr.org/@11551/raad-gaat-asielzoekers-eerder-koppelen/#:~:text=De%20Raad%20(Legal%20Aid)%20gaat,%2C%20bijlage%20A%20distributieregeling%20AC).,), last accessed July 17 2025.


4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.

Benefits include asylum seekers understanding better what is expected of them throughout the asylum procedure (e.g. what documentation to submit, when to expect a response). Also, the legal representative can build trust in individual asylum applicants to truthfully and completely answer any questions from the IND about their journey to the Netherlands and reasons to apply for asylum.[1] The Pact on Migration and Asylum has, however, triggered ideas to review the current processing system and to move from the provision of legal advice (as described in Q.1) to the provision of legal counselling.


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[1] Central Government of the Netherlands, rapport Onderzoekscommissie Langdurig verblijvende vreemdelingen zonder bestendig verblijfsrecht,

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			<p>https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjH49zq68OOAxW48LsIHUVNGjcQFnoECB4QAQ&url=https%3A%2F%2Fwww.raadvoorrechtsbijstand.org%2Fpublish%2Flibrary%2F86%2F2019_langdurig_verblijvende_vreemdelingen_zonder_bestendig_verblijfsrecht.pdf&usg=AOvVaw3sp-kIBfKKASROI5q5YWQ2&opi=89978449, p. 40-41, last accessed July 2025</p>
	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>No. We offer only general information about asylum procedure, which is provided by the determining authority.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>N/A</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum</p>


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			<p>procedures)?</p> <p>N/A</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>N/A</p>
	<p>EMN NCP Portugal</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>YES. According to Article 49(1)(e) of the Asylum Law, applicants for international protection are entitled to free legal advice at all stages of the procedure, provided by a public entity or non-governmental organization with which a protocol has been signed. AIMA has signed a protocol with a Portuguese NGO - Portuguese Council for Refugees (PCR) – so, applicants are entitled to legal assistance, provided by the PCR. According to Article 49(1)(f) of the Asylum Law, applicants that wish to appeal the final decisions are entitled to legal aid in accordance with the law. In practice, the PCR will help them in the process of applying for legal protection from the Social Security system. These applications are usually granted quickly, after which a lawyer will be appointed by the State.</p>

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			<p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>NO. All applicants for international protection are entitled to legal counselling, regardless of their nationality, age, gender, or vulnerability status. There is no formal differentiation between sub-groups in the provision of legal advice.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>The major challenge we identify is ensuring that applicants have contact with such services at an early stage in the process. Usually the counselling only takes place after the personal interview. Since the service provider is an NGO, applicants must proactively contact the PCR themselves, which may delay access to legal support. This can be particularly difficult for vulnerable applicants or those with limited knowledge of the system.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>The implementation of individual legal counselling services during the asylum procedure has proven to be highly beneficial in several ways. The cooperation between AIMA and the Portuguese Council for Refugees (PCR), ensures that applicants have access to legal advice free of charge, which helps our MS to improve the quality of the interviews, as well as the decisions and the entire asylum procedure itself. Although one of the main challenges is ensuring early access to these services, the support provided by PCR has been</p>
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			<p>instrumental in guiding applicants through the procedure, particularly in submitting relevant documentation. Their support also helps ensure that the procedure is conducted in a way that respects legal safeguards.</p>
	<p>EMN NCP Serbia</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>Pursuant to Article 48 of the Law on Asylum and Temporary Protection an asylum seeker has right to be informed and to legal aid.</p> <p>Pursuant to Article 56 of the Law on Asylum and Temporary Protection, a foreign national who has expressed the intention to seek asylum in the Republic of Serbia, as well as an asylum seeker, may access free legal assistance and representation before competent authorities provided by civil society associations (i.e. NGOs) whose objectives and activities are focused on offering legal aid to asylum seekers and persons granted asylum status, as well as free legal assistance provided by UNHCR.</p> <p>The Republic of Serbia currently provides legal aid during the appeal procedure before the Administrative Court, in compliance with the provisions of the Law on Free Legal Aid — and solely for cases in which a negative decision has been issued on the submitted asylum claim while individual legal advice during the asylum procedure in front of administrative bodies (Asylum Office and Asylum Commission) is provided by civil society associations whose objectives and activities are focused on offering legal aid to asylum seekers and persons granted asylum status.</p> <p>In the Republic of Serbia, free legal aid in asylum procedures is provided by non-governmental organisations, the most notable being: the Asylum Protection Centre (APC/CZA), the Belgrade Centre for Human Rights (BCHR), the Centre for Research and Development of Society (IDEAS), and KlikAktiv. These NGOs are headquartered in Belgrade but provide legal assistance throughout the entire country, considering that accommodation and reception facilities for asylum seekers are also located in other cities within the Republic of Serbia.</p>

