



## **EMN Ad-Hoc Query on Ad-Hoc Query on the Member States' policies to handle the influx of asylum seekers**

Requested by FR EMN NCP on 3rd February 2016

### **Protection**

**Responses from [Austria](#), [Bulgaria](#), [Croatia](#), [Finland](#), [Germany](#), [Hungary](#), [Italy](#), [Lithuania](#), [Luxembourg](#), [Netherlands](#), [Poland](#), [Slovenia](#), [Sweden](#), [United Kingdom](#), [Norway](#) (15 in total)**

#### Disclaimer:

*The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.*

## **Background information:**

In the current migratory context, characterised by large-scale arrivals of migrants and asylum seekers, several Member States have adopted or foresee to adopt measures in order to tackle the consequences of this crisis, especially in the area of asylum.


We are sorry for the short delay, due to the urgent need of information of the Asylum Directorate.


## **Questions**


1. 1) How does your country consider to cope with the influx of asylum seekers? (Please describe)
2. 2) Does your country foresee a change in legislation or the implementation of specific measures in the following areas: examination of asylum application, accelerated procedures, reception and accommodation conditions, right of residence, right to work, family reunification for beneficiaries of international protection, social benefits, restriction of the freedom of movement...? (Please describe)
3. 3) On 9th October 2015, France updated its list of safe countries of origin, which now includes 16 countries: Albania, Armenia, Benin, Bosnia-Herzegovina, Cape Verde, Georgia, Ghana, India, Kosovo, Macedonia, Mauritius, Moldova, Mongolia, Montenegro, Senegal and Serbia.

Has your country recently extended its list of safe countries of origin or does it foresee such an extension? If yes, to which countries? (Please describe)


## **Responses**


	<b>Country</b>	<b>Wider Dissemination</b>	<b>Response</b>
	<b>Austria</b>	Yes	<b>1.</b> Austria finds itself in an unprecedented and exceptional situation. In the course of 2015, continually new records of asylum seekers in Austria were registered. Even in the last year, amounting to approximately 90,000, the number of asylum applications was three times as high as in the preceding years. Currently, the capacity-oriented daily quotas set by the Federal Government of 80 asylum applications at the southern border of Austria and of 3,200 border-crossings of persons seeking international protection in a neighbouring country, are implemented. In this respect, the cooperation with the neighbouring and affected Member States on the one hand and with the countries along the Balkans route on the other hand is of decisive importance. Source: Federal Ministry of the

			<p>Interior.</p> <p>2. See Question 1. Source: Federal Ministry of the Interior.</p> <p>3. On 17 February 2016, Austria has updated the list of safe countries of origin. It now includes in addition to the Member States of the European Union the following 19 countries: Australia, Iceland, Canada, Liechtenstein, New Zealand, Norway, Switzerland, Bosnia and Herzegovina, Kosovo, Mongolia, Macedonia, Montenegro, Serbia, Albania, Ghana, Morocco, Algeria, Tunisia, Georgia. Source: Federal Ministry of the Interior.</p>
	<p><b>Bulgaria</b></p>	<p>Yes</p>	<p>1. In case of mass migratory influx the capacity for accommodation of applicants for international protection could be increased to 6000-7000 places. Construction of two temporary container villages with accommodation capacity for 800 persons is planned. Currently, State Agency for Refugees (SAR) has the necessary administrative capacity for examining the applications for international protection.</p> <p>2. The legal framework of Common European Asylum System is already transposed in Bulgarian Law on Asylum and Refugees. On the other hand the foreseen measures concerning integration are as follows:</p> <p>1. From 1 to 31 January 2016 applicants for international protection, which are accommodated in the Registration-and-reception center (RRC) – Sofia are included in language courses in Bulgarian and English and in information technologies training provided by volunteers of the NGO Caritas – Sofia city. For the purpose of the training SAR has provided equipped language and computer labs and cooperation in forming groups and motivating the TCN.</p> <p>2. Working permits are issued for TCN, which are in proceedings for examining their applications for international protection more than 3 months. They are referred to vacancies, which are advertised by employers willing to hire asylum applicants or beneficiaries of international protection.</p> <p>3. On 01.02.2016 at the initiative of Ministry of Education and Science was held a working group with representatives of SAR, UNHCR, Regional Education Inspectorate – Sofia city, Bulgarian</p>

