

**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:**

*§ 29/2 of the Act No. 480/2002 on Asylum: The Government in accordance with the decision of the European Union Council shall determine the commencement, conditions and termination of temporary shelter and shall earmark funds to cover the costs related to granting temporary protection.*

**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:**

*§ 29/2 of the Act No. 480/2002 on Asylum: The Government in accordance with the decision of the European Union Council shall determine the commencement, conditions and termination of temporary shelter and shall earmark funds to cover the costs related to granting temporary protection.*

**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:**

§ 36/2 of the Asylum Act: During the provision of temporary protection the de facto refugee shall be entitled to tolerated residence permit on the territory of the Slovak Republic under the Foreigners Act.

**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:**

Item 37 of the Act on Fees: Aliens who come to the Slovak Republic based on the invitation or with the consent of the National Council of the Slovak republic, president of the Slovak republic or the government of the Slovak republic are free of charge.

**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:**

36/3 of the Asylum Act: The Ministry shall provide the de facto refugee instruction in writing, in the language likely to be understood by him/her, on his/her rights and obligations relating to granting of temporary protection.

**Article 17, §1:**

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

**Translation:**

The norm of transposition is incomplete, as the provision indicates only the case of submitting the asylum application with the consequence of termination of temporary protection, but does not saying anything about the period when it might occur.

§ 32/1c of Asylum Act: Provision of temporary protection shall terminate application for asylum or subsidiary protection by the de facto refugee or by

being granted temporary residence or permanent residence on the territory of the Slovak Republic.

**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:**

§ 22/1 of Asylum Act: The applicant has the right to stay on the territory of the Slovak Republic during the asylum procedure.