

INFORMATIVE GUIDE FOR
**REFUGEES AND
ASYLUM
SEEKERS IN
ARGENTINA**

PROCEDURE • RIGHTS AND
OBLIGATIONS • USEFUL
ADDRESSES

ENGLISH

WHO IS A REFUGEE?



A refugee is someone who is outside his or her country of origin due to well-founded fears of persecution on grounds of race, religion, nationality, belonging to a particular social group or political opinion, and is unable, or, owing to such fears, unwilling to avail him or herself of the protection of that country.

Also, a refugee is any person who has fled his or her country because their lives, safety or freedom have been threatened by generalized violence, armed conflict, mass human rights violations or other circumstances that have seriously disturbed the public order are also considered refugees.

An asylum seeker is any person that has applied to be recognised as a refugee before the National Commission for Refugees (CONARE) and whose application is being processed.

IMPORTANT: People that seek better economic outlooks or opportunities but are not forced to abandon their country for the reasons indicated above are not considered refugees, and their applications must be submitted before the migration authorities.

HOW TO REQUEST REFUGEE STATUS IN ARGENTINA

Refugee Law No. 26,165 (General Law for the Recognition and Protection of Refugees) created the National Commission for Refugees (CONARE), a state agency integrated by officials from different Ministries, the United Nations High Commissioner for Refugees (UNHCR) and of a non-profit Non-Government Organisation (the last two participate with a voice but no vote).

The CONARE is responsible for deciding on asylum applications as well as on all aspects relating to the protection of rights of refugees, including the search for options of local assistance and integration for refugees and asylum seekers in Argentina.



IMPORTANT: Proceedings before the CONARE must be made in person and are free of charge, and DO NOT REQUIRE THE INTERVENTION OF AGENTS.



PROCEDURE FOR APPLYING FOR REFUGEE STATUS IN ARGENTINA



LEGAL STEPS FOR APPLYING FOR REFUGEE STATUS

In Argentina, you may submit your application verbally or in writing, in the City of Buenos Aires or in the interior of the country, before:

- The Executive Secretariat of the CONARE, in the City of Buenos Aires.
- Any migration delegation or office of the National Migration Office (DNM for its Spanish acronym).
- The border migratory authority upon entering the country.
- Any other national, provincial or municipal authority.

TO BEAR IN MIND...

- You cannot apply for refugee status while you are outside Argentina (for example, before an Argentine Consulate).
- The request must be made at the border or within Argentine territory.
- The proceeding can be initiated and continued at the DNM Delegation that is closest to your domicile.
- All the information you furnish will be confidential and will not be shared with the authorities of your country of origin.
- A tutor will be assigned to unaccompanied minors under the age of 18 or separated from their families.
- You are entitled to the assistance of a lawyer free of charge. To obtain this assistance you may contact the National Office of the Public Defender, where you will be assisted at every step of the procedure or receive guidance for regularising your migratory status before the National Migration Office.



PROCEDURE FOR APPLYING FOR REFUGEE STATUS

At the time you initiate the application, you must follow the steps listed below:



Fill out a form that will be delivered to you by the authorities.



Furnish a document that attests your identity (passport, identity document or other) and documentation or information supporting your case. If you do not have an identity document or cannot furnish the required documentation, you must provide reasons.



You will have at least one personal interview with an officer of the Executive Secretariat of the CONARE, who will inquire in detail about the facts that led you to abandon your country of origin. The interview will be carried out in a language you understand.



Inform your actual domicile (the place where you live), and establish a legal domicile (which can be the same one or a different one), where all communications, notices or summons will be delivered.



During the procedure, you must inform any change in domicile.

IT IS IMPORTANT TO KNOW THAT ...

- You may request the assistance of a translator or interpreter free of charge if you do not understand the language.
- If you present reasonable motives, you may request to be interviewed by an officer of the gender of your preference.
- You must furnish all the information and/or documentation you have available regarding the reasons that led you to abandon your country of origin.
- You are entitled to the assistance of a lawyer free of charge. To obtain this assistance you may contact the National Office of the Public Defender, where you will be assisted at every step of the procedure, or you may ask to be referred to other agencies that provide free legal advice.
- You may request orientation regarding possible social welfare.



DELIVERY OF **TEMPORARY DOCUMENTATION**

Within 20 working days of the submission of the application for refugee status before the CONARE you will receive a certificate that attests your condition as applicant and your legal residence in the country.

This temporary documentation will allow you to move about the country freely, obtain accommodation at a hotel or boarding house, establish your domicile, work and obtain access to all the public health and education services. This certificate must be exhibited before the public authorities that request it, but may not be withheld by any person or authority, with the exception of the Secretariat of the CONARE.



IMPORTANT: The certificate referred to will enable you to work legally, according to the labour laws in force in the country. You will be able to request and obtain the labour identification code (CUIT/CUIL for its Spanish acronym) granted free of charge by the Argentine State through the National Social Security Administration (ANSES).

TO BEAR IN MIND...