			<p>Council on Refugees and Migrants, Caritas Bulgaria. The purpose of the working group was to draft an ordinance for the reception of applicants for international protection and beneficiaries of international protection to the schools in Bulgaria.</p> <p><b>3.</b> The national list of safe countries of origin and safe third countries was adopted by the Council of Ministers of the Republic of Bulgaria in 2005. Currently there is an ongoing update of the national list in accordance with the EU common list of safe countries of origin, which is expected to be prepared in connection with the proposed establishment of EU Regulation on the establishment of such a list.</p>
	<p><b>Croatia</b></p>	<p>Yes</p>	<p><b>1.</b> In Croatia the number of asylum applications in 2015 has decreased 50% in comparison with 2014. Compared to West European countries, still small number of people applied for asylum in Croatia because of very small knowledge about Croatia and most specifically, they are determined to go to other countries in which they have family members already living there. Croatia recently approved Act on International and Temporary Protection that entered into force on 2 July 2015. This Act aligns Croatian legislation with the following European Union Directives: Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, Directive 2003/86/EC of 22 September 2003 on the right to family reunification, Directive 2011/95/EU of the European Parliament and the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted, Directive 2013/32/EU of the European Parliament and Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast), Directive 2013/33/EU of the European Parliament and the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast).</p> <p><b>2.</b> Yes. The Act on International and Temporary Protection introduced following changes: a. Acts prescribes duration and the end of temporary protection, and the reception and transfer of foreigners under temporary protection pursuant to the principle of the solidarity of the Community. The longest duration of temporary protection is 3 years. Temporary protection shall be approved for a period of</p>

			<p>one year. Temporary protection shall come to an end: when the maximum duration of temporary protection has been reached; or by a decision of the Council of the European Union; b. definition of family members is extended regarding adult, unmarried children and life-long partnership. This Act also extends the right to family reunification with an foreigner under subsidiary protection; c. the application in principle refugees sur place is restricted in the case of subsequent application when the applicant causes circumstances exclusively for the aim of having protection approved; d. defines the scope of assistance in integration into society, and defines the competent body for the coordination of the work of the ministries, NGOs and other bodies which participate in the process of the integration of refugees and foreigners under subsidiary protection into society; e. The Act on International and Temporary Protection structurally alters the previous asylum procedure, in view of the fact that it is prescribed that the status of applicant for international protection is acquired from the moment of the expression of intention to apply. This Act also prescribes the procedure in relation to children, especially unaccompanied minors; f. prescribes the procedure of identification of applicants who have special needs related to the procedure to approve international protection, as a result of which they must be provided with the appropriate support to enable them to exercise fully the rights and obligations under this Act. This Act introduces the new concept of "subsequent application for international protection", whereby it prescribes the procedure for a repeated expression of intention after an enforceable decision has been rendered on an application submitted earlier, and thereby the procedure for approval of international protection; g. the right to freedom of movement of applicants for international protection, and the manner and conditions for the restriction of that right are defined; h. the framework for the application of the concept of resettlement of third-country nationals or stateless persons from third countries, or the reception of a specific number of persons from other members to whom international protection has been approved is prescribed.</p> <p><b>3.</b> Croatian Act on International and Temporary Protection prescribes implementation of concepts of safe countries of origin and safe third countries and list of safe country of origin is in process of adoption in cooperation with Ministry of Foreign f Affairs.</p>
+	Finland	Yes	<p><b>1.</b> Finland has responded to the influx of asylum seekers by recruiting staff to the Finnish Immigration Service (FIS), by opening new reception centres as well as a registration centre organizing the flow of asylum seekers through the Sweden-Finland border in north-western Finland. The staff resources of</p>

			<p>the asylum unit of the Finnish Immigration Service have been increased from around 100 to approximately 500, with 355 officials doing asylum interviews. New sections of the asylum unit have been opened in different parts of the country and a situation centre has been established to gather real-time information on the reception capacity in the country. Finland is also preparing for the number of applicants who will be returned to their countries of origin. A transit department for those who return voluntarily is being opened and FIS is also planning to open a return centre for asylum seekers who are not willing to return voluntarily. 8.12.2016 the Finnish Government published its action plan on asylum policies. Finland's aim is to stem in the short term the uncontrolled influx of asylum seekers into the country, to contain asylum costs and to integrate efficiently those who have been granted asylum. Finland will also make the asylum and return processes more effective and contribute to the management of the EU's external borders.</p> <p><b>2.</b> Under the jurisdiction of the Ministry of the Interior, there are three government proposals related to international protection issues that will be submitted to Parliament in spring 2016. As part of the streamlining of the asylum process, it is suggested that the initial hearing establishing the applicant's identity and travel route, which so far has been conducted by the Police, will be conducted by the Finnish Immigration Service. According to another government proposal, international protection will only be granted to those fulfilling the requirements laid down in EU and international law. Residence permits would no longer be issued on humanitarian grounds. The third government proposal suggests that family reunification criteria shall be reviewed to comply with the EU Family Reunification Directive. Finland considers tightening the criteria by extending the scope of application of maintenance requirements. At the Ministry of Justice a legislative project with the intention of streamlining the appeal process in asylum cases is also under way.</p> <p><b>3.</b> Finland does not have a list of safe third countries.</p>
	<b>Germany</b>	Yes	<p><b>1.</b> Recently, the Federal Office for Migration and Refugees introduced an optimized asylum procedure. A respective model procedure was tested last year and the new procedure will be introduced nationwide this year. The so called second asylum package specifies groups of asylum-seekers for whom the accelerated procedure can be used: they will include asylum-seekers from states classed as safe countries, those submitting a repeat request for asylum and asylum-seekers who do not</p>


