

REPUBLIC OF ALBANIA
COUNCIL OF MINISTERS

DECISION

No- 204, dated 06.04.2022

ON
CONDITIONS, REQUIREMENTS AND DEADLINES FOR DEFINING THE
ACCELERATED INTERNATIONAL PROTECTION APPLICATION PROCEDURE

Pursuant to article 100 of the Constitution, paragraph 5, Article 34 of Law No. 10/2021 “On asylum in the Republic of Albania” and upon the proposal of the Minister of Interior, the Council of Ministers

HAS DECIDED:

1. The accelerated international protection application review procedure shall be implemented by the authority responsible for asylum and refugees when the applicant meets one of the following conditions:
 - a) At the moment of application submission and presenting the respective facts, he/she has only raised issues not relevant to the examination of whether he/she is eligible as an international protection beneficiary pursuant to law No. 10/2021 "On asylum in the Republic of Albania";
 - b) Comes from a safe country of origin as provided for in the law on asylum;
 - c) Has misled the authorities by submitting false information and documents, or concealing information or documents regarding his/her identity and/or nationality that could have had a negative impact on the decision;
 - ç) It is possible that he/she may have intentionally destroyed or eliminated his/her identification or travel documents, which would have helped in determining his/her identity and/or nationality;
 - d) Has made inconsistent and contradictory statements, which are clearly false or inconsistent, and which contradict the information verified in the country of origin, clearly resulting in unconvincing claims regarding the qualification as international protection beneficiary in the sense of the law on asylum;
 - dh) Has only lodged the application to delay or hamper a previous or expected decision, which would have led to his/her removal;
 - e) Has entered the country illegally and has not presented him/herself to the relevant authorities or has not filed an application for international protection as soon as possible, without a valid reason;
 - ë) Refuses to meet the obligation to provide his/her fingerprints;
 - f) Is considered a risk for national security or the public order of the Republic of Albania;
 - g) Has filed another request for international protection, which is inadmissible pursuant to article 35 of this law.
2. In the course of accelerated procedures, the review of international protection applications shall be conducted in respect of the fundamental procedural principles and guarantees.
3. International protection application review under the accelerated procedure shall be an individual, fair and effective procedure. The authority responsible for asylum and refugees shall undertake a material assessment of the application, while shortening the timeframes for the conclusion of the registration, interview, and decision-making processes.

4. Upon completing the expedited procedure, the authority responsible for asylum and refugees shall decide in the same manner, based on the same principles, as it does in normal procedures, namely:
 - a) recognizing the refugee status;
 - b) rejecting the refugee status and recognizing the subsidiary protection status;
 - c) rejecting the international protection application;
 - ç) terminating the international protection application review;
 - d) interrupting the procedure for determining the international protection status.
5. The timeframe for the authority responsible for asylum and refugees to conclude the accelerated procedure shall be 15 (fifteen) calendar days from the international protection application submission.
6. Regardless of the decision made in an accelerated procedure, the international protection applicant shall be guaranteed effective legal remedy, pursuant to article 22 of the law on asylum.
7. The Ministry of Interior, the authority responsible for asylum and refugees and the Directorate for Border and Migration shall be charged with the implementation of this decision.

This decision shall enter into effect following its publication in the Official Gazette.

PRIME MINISTER

EDIRAMA