

TRANSLATION OF THE CRUCIAL PROVISIONS
OF THE DIRECTIVE TEMPORARY PROTECTION 2001/55/EC

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Article 5, §1: The existence of a mass influx of displaced persons shall be established by a Council Decision adopted by a qualified majority on a proposal from the Commission, which shall also examine any request by a Member State that it submit a proposal to the Council.

Translation:

After the Council of the EU has established **nastanek** of circumstances as defined in the paragraph two of the article two of this law in a third country or a region, the Government shall adopt a decision on introduction of temporary protection, and by which it shall especially define number of persons that shall benefit from temporary protection given by the Republic of Slovenia, grounds that allow **preseženo** the set number, especially when a right to family reunification is exercised or in case of vulnerable groups of persons, the date when temporary protection will take effect and the period of temporary protection and the deadline after temporary protection shall come to an end by which persons under temporary protection have to leave the Republic of Slovenia.

(paragraph 1 of article 10 of the Act on Temporary Protection of Displaced Persons)

Article 5, §3: The Council Decision shall have the effect of introducing temporary protection for the displaced persons to which it refers, in all the Member States, in accordance with the provisions of this Directive. The Decision shall include at least:

- (a) a description of the specific groups of persons to whom the temporary protection applies;
- (b) the date on which the temporary protection will take effect;
- (c) information received from Member States on their reception capacity;
- (d) information from the Commission, UNHCR and other relevant international organisations.

Translation:

(1) After the Council of the EU has established **nastanek** of circumstances as defined in the paragraph two of the article two of this Act in a third country or a region, the Government shall adopt a decision on introduction of temporary protection, and by which it shall especially define number of persons that shall benefit from temporary protection given by the Republic of Slovenia, grounds

that allow **preseženo** the set number, especially when a right to family reunification is exercised or in case of vulnerable groups of persons, the date when temporary protection will take effect and the period of temporary protection and the deadline after temporary protection shall come to an end by which persons under temporary protection have to leave the Republic of Slovenia.

(2) The Government shall notify the Council of the EU on accommodation capacity of the Republic of Slovenia for reception of displaced persons. (article 10 of the Act on Temporary Protection of Displaced Persons)

Article 8, §1: The Member States shall adopt the necessary measures to provide persons enjoying temporary protection with residence permits for the entire duration of the protection. Documents or other equivalent evidence shall be issued for that purpose.

Translation:

(1) A person enjoying temporary protection shall be issued with a card which should be kept with him and by which his identity is established.

(2) A card of the person enjoying temporary protection shall also have an effect of an temporary residence permit.

(3) The card is valid until temporary protection comes to an end.

(paragraphs a to 3 of the article 42 of the Act on Temporary Protection of Displaced Persons)

Article 8, §3: The Member States shall, if necessary, provide persons to be admitted to their territory for the purposes of temporary protection with every facility for obtaining the necessary visas, including transit visas. Formalities must be reduced to a minimum because of the urgency of the situation. Visas should be free of charge or their cost reduced to a minimum.

Translation:

A person defined in article 2 of this Act who during the period of temporary protection upon his entry to the territory of the Republic of Slovenia states his intention to apply for temporary protection in the Republic of Slovenia, has to be treated as a temporary protection applicant according to this Act and has to be granted access into the state.

(paragraph 1 of the article 16 of the Act on Temporary Protection of Displaced Persons))

Article 9: The Member States shall provide persons enjoying temporary protection with a document, in a language likely to be understood by them, in which the provisions relating to temporary protection and which are relevant to them are clearly set out.

Translation:

(1) An applicant for temporary protection must have all information concerning a procedure for temporary protection being granted available, in a language he understands. The applicant has a right to follow and participate in the procedure in a language he understands.

(2) The ministry responsible for internal affairs (hereinafter: the Ministry of the Interior) shall ensure to applicants information as mentioned in the paragraph one by publishing informational brochures and organisation of an informational service.

(paragraphs 1 and 2 of the article 15 of the Act on Temporary Protection of Displaced Persons)

Persons enjoying temporary protection have to be informed of their rights and obligations as set in this Act in a language they understand. In order to achieve that the Ministry shall ensure and provide them with information, especially on accommodation, enforcement of financial assistance, health protection, education, employment, in a language they understand.

(article 38 of the Act on Temporary Protection of Displaced Persons)

Article 17, §1:

1. Persons enjoying temporary protection must be able to lodge an application for asylum at any time.

Translation:

Persons enjoying temporary protection may during or after temporary protection comes to an end apply for asylum.

(paragraph 1 of the article 8 of the Act on Temporary Protection of Displaced Persons)

Article 17, §2:

2. The examination of any asylum application not processed before the end of the period of temporary protection shall be completed after the end of that period.

Translation:

An asylum claim which has not been decided upon before temporary protection ends shall be decided upon after temporary protection ends. Until a final decision is issued, laws on asylum are applied to this person.

(paragraph 2 of the article 8 of the Act on Temporary Protection of Displaced Persons)