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			<p>Since the work of these organizations is mainly financed through donations (from the EU, UNHCR, etc.), it is currently not possible to fully assess and determine the scope of services and the necessary resources.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>Article 17 of the Law on Asylum and Temporary Protection stipulates that the asylum procedure considers the specific circumstances of individuals requiring special procedural or reception guarantees. These include minors, unaccompanied minors, persons with disabilities, elderly persons, pregnant women, single parents with minor children, victims of human trafficking, seriously ill persons, individuals with mental disorders, as well as persons who have been tortured, raped, or subjected to other severe forms of psychological, physical, or sexual violence, such as women who are victims of female genital mutilation.</p> <p>Special procedural and reception guarantees provide appropriate assistance to asylum seekers who, due to their personal circumstances, are unable to exercise their rights and fulfil their obligations under the said law without adequate support.</p> <p>Both representatives of the authorities responsible for conducting the asylum procedure and those providing material reception conditions, as well as representatives of non-governmental organisations, coordinate closely to provide necessary support including free legal advice to all asylum seekers, especially when it concerns vulnerable groups, distinguishing between different subgroups of asylum applicants.</p> <p>When identifying the personal circumstances of asylum seekers requiring special procedural and reception guarantees, the aforementioned authorities and organisations pay particular attention to the following subgroups:</p> <ul style="list-style-type: none">Unaccompanied children;Women victims of violence and/or gender-based and/or sexual violence;LGBTQ+ persons; andPersons with disabilities and mental health difficulties.
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3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?

When providing legal advice to asylum seekers, organisations offering free legal assistance face numerous structural, operational, and human challenges that significantly affect the quality and accessibility of support.

Among the main challenges in delivering legal aid are:

Lack of resources;

Language and interpretation difficulties;

Distrust and trauma experienced by asylum seekers;

Distance of accommodation centres; and

Additional capacity requirements necessitated by vulnerable groups.

4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.

Providing legal advice to asylum seekers brings multiple benefits — both for the asylum seekers themselves and for the institutions responsible for deciding on their claims. In practice, there are numerous examples demonstrating how legal assistance can improve the quality of the procedure and respect for human rights.

Some of the key benefits of legal advice for asylum seekers include:


Increased fairness and legality of the procedure;

Improved procedural efficiency for state authorities;


Greater trust in the asylum system; and

Higher rates of positive decisions on asylum claims.

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	EMN NCP Slovakia	Yes	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>Yes, the Slovak Republic currently already offers individual legal advice during the asylum procedure. It is a project based activity, financed from AMIF, provided by a NGO within other additional services for the asylum seekers. There is no limitation regarding its extent if it is asylum related. As the number of asylum seekers in the Slovak Republic does not vary considerably within several years, there was no need to reassess the provision and the scope of legal advice services.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>No.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p>


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			<p>In some cases it might be inadequate individual expectations from the applicants.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>The asylum seekers have the possibility to have the asylum procedure (or Dublin procedure, etc.) better explained by a lawyer experienced in the asylum field. They can better understand what they can expect from it, how will the asylum interview go, what they can do in case of negative decision, etc.. According to our experience, it has the impact on their overall condition, they are calmer before the asylum interview. It helps them to make informed decision about further steps (like to withdraw asylum application, change into the family reunification procedure, apply for voluntary return, etc.), or prepare necessary documents/support material even for the first asylum interview.</p>
	<p>EMN NCP Slovenia</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p>