			<p>cooperate during the asylum procedure. Applicants will be deemed unwilling to cooperate if, for instance, they conceal their true identity or refuse to be finger-printed.</p> <p><b>2.</b> With regard to access to procedure the new concept includes measures such as:</p> <ul style="list-style-type: none"> <li>• Establishment of arrival centres in every Federal State where most of the applicants shall be registered</li> <li>• Substantial recruitment of new staff, inter alia for the registration process</li> <li>• Introduction of a new document for asylum-seekers. The machine readable proof of arrival contains personal and biometric data of an asylum-seeker. Once it is introduced nationwide it will be requirement for reception, nutrition, healthcare and cash benefits.</li> </ul> <p>To allow Germany to cope better with the massive influx of refugees, the families of asylum-seekers entitled to subsidiary protection will not be permitted to follow them to Germany for a period of two years. This regulation will apply to all individuals with subsidiary protection issued with a residence permit after the legislation comes into force.</p> <p><b>3.</b> • The concept of safe countries of origin is used in Germany. According to section 29a Asylum Law the following states are designated as safe countries of origin:</p> <ul style="list-style-type: none"> <li>• The member states of the European Union, the Western Balkan States (Bosnia and Herzegovina, Serbia, Former Yugoslav Republic of Macedonia, Montenegro, Albania, Kosovo), Ghana and Senegal.</li> <li>• Morocco, Algeria and Tunisia shall be designated as safe countries of origin as well. The respective amendment of the Asylum Law is now in the legislative process.</li> </ul>
	<b>Hungary</b>	Yes	<p><b>1.</b> In 2015, a legislative package was elaborated and adopted by the Hungarian Assembly in order to carry out new measures and methods for managing the extraordinary migratory flow. Amendments were adopted to the asylum law (Act LXXX of 2007 on Asylum and Government Decrees) that</p>


entered into force on 1 August. The amendments aimed at quicker decision-making in the asylum proceedings: the length of the procedure was shortened in order to ensure that protection is provided to those who are in genuine need of it and those who are not in need of protection could return to their countries of origin in a more timely manner. Moreover, in line with the Asylum Procedures Directive, the accelerated procedure was introduced in order to reinforce tools against abuses of the asylum procedure. Second legislative package was adopted in the beginning of September 2015 which provided for the possibility for the Government to initiate a crisis situation due to mass migration. Accordingly, in the crisis situation, the Government has established transit zones where the admissibility of asylum claims is to be examined. Furthermore, the legislative package introduced new criminal acts in relation to the damaging of the border fence and its illicit crossing. Close cooperation is needed with countries of origin and transit in order to prevent risking migrants lives during perilous journeys. Hungary notes with satisfaction that the Western Balkans route finally gets the attention Hungary was urging for a long time although Hungary is no longer affected by the migration pressure as the migration routes have diverted following the closure of the green borders between Hungary and Serbia and Hungary and Croatia, respectively.


**2.** Taking into account that migration and asylum issues have effect on the full spectrum of the society, the Hungarian Government has introduced several steps to tackle the unprecedented migration pressure. Hungary has introduced additional measures to enhance the protection of the Serbian-Hungarian and Croatian-Hungarian border and changed its legislation with the aim to accelerate the asylum procedure in order to ensure that those who are not in need of protection could return to their countries of origin in a more timely manner.

**3.** Based on the Government Decree published on 22. July 2015. the Member States and candidate Member States of the European Union (Albania, Macedonia, Montenegro, Serbia) with the exception of Turkey, the Member States of the European Economic Area, the Federal States of the United States where there is no capital punishment, further Switzerland, Bosnia-Herzegovina, Kosovo, Canada, Australia and New Zealand qualify as safe countries of origin and safe third countries under the asylum law. In 2016 the Hungarian Government do not plan to extend the list of safe countries of origin, however we support to establish a common EU list of safe countries of origin.



	<b>Italy</b>	Yes	<p><b>1.</b> Since 2011, Italy has experienced a strong and unpredicted increase in migrant influx, including many asylum seekers. In order to improve the national asylum system State, Regions and Local Governments have joined and coordinated efforts, as institutional cooperation has been seen as the possible way to tackle this emergency. Therefore, in July 2014, a National Operational Programme was approved in order to cope with the extraordinary flow of non-EU citizens. The goals of this plan include: - Improving facilities for addressing primary assistance and accommodation needs. New first aid and reception centres will be opened in which to carry out identification and health screening activities, and provide commodities (such as food, clothing and personal care items) and information on the Italian reception system. Those who have made an application for international protection are then transferred to other reception centres across the country. - Setting up a First-line Reception System: from first aid and reception centres, TCNs are transferred to reception centres run in cooperation with Regions and Local Authorities, under the responsibilities of the Ministry, the so-called regional reception hub. Each reception hub has an accommodation capacity that varies from Region to Region, providing accommodation to the TCNs who have already been identified. The length of stay in these centres is limited to the time needed for lodging the application for international protection and for finding a second-line reception centre in which the TCNs will be admitted. - Enlarging the network of the SPRAR (System for the protection of asylum seekers and refugees) for second-line reception. The SPRAR was set up in 2002. Its centres are used for providing assistance and support to the TCNs who have lodged their application for international protection. Here, they are provided with accommodation, food, clothing, personal care items, pocket money on a weekly basis, education, orientation and vocational training. In SPRAR centres, therefore, the actual integration process of asylum seekers is set in motion. In order to expedite the procedure for obtaining international protection, on 17 October 2014, Law No 146 was enacted, increasing, inter alia, the number of Territorial Commissions responsible for examining applications for international protection from ten to twenty (see also next answer).</p> <p><b>2.</b> Italy has recently modified its Reception System by Legislative Decree No 142/2015. This Decree regulates what follows: - The possibility of opening temporary facilities, called Extraordinary Reception Centres (CAS), which are specifically designed for the reception of asylum seekers, if there is no availability in existing first- and second-line reception centres (Article 11); - Reception conditions for vulnerable groups, such as children, disabled persons and the victims of human trafficking and torture (Articles 17 and 18). In these cases, special health and psychological assistance</p>
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			<p>is provided, with the involvement of specialised medical staff; moreover, the victims of human trafficking have access to protected reception conditions in dedicated facilities. - Fast-track procedure for the examination of application for international protection in the following cases: a) the application seems well grounded; b) the applicant falls within vulnerable groups; c) the applicant has been admitted in a reception centre; or d) the applicant is detained in a Centre for Identification and Deportation (CIE). In these cases, the police authority immediately sends the documents to the Territorial Commission, which has to convene the TCN for the interview within seven days, and issue a final decision within the following two days (Article 25). - Work authorisation for asylum seekers after only 60 days (previously it was 6 months) (Article 22).</p> <p><b>3.</b> Italy has not published a list of safe countries yet.</p>
	<p><b>Lithuania</b></p>	<p>Yes</p>	<p><b>1.</b> At the moment, Lithuania does not face increased numbers of asylum applicants. However, on a practical level emergency situations are being simulated and cooperation between different institutions is being checked so that in the case of emergency additional capacity could be used immediately.</p> <p><b>2.</b> Examination of asylum application: Amendments to the Law on the legal status of aliens adopted on the 26 November 2015 include inter alia update of the situations when asylum application will not be examined (for example, when a consecutive application with no additional information is being submitted), introduction of the resettlement scheme as well as legal changes pertaining to the transposition of requirements of the Procedures Directive. Accelerated procedures: Transposition of the Procedures directive includes changes in relation to the accelerated procedures. Cases when an asylum application is being considered under accelerated procedures have been defined. Reception and accommodation conditions: Duration of initial integration at the Refugee reception center has been shortened from 12 to 3 months. Duration of the integration in the municipalities has been shortened to 12 month. Right of residence: temporary residence permit for beneficiaries of subsidiary protection are issued for the period of 2 years instead of 1 year. Legal acts for alternative forms of accommodation as well as accommodation at the border crossing points are being reviewed and amended. Right to work: no changes. Family reunification for beneficiaries of international protection: no changes Social benefits: allowances paid to the beneficiaries of international protection</p>

			<p>in the municipalities will be reduced by half after the first 6 months. Restriction of the freedom of movement: no changes.</p> <p>3. N/A Lithuania does not have a national list of safe countries.</p>
	<p><b>Luxembourg</b></p>	<p>Yes</p>	<p>1. Luxembourg has been confronted with a high influx of international protection applicants (IPAs). In 2015, the total number of IPAs was 2447 which represents an increase of 124% in comparison with 2014 (1091).</p> <p>Luxembourg recently approved two laws: the Law of 18 December 2015 on international protection and temporary protection and the Law of 18 December 2015 on reception of applicants for international protection and temporary protection. These laws entered into force on 1st January 2016.</p> <p>The Law of 18 December 2015 introduced the following changes in the international protection procedures:</p> <p>a. Distinction between filing an application (“présentation de la demande”), registering the application (“enregistrement”) and lodging an application (“introduction de la demande”). There is a clear distinction between filing the application, the registration of the application and the lodging of the application. The registration of the application has to be done at the latest three days after the filing if it is done in the offices of the Directorate of Immigration. This delay can be extended to six days if the application is filed with an agent of the Central Unit of the Airport Police, the Detention Centre or in prison. If there are a high number of applications, this delay can be extended to ten days. After the applicant is registered the IPA is summoned at the earliest opportunity for the lodging of the application (“introduction de la demande”). However, the law does not foresee a specific deadline for this stage.</p> <p>b. Interviews: The interviews will be conducted after having registered the application in the shortest timeframe (there is no deadline enshrined in law). During this interview, the judicial police proceeds with the necessary verification procedures to establish the identity and itinerary of the applicant(s), including to take the fingerprints of the applicant(s). In case the judicial police needs to identify the</p>

			<p>applicant, it can take pictures of the applicant and submit him/her to a language test.</p> <p>c. After the interview with the judicial police, the IPA has the right to a personal interview with an agent of the Directorate of Immigration. The absence of a lawyer does not preclude such an interview taking place.</p> <p>d. Duration of the procedure: The maximum delay for taking a decision is six months. This deadline runs from the moment that the Minister determines that the Grand-Duchy of Luxembourg is competent to treat the application. However, if the deadline cannot be respected, the IPA must be informed of the reasons of the delay and of the expected timeframe when the decision will be taken.</p> <p>e. The deadline of six months can be extended up to nine months in cases where: a) there are complex factual or legal questions at stake; b) when there is a high number of IPAs; and c) the delay is due to the lack of respect of the IPA's legal obligations. This deadline can be extended for duly justified circumstances for an additional three months. The maximum duration of the normal procedure within both the extensions is of 18 months.</p> <p>f. The examination of the application can be postponed up to a maximum of 21 months in cases where there is an uncertain situation in the country of origin of the IPA.</p> <p>g. Fast-track procedure: The new law only transposed the 10 motives (the old law contained 13 motives) contained in Article 31 (8) of Directive 2013/32/EU for applying the fast-track procedure to an international protection application. The decision of the Ministry has to be taken within a maximum delay of two months, but if needed, this maximum duration can be extended.</p> <p>h. Deadline for appealing a negative decision. The IPA can file an appeal against a negative decision before the First instance Administrative Court within a deadline of one month after the decision is notified. If the decision of the First instance Administrative Court is negative, the IPA can file an appeal before the Administrative Court within a deadline of one month of the notification of the decision.</p> <p>i. Legal aid: The access to legal aid changes. The IPA has the right to contact a lawyer regarding</p>
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			<p>his/her international protection application on his/her own expenses during all the stages of the procedure, including after a negative decision. Free legal assistance can be provided during the normal international protection procedure and its recourses. Free legal assistance will be excluded if the recourse does not have any tangible prospects of success.</p> <p>j. Special procedural guarantees for vulnerable international protection applicants. After filing the application and before the Ministry in charge of Immigration takes a decision, the Ministry will undertake an evaluation of special procedural guarantees for vulnerable IPAs. This evaluation can also be carried out by the Luxembourg Reception and Integration Agency.</p> <p>k. Detention: The IPA can be placed in detention for three months. This deadline can be extended for a maximum duration of 12 months.</p> <p>l. New alternatives to detention: The new law introduces new alternatives to detention:</p> <p>i. The IPA should present him or herself at regular and fixed intervals before the competent services or the authorities designated by the Ministry after surrendering his or her passport or any other identity document.</p> <p>ii. House arrest.</p> <p>iii. Posting a financial guarantee of €5,000.</p> <p>m. The deadline for filing a recourse against a decision declaring the international protection application to be inadmissible is now shorter: the delay was reduced from a month to 15 days.</p> <p>n. The deadline for filing a recourse against a decision declaring the transfer of an IPA is shorter: The delay was reduced from a month to 15 days.</p> <p>In regards to the right of residence, the right to work, family reunification for beneficiaries of international protection, social benefits, health care, restriction of movement, etc. the Law of 18 December 2015 on international protection and temporary protection does not change any of the</p>
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rights foreseen by the amended law of 5 May 2006 (Asylum Law) that was abrogated by the new law.

The Law of 18 December 2015 on reception of applicants for international protection and temporary protection modified the possibility of international protection applicants of obtaining an authorisation of temporary occupation (AOT) to six months after filling the application (in the old asylum law this period was of 9 months).

On 13 October 2015, the Luxembourgish Government presented its national plan on reception for international protection applicants. This policy is based on three major pillars:

- Reception and Housing,
- Education ; and
- Health.

In order to confront the massive inflows of refugees entering the European Union and Luxembourg, the Government Council took the decision on 24 July 2015 to implement an emergency plan for the reception for international protection applicants. This mission was granted to the High Commissioner for National Protection (HCPN) at the formal request of the Ministry of Family, Integration and the Greater Region (MFIGR). The main objective is to implement a responsible and solidarity migration policy in order to guarantee a stable framework and adequate management of each IPA arriving in Luxembourg.

Coordination group:

In order to coordinate these activities an interinstitutional coordination group was created. This group is co-chaired by the MFIGR and the HCPN. The group is in charge of the follow up of the planning of the emergency reception of IPAs. It is also composed of representatives of different ministries, public institutions, the Grand-Ducal Police, the HCPN and it counts as external experts the Red Cross and Caritas.

IPA's inflows evaluation unit:

There is also an evaluation unit of inflows of IPAs, which is chaired by the Luxembourg Reception and Integration Office (OLAI). This unit monitors the inflows of IPA's. It is composed of representatives of the Directorate of Immigration, OLAI and the HCPN.

Logistics unit:

This unit is chaired by the Luxembourg Civil Defence Service (Administration des services de secours (ASS)). It is responsible for the implementation of construction and equipment of the necessary reception facilities. It is composed of representatives of the ASS, the Administration of Public Buildings, the Army, OLAI and the HCPN.

#### A) RECEPTION AND HOUSING:


Since the permanent receptions facilities for applicants for international protection have reached the point of saturation in September/October 2015, a temporary first-arrival solution was adopted in addition to the existing structures.

Two categories of first-arrival facilities have been created:

- in the short term the installation and activation of first-arrival facilities within a fairly recent timeframe;
- in the mid-term the putting into service of "container villages" from mid-2016 onwards.


#### B) EDUCATION:



The schooling of children is an important factor of integration. The Ministry of National Education has established a "refugees' task force" in order to coordinate the different initiatives in order to prepare the reception and an immediate schooling framework for the children of IPAs. The objective is to avoid exclusion and isolation and a good and fast integration.

			<p>The government is currently recruiting teachers to deal with the inflows. In addition, intercultural mediators (Arabic speakers) are engaged in order to facilitate the communication between the teachers, the administration, family members and students.</p> <p>Language courses for adults:</p> <p>The current offer of language courses is going to be developed at the municipalities level, which can benefit from a financial aid from the Ministry of Education. These courses are under the responsibility of the Department for Adult Education.</p> <p>C) HEALTH:</p> <p>The Government guarantees the medical assistance for every IPA arriving in Luxembourg. The IPA's have equal access to the health system, by means of medical check-ups, vaccinations and urgent medical assistance. Furthermore, an adequate medical, social and psychological reception is guaranteed for every IPA.</p> <p>2. No. See answer to question 1.</p> <p>3. The list of safe countries of origin includes the following countries: Albania, Benin (only for men), Bosnia-Herzegovina, Cape Verde, Former Yugoslav Republic of Macedonia, Ghana (only for men), Kosovo, Montenegro, Senegal and Ukraine.</p>
	<p><b>Netherlands</b></p>	<p>Yes</p>	<p>1. Since the number of asylum seekers coming to the Netherlands are increasing, several measures have been adopted and implemented, such as:</p> <ul style="list-style-type: none"> <li>- Raising IND capacity by hiring and training new staff (mostly temp workers);</li> <li>- Raising IND capacity by extending the hours of operation into the weekend (since October 2015);</li> <li>- Implementing several efficiency measures (planning, shorter interviews, etc);</li> </ul>




			<ul style="list-style-type: none"><li>- Raising IND efficiency and capacity by implementing different procedures ('tracks') for different caseloads (i.e. for Dublin cases, safe countries of origin cases, cases in which granting of international protection is foreseeable (such as Syrians) and the 'normal' procedure for all other applications);</li><li>- Allowing for more time to conduct the examination of the asylum application on the basis of art. 31 (3) (b) APD ('a large number of third-country nationals or stateless persons simultaneously apply for international protection, making it very difficult in practice to conclude the procedure within the six month time limit');</li><li>- Allowing for more time to examine family reunification applications (from 6 months to 9 months);</li><li>- Raising reception capacity by opening new (temporary/emergency) reception facilities;</li><li>- Managing expectations amongst asylum seekers by handing out information letters and organizing information sessions;</li><li>- Adopting a safe country of origin list.</li></ul> <p><b>2.</b> Yes, see the previous answer. In order to implement more efficient procedures for applicants coming from safe countries of origin and for applicants who are likely to qualify for international protection (such as Syrians) legislation needs to be changed. The same applies to the extension of time limits in family reunification cases.</p> <p><b>3.</b> Yes. The Netherlands has published a list of safe countries of origin in November 2015. The list includes 17 countries: the EEA countries Liechtenstein, Norway and Iceland, Andorra, Monaco, San Marino, the Vatican, Switzerland, Australia, Canada, Japan, United States of America, New Zealand and Albania, Bosnia-Herzegovina, Kosovo, Macedonia, Montenegro and Serbia. Recently, on 9th February 2016 the Dutch national list of safe countries of origin has been extended by adding the following countries: Ghana, India, Jamaica, Morocco, Mongolia en Senegal. In the following months we will assess the possibility to add a number of other countries to the list.</p>
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	<b>Poland</b>	Yes	<p><b>1.</b> Poland so far has not been affected by a massive influx of asylum seekers (in 2014 approx. 12 thousand foreigners applied for asylum in Poland). However, since the beginning of the year a growing tendency is being observed, compared to respective period in 2015 (10% increase; until 11th February 907 persons filled asylum application; the most substantial growth was observed for citizens of Russia, Tajikistan and Armenia, the number of Syrians stay stable). Therefore, the Office for Foreigners is planning to hire additional case officers.</p> <p><b>2.</b> Poland has recently introduced changes in legislation with regard to access to procedure for granting international protection as well as accelerated procedure (new provisions came into force on 13th November 2015). The need to amend the current regulations resulted however from the need to implement/adapt to the so-called asylum package (Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection, Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection, Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person). At present, legislative work is underway on extending the deadline for security screening (performed by Police Commander in Chief, Commander in Chief of the Border Guard and the Head of the Internal Security Agency) from 7 to 30 days with the possibility to further extend it for another 14 days, if needed.</p> <p><b>3.</b> Poland, in the process of implementing Directive 2013/32, decided not to transpose article 38 of the directive, which provides for introducing the list of safe countries of origin. Poland adopted only a concept of first country of asylum (the country in which a foreigner was granted refugee status and to which he/she can be returned. Currently, Poland does not consider the possibility of establishing such a list at national level as a majority of applicants for international protection originate from Russia and Ukraine, countries which do not meet the criteria for a safe country of origin. Nevertheless, Poland supports the EC proposal to establish the EU list of safe countries of origin which would include Western Balkans states (Serbia, Bosnia and Herzegovina, Montenegro, Albania, Kosovo and Macedonia) and Turkey.</p>
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	<b>Slovenia</b>	Yes	<p><b>1.</b> Government of the Republic of Slovenia in 2015 adopted the Contingency plan for providing accommodation and care in the case of increasing number of applicants for international protection. Contingency plan defines different scenarios and plans, all necessary measures and responsible authorities and also puts in place possible system of reaction to the new situation in case of increasing number of applicants for international protection.</p> <p><b>2.</b> Proposal of the new Law on international protection is in the phase of adoption in the National Assembly. The foreseen changes in the new law refer among others to: - the institute of inadmissible application is clearly defined, - the deadlines for examination procedure are more strict, the cases in which the examination procedure can be prolonged are specified, - the deadlines for the examination procedure in accelerated procedures are shorter, - the possibility of making a subsequent application is limited, - the possibility of making new applications is timely limited, - the proposal introduces border procedures, - one-time financial assistance for persons with international protection leaving asylum home is withdrawn, - financial compensation for private accommodation is conditioned with the attendance at language course.</p> <p><b>3.</b> Republic of Slovenia until now did not have a national list of safe countries of origin. Currently proposal for national safe list of origin is in the procedure of adoption by the Government. The list includes following countries: Albania, Algeria, Bangladesh, Bosnia and Herzegovina, Montenegro, Egypt, Kosovo, FYR Macedonia, Morocco, Serbia, Tunisia, and Turkey.</p>
	<b>Sweden</b>	Yes	<p><b>1.</b> Overall goal of the government: “Dramatic reduction in the number of people who seek asylum and are granted a residence permit in Sweden”</p> <p>In order to achieve this, the Government has proposed that the following principal policy measures will enter into force 31 May 2016 and be in effect for a three year period.</p> <ul style="list-style-type: none"> <li>♣ Swedish asylum legislation will be brought in line with EU minimum standards.</li> <li>♣ Temporary residence permits (instead of permanent) for all persons in need of protection except quota refugees.</li> <li>♣ Refugees and persons eligible for subsidiary protection will be granted temporary residence permits. Refugees will be granted a residence permit for three years, and persons eligible for subsidiary protection for one year. These permits will be renewable. In the case of extension, the general rule will also be that a</li> </ul>

