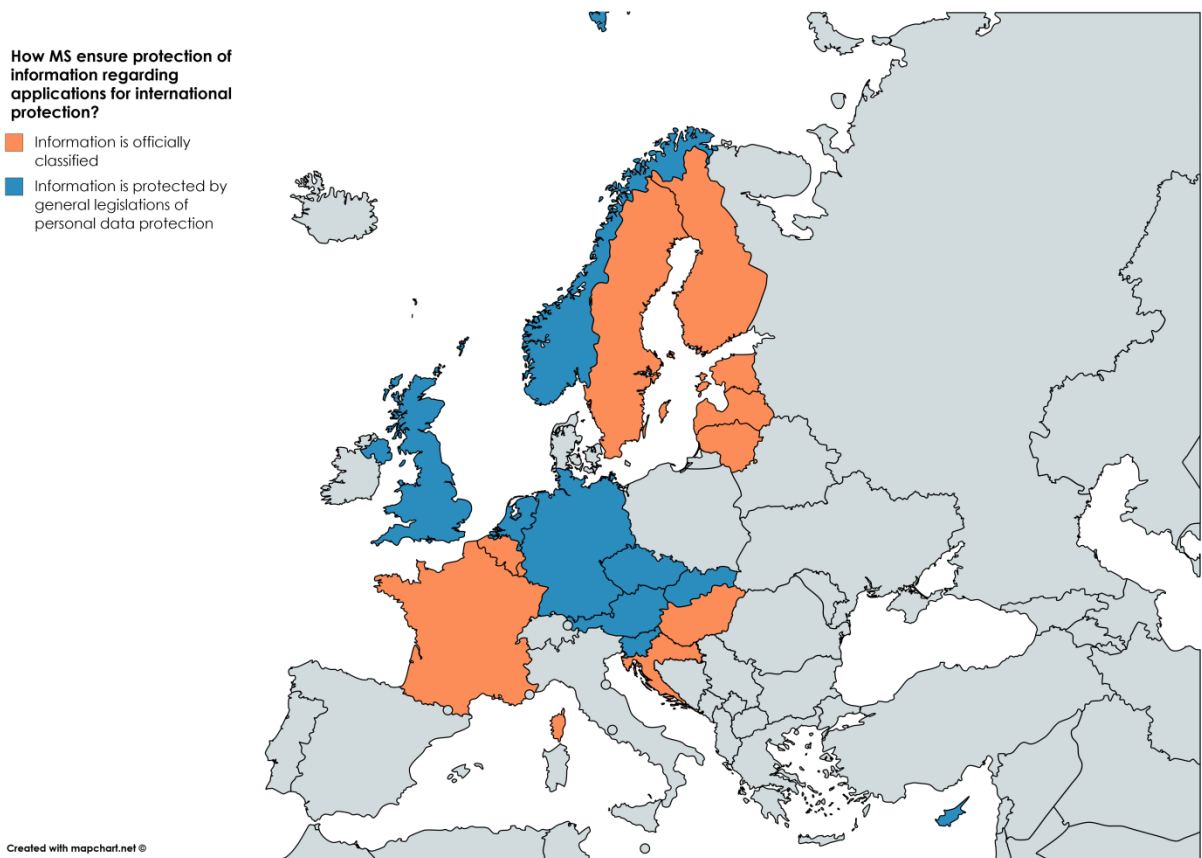


Summary of the LT EMN Ad-hoc query

Classification of information related to making and examining an application for international protection

According to Articles 30 and 48 of the directive 2013/32/EU of the European Parliament, Member States shall not, disclose information regarding individual applications for international protection, or the fact that an application has been made, to the alleged actor(s) of persecution or serious harm and ensure that authorities implementing this Directive are bound by the confidentiality. Lithuania national law provides that this information shall be officially classified. However, there's an ongoing discussion on whether the goals of the directive 2013/32/EU can be achieved by the general principle of confidentiality and applicable rules on. Due to the ongoing discussion, LT NCP launched an Ad-Hoc Query on 28th December 2016.



Information is officially classified/ protected by general legislations of data protection

Responses were received from 18 countries and Lithuania. 10 Member States indicated that the information related to asylum proceedings is **officially classified** (BE, EE, FI, FR, HR, HU, LT, LU, LV, SE). Although in other 9 Member States (AT, CY, CZ, DE, NL, NO, SI, SK, UK) **there is no official classification**, the general principles of protection of personal data and confidentiality are applied.

Exceptions when it is allowed to reveal information related to applicants' personal file

Nevertheless the information related to applicants' personal file is highly confidential and protected by national law, there are some specific cases indicated by Member States when data may be transmitted:

- When data is required for the purpose of obtaining the necessary entry authorizations if the asylum application has been rejected (AT);
- For the purpose to assist various agencies to fulfill their responsibilities as it is laid down in national law (e.g. security services, police, national court and etc.) (BE, CY, HU);
- By the written consent of the person from whom the information was received (CY, LV, SK);
- When it is obvious that access to information does not result in harm or damage to the applicant and his/ her family, international relations/ cooperation (FI).