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			<p>Legal counselling is currently not foreseen in law, but some legal advice has been offered through projects implemented by NGOs. However, free legal counselling will be implemented according to Pact obligations.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>Not for now. However, the preparation of provisions is still in progress.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>N/A</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>N/A</p>
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	<p>EMN NCP Spain</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>YES</p> <p>Legal services for asylum seekers in Spain are provided through various channels, including free legal aid, advice from NGOs, and legal guidance services. Applicants have the right to an attorney to assist them throughout the entire process, including filing the application, communicating with authorities, and representing them in the event of appeals.</p> <p>Free legal aid is a right established in accordance with Article 18.1 b) of the Asylum Law, https://www.boe.es/eli/es/l/2009/10/30/12/con and can be provided by:</p> <p>Legal Guidance Service (SOJ) of the Bar Associations: They offer information and advice on international protection, as well as assistance in accessing free legal aid.</p> <p>Civil society entities: Organizations such as the Red Cross, ACCEM, and CEAR, among others, provide advice and support to asylum seekers, including legal assistance.</p> <p>Asylum and Refugee Offices: Dependent on the Ministry of the Interior, they can provide general information on the procedure.</p> <p>Applicants can also benefit from legal assistance from private attorneys.</p> <p>Financial and time limitations are already regulated in Law 1/1996, of January 10, on free legal aid. Free legal aid is structured on the basis of a public service, provided by lawyers and attorneys, financed with public funds. In fact, according to the jurisprudence of the European Court of Human Rights and our Constitutional Court, the State is responsible for the proper functioning of the service solely by the constitutional obligation to provide defense for those lacking resources. This jurisprudence has clearly established public responsibility in this regard, as a positive duty of the State to guarantee the right of access to justice or, in other words, effective judicial protection as a fundamental right. Thus, the Law establishes the basic criteria for financing the service, the cost of which must be periodically evaluated by the public authorities.</p>
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			<p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>YES.</p> <p>When applying the right to legal assistance, we can distinguish between the Asylum procedure in Detention Centres for Foreigners-CIE and Border and the Asylum procedure in Territory.</p> <p>Free legal assistance is mandatory when applications are submitted at the border and processed in accordance with the Border Procedure provided for in Article 21 of the Asylum Act.</p> <p>Law 1/1996, of January 10, on Free Legal Aid, establishes free legal aid for territorial proceedings, as a right regulated in Article 18.1 b) of the Asylum Law. Thus, asylum seekers can access free legal aid if they meet certain economic requirements, such as having limited income and assets. However, it is important to note that some groups, such as victims of gender-based violence, terrorism, or human trafficking, may be entitled to free legal aid even if they exceed the economic thresholds. Furthermore, people with disabilities or minors who have suffered abuse or mistreatment may also be eligible for this benefit.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p> <p>Proper legal assistance has always been an unavoidable necessity for the Spanish asylum system. The changes in international protection regulations introduced by the entry into force of the relevant European Directives and Law 12/2009, which gave special importance to the initial interview and modified the guarantee regime for some cases, especially applications at Border Posts and Detention Centers, have placed the role of the lawyer in a position of special relevance and significance in ensuring the proper functioning of the Spanish international protection system.</p>
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			<p>The specific training provided by the Bar Associations and the NGO guides, developed jointly with them, are intended to guide lawyers in this area. International Protection and asylum applications are extremely specific, with specific procedural and doctrinal characteristics that may differ in many respects from the common channels of Spanish administrative law, both at the administrative and judicial levels. For this reason, the aim is to introduce professionals to aspects derived from international refugee and human rights doctrine, especially in areas such as the specificities of evidence, reference to the jurisprudence of various international tribunals, or the importance of assessing the cultural or psychosocial aspects of applicants for international protection.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>Legal aid offers asylum seekers several crucial benefits, including free legal advice, representation by a lawyer, and the ability to access other legal services free of charge. This ensures that people seeking international protection have access to a fair and equitable legal system, regardless of their economic situation.</p> <p>Free legal aid also protects the fundamental rights of asylum seekers, such as the right to a fair trial and protection against refoulement or expulsion to countries where they may face persecution.</p> <p>Legal aid covers the costs of legal representation, including attorneys' and solicitors' fees, which prevents asylum seekers from having to bear significant financial costs.</p> <p>In addition to legal representation, legal aid can cover other expenses related to the asylum process, such as obtaining legal documents or hiring expert witnesses, as needed.</p> <p>In short, legal aid is an essential tool to ensure that asylum seekers have access to their legal rights and can effectively present their cases, regardless of their financial situation.</p> <p>Furthermore, knowing that they have access to legal aid can significantly reduce the stress and uncertainty</p>
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			<p>associated with the asylum application process, allowing them to focus on other important aspects of their lives.</p>
	<p>EMN NCP Sweden</p>	<p>Yes</p>	<p>1. Does your Member State currently offer or plan to offer individual legal advice during the asylum procedure to applicants for international protection? YES/NO. If you answer yes, how do you assess and determine the extent of need for such services (i. e. how much services, how much resources are allocated, etc.)?</p> <p>No. Due to upcoming uncertainties in implementation of domestic reforms.</p> <p>2. If your Member State offers or is planning to offer individual legal advice during the asylum process to applicants of international protection, do you differentiate between sub-groups of applicants? YES/NO. If you answer YES, please indicate to which sub-groups can benefit from individual legal counselling?</p> <p>No, individual needs, with focus on the nature and extent of the matter, will need to be assessed as a general rule.</p> <p>3. If you answer YES to Q.1 and your Member State is implementing such services already, what are the challenges of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)?</p>

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			<p>The issue has of course been raised and among purely practical issues the difficulty of getting suitable counsel to provide legal advice for as little as one to two hours has been an issue.</p> <p>4. If you answer YES to Q.1 and your Member State is implementing such services already, what are the benefits of implementing such a service (e. g. in regard to those seeking advice, the course of asylum procedures)? Please give some best-practice examples if possible.</p> <p>In Sweden, asylum seekers who have been at risk of deportation, for many years have had the right to assistance from the application all the way to the decision becoming legally binding. The regulatory changes will bring about a changed view of legal support.</p>
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