			<p>temporary permit will be granted if grounds for protection still exist. When a temporary residence permit expires, it is possible that a permanent residence permit may be granted if the person can support themselves.</p> <ul style="list-style-type: none"> <li>♣ No family reunification for beneficiaries of subsidiary protection.</li> <li>♣ Some national humanitarian statuses shall cease to exist.</li> <li>♣ In addition, tougher maintenance requirements will be introduced. The maintenance requirement is to apply to family member immigration and will be broadened to also include a requirement that the sponsor must be able to support family members who come to Sweden. The maintenance requirement does not apply when the sponsor is a refugee or a person eligible for subsidiary protection and the relative applies for a residence permit within the first three months after the person eligible for subsidiary protection has been granted a residence permit. Nor will the maintenance requirement apply if the sponsor is a child, or if the relative has applied for a residence permit by 31 May 2016.</li> </ul> <p>In addition to this: from the second quarter of 2016 all municipalities must accommodate beneficiaries of protection.</p> <p>Some measures have already entered into force:</p> <ul style="list-style-type: none"> <li>♣ Temporary (Schengen) internal border controls since 14 November 2015 – renewed regularly</li> <li>♣ The Act on special measures in the event of serious danger to public order or domestic security entered into force on 21 December 2015. The Act gives the Government the authority to issue an ordinance ordering that ID checks are to be carried out in connection with travel by bus, train or passenger ship to Sweden from another state. Such measures may be taken in order to maintain law and order or to protect national security.</li> <li>♣ The Government has adopted an Ordinance containing specific provisions on ID checks for travel to Sweden from Denmark (on all public transport, i.e. ferries, trains, buses). The Ordinance applies as of 4 January 2016 and is in effect for six months. It can be repealed earlier if the Government considers that the situation has improved. It can also be further extended, following a two-week waiting period, if there are grounds to do so. Carriers may not transport passengers to Sweden who do not present an ID.</li> <li>♣ Amendments to the Ordinance on Ship Safety (21 November 2015) concerning registration of individuals on board, which include checks of identity documents, enable carriers to perform ID-checks on e.g. ferries from Germany to Sweden.</li> </ul> <p>Some measures are more in a longer time perspective:</p> <ul style="list-style-type: none"> <li>♣ For beneficiaries of protection: Improved integration, measures to facilitate access to the labour market, improved validation of foreign qualifications</li> </ul>
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			<p>♣ Expert committee to explore legal pathways to protection in Europe and Sweden (e.g. humanitarian visas)</p> <p>These are the main points of the proposals from the Swedish Government. Some more information is presented at: <a href="http://www.government.se/government-policy/migration/">http://www.government.se/government-policy/migration/</a></p> <p><a href="http://www.government.se/government-policy/the-governments-work-regarding-the-refugee-situation/">http://www.government.se/government-policy/the-governments-work-regarding-the-refugee-situation/</a> Although most of the information on the ongoing changes are only available in Swedish.</p> <p><b>2.</b> There is an ongoing discussion within the Swedish Migration Agency on how to become more efficient in order to shorten the processing times. Proposed measures include: early screening and sorting of the applications and digitalization of the process. Due to the high influx of asylum seekers the internal recommendations concerning space and standard of accommodation have been revised. For a while even tents were used to accommodate asylum seekers, but that is no longer the case. As stated above temporary residence permits will be granted (instead of permanent) for all beneficiaries of protection except resettled refugees “three years for refugees and one year for subsidiary protection. Beneficiaries of subsidiary protection will not have a right to family reunification. These changes will enter into force 31 May 2016 and be valid for a period of three years. Municipalities will also be obliged to accommodate beneficiaries of protection in accordance with the existing rules for social benefits. There is also a government proposal that rejected adult asylum seekers (who are not living with a child) and who can be returned shall not be entitled to allowance once the rejection has gained legal force or shortly there after. This is supposed to gain force on 1 June 2016.</p> <p><b>3.</b> Sweden does not have a list of safe countries.</p>
	<p><b>United Kingdom</b></p>	<p>Yes</p>	<p><b>1.</b> The increased movements of migrants in the summer of 2015 caused Asylum Operations to implement some short term contingency measures. This saw staff moved to assist with front end processes (screening and reception arrangements) to enable them to meet commitments. They also adapted elements of the intake process to identify the operationally essential requirements that had to be applied in every case. This allowed them to process the increased numbers within the usual timescales with as limited an additional resource as possible. By reducing the extra resource needed they were also able to ensure that cases later on in the process (asylum interview and decision) were processed within service standard.</p> <p><b>2.</b> Changes to the Asylum Procedