

# Complaints Mechanism

**YOUR RIGHT - EUROPEAN UNION AGENCY FOR ASYLUM (EUAA) COMPLAINTS MECHANISM**





Welcome to the webpage of the EUAA Complaints Mechanism.

Thank you for taking this step in defending your rights. We know it takes courage.

The EUAA is fully committed to respecting your fundamental rights and this is a requirement for all our experts.

The complaints mechanism is established by the Agency to ensure that fundamental rights are respected in all its activities.

In this section of the website, you can find useful information and templates for the submission of a complaint to the EUAA Fundamental Rights Officer, in a safe and confidential manner.

### [Who can submit a complaint?](#)



You can submit a complaint to the Fundamental Rights Officer, if you believe that a member of an EUAA Operational Asylum Support Team has violated your fundamental rights.

Any other person, lawyer or organisation can help you file a complaint or represent you, filing a complaint on your behalf. If you choose this option, your representative must submit a proof that you have authorised this person or organisation to represent you.

## **Your human rights and fundamental freedoms**



The **members of an EUAA Operational Asylum Support Team** are involved in a variety of activities, such as registering asylum applications, conducting asylum or vulnerability interviews, providing information, interpretation or cultural mediation services.

In performing these tasks, they have to **respect your fundamental rights**. If you believe this is not the case, you can submit a complaint to the EUAA.

The **members of an EUAA Operational Asylum Support Team** must:

- treat you with **dignity**
- respect your physical and mental **integrity**
- respect your **private and family life**
- respect your right to apply for **asylum**.

The members of an EUAA Operational Asylum Support Team, for example, **shall not**:

- hurt you
- threaten you
- treat you differently because of your ethnicity, religion or belief, disability, gender identity and sexual orientation
- harass you
- force you to do something you do not want to
- hinder your right to asylum.

### **How to submit a complaint?**



**A complaint must be submitted in writing.** We encourage you to fill the [\*\*standard complaint form\*\*](#) and send it by email to [complaints@euaa.europa.eu](mailto:complaints@euaa.europa.eu), to speed up the assessment of your complaint.

Alternatively, you can send the standard complaint form by post to the following address:

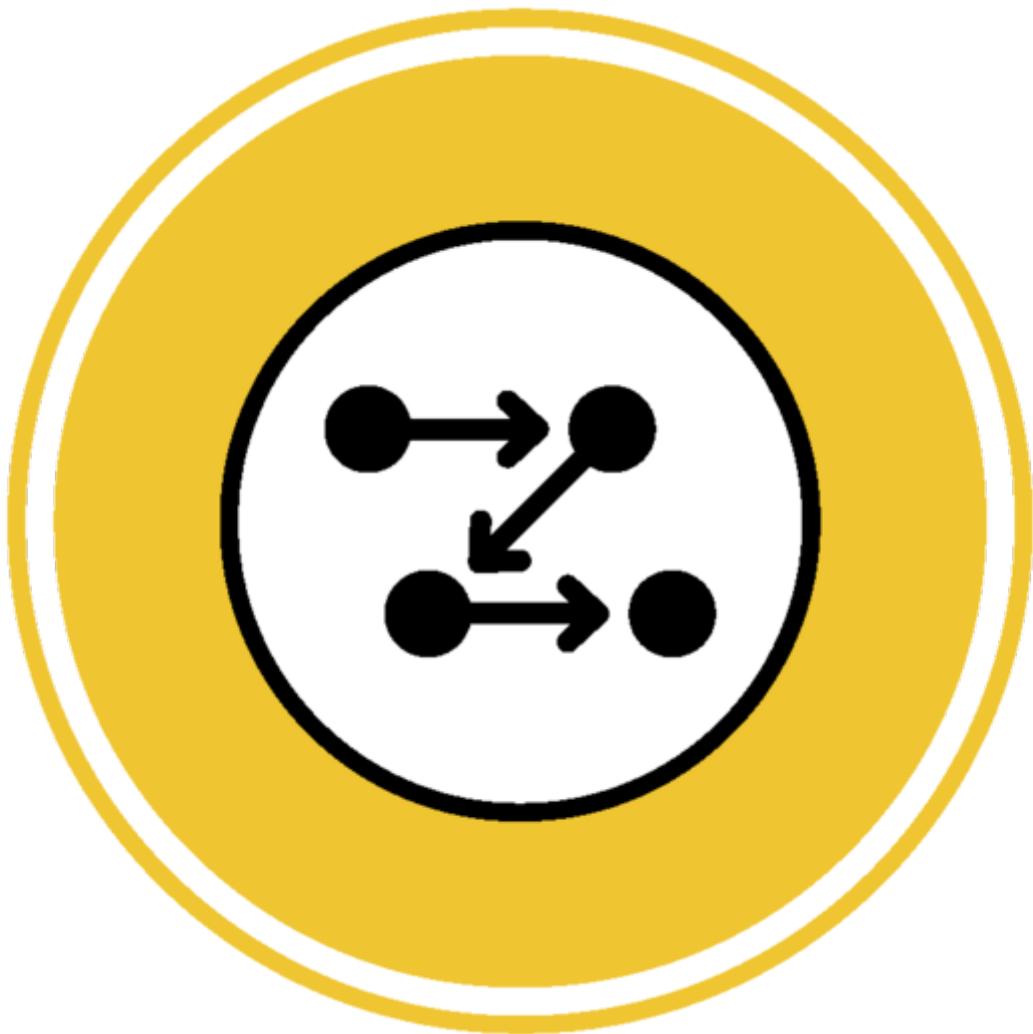
*To: European Union Agency for Asylum  
Attention: Fundamental Rights Officer  
Winemakers Wharf  
Valletta, MRS 1917  
Malta*

**If sending by post, please mark the envelope ‘PRIVATE AND CONFIDENTIAL’.**

If you decide not to use the standard complaint form, make sure that your complaint contains your contact details and detailed information on how your fundamental rights have been violated, where the violation took place and about other persons who may have witnessed the violation. You can send additional details or documents concerning your complaint at any time.

**Complaints may be submitted in the language of your preference.**

**How does the complaints procedure work?**



## Specific Criteria for Admissible Complaints

- The complaint is submitted by **you**, as the potential victim, **or by your representative**.
- You, as the potential victim, or your representative, provide contact details allowing **your identification**.
- You provide **sufficient information** to support the complaint.
- Your complaint is submitted **in writing**.
- Your complaint concerns the **actions of a member of an EUAA asylum support team**.
- The facts alleged in relation to the actions of a member of an EUAA asylum support team can be considered as a **violation of the complainant's fundamental rights**.
- You submitted the complaint **within one year** from the moment the facts happened.
- Your complaint is **not** abusive, malicious, frivolous, vexatious, hypothetical or inaccurate.

**Assess:** the Fundamental Rights Officer of the EUAA will receive your complaint and assess it based on specific criteria. The Fundamental Rights Officer can also contact you for further information.



**Inform:** the Fundamental Rights Officer will inform you **about the next steps**.

- If your complaint cannot be processed, the Fundamental Rights Officer will **inform you about other options** for addressing your concerns.
- **Investigate:** if your complaint can be processed, the Fundamental Rights Officer will send your complaint to the Executive Director of the EUAA and, if relevant, to the authorities of involved Member States to investigate your complaint and take appropriate measures.



**Inform:** the Fundamental Rights Officer will inform you **about the result** of your case:

- If members of an EUAA Operational Asylum Support Team are found to have violated your fundamental rights, they will be **removed from the EUAA's operational activities**.
- They may also be subject to **other sanctions** in accordance with administrative, civil or criminal law.

### **Good to know**



The **time** needed to process a complaint may vary, depending on the case. However, the Fundamental Rights Officer and the EUAA are committed to effectively handling and following up on your complaint. All complaints will receive an acknowledgment response within five working days from the date the Fundamental Rights Officer receives and records your complaint.

**This is not an emergency hotline:** the complaints mechanism is an administrative process that may take several weeks or months to complete. If you are in an emergency or face an imminent risk to your life, physical or mental integrity, please contact the national authorities.

**Your complaint does not replace a report to the police:** we encourage you to also report violations of fundamental rights to the police. You can also address your case at the same time to other institutions, such as national courts or ombudspersons, which may also help to protect your rights.

**A complaint should not be sent to appeal a decision on your asylum application:** if you disagree with a decision on your right to asylum, you can submit an appeal to the competent national authority.

**Confidentiality:** personal information will only be shared with the authorities of the involved Member States if you give your consent in advance. Your personal information (name, contact details, etc.) will not be processed by the EUAA for any purpose other than the handling of your complaint.

More information on the processing of your personal data can be found in the [data protection notice](#).

- **Understanding the EUAA Complaints Mechanism**

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