This temporary certificate must be renewed every 90 days. In order for the temporary certificate to remain valid, and to prevent your migration status from becoming irregular, with the risk of your proceeding being closed, you must renew it in person before it expires and until you receive a decision regarding your application. The temporary certificate may be renewed at:

- The Executive Secretariat of the CONARE in the City of Buenos Aires, or
- Any DNM migration delegation or office close to you.

IMPORTANT: The temporary documentation is not a valid travel document for leaving the country. If you decide to travel outside Argentina once you have made your formal application, you must have a valid travel document. Depending on your nationality, Argentina may require a consular visa for you to enter the country. In this case, you must obtain it for your re-entry to the country.

If you plan to travel abroad while you are processing your application, you must inform the Executive Secretariat of the CONARE, stating the proposed travel dates and reasons.

GRANTING OR REJECTION OF THE ASYLUM APPLICATION



If refugee status is **GRANTED**...

You will receive a certificate in order to process your temporary residence in the country before the DNM. Once you receive your temporary residence, you may initiate the procedure for obtaining the National Identity Document (DNI) for foreigners. Both proceedings are free of charge.



If refugee status is **DENIED**...

If you are not granted refugee status, you will be entitled to appeal (request a review) before the Minister of the Interior via a written petition that you must file before the CONARE within 10 working days of receiving notice of the decision.

The request for review must be duly justified, in other words, you must explain clearly the reasons why you do not agree with the decision of the CONARE.

If the decision of the Minister of the Interior is also negative, you will be entitled to request a judicial review of the resolution, to which end you will need the assistance of a lawyer.



IMPORTANT: when the **NEGATIVE DECISION IS FINAL**, the migratory authorities will decide regarding your legal status and legal residence in the country.

TO BEAR IN MIND...

- The processing of an application for refugee status does not prevent you from applying for residence before the National Migration Office (DNM) pursuant to the other criteria envisaged in the migration regulation.
- There is no pre-established term within which CONARE must decide regarding an application. The reasonable term will depend on the information and documentation furnished by the applicant and the complexity of each case.

WHAT ARE THE RIGHTS AND OBLIGATIONS OF REFUGEES AND ASYLUM SEEKERS?



RIGHTS

The right not to be expelled, extradited or refouled to the country where their life, integrity, freedom or safety are in danger.

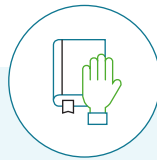
To remain and move about freely in the country.

To have access to the public health and education systems, and to work legally.

Not to be discriminated for any reason (skin colour, social situation, religious beliefs, gender or sexual orientation, nationality, political opinions, etc.).

To be reunified with their family members in the event they are granted refugee status.

To practice their religion freely.



OBLIGATIONS

To respect the national, provincial and municipal laws.

To respect the people, entities, and public and private organisms.

To say the truth and help clarify the facts invoked and the personal reasons that justify their application.

To maintain their address up to date and keep their temporary certificate renewed.

To inform the Executive Secretariat of the CONARE of their intention to travel abroad, stating the reasons and travel dates.



USEFUL CONTACT DETAILS

NATIONAL COMMISSION FOR REFUGEES (CONARE)

Av. Hipólito Yrigoyen 952, floor 1
City of Buenos Aires
(0054 11) 5222 7122 / 7123
secretaria.conare@migraciones.gov.ar
www.migraciones.gov.ar/conare

COMMITTEE FOR INTEGRAL ASSISTANCE AND PROTECTION OF REFUGEES AND ASYLUM SEEKERS OF THE NATIONAL OFFICE OF THE PUBLIC DEFENDER

Bartolomé Mitre 648, floor 4
City of Buenos Aires
(0054 11) 7090 4920
www.mpd.gov.ar/index.php/programas-y-comisio-
nes/54-comis-
ion-para-la-asistencia-integral-y-proteccion-al-refug
iado-y-peticionante-de-refugio

NATIONAL MIGRATION OFFICE (DNM)

Av. Antártida Argentina 1355,
City of Buenos Aires
(0054 11) 4317 0200
www.migraciones.gov.ar

REGIONAL OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR)

(ACNUR for its Spanish acronym)
Cerrito 836, floor 10, City of Buenos Aires
(0054 11) 4815 7870 / 3172 / 4357
argbu@unhcr.org
www.acnur.org

ADRA – CENTER FOR SUPPORT FOR REFUGEES

Av. Juan de Garay 4360,
City of Buenos Aires
(0054 11) 5295 2840 / 41
refugiados@adraargentina.org

MIRARES FOUNDATION (FOUNDATION FOR SOCIAL ENTREPRENEUR MIGRANTS AND REFUGEES)

Bartolomé Mitre 2815, floor 4, Office 408
City of Buenos Aires
(0054 11) 4861 5435
www.mirares.com.ar

NATIONAL INSTITUTE AGAINST DISCRIMINA- TION, XENOPHOBIA AND RACISM (INADI)

Avenida de Mayo 1401,
City of Buenos Aires
(0054 11) 4380 5600 / 5700
0800 999 2345 (24 hr attention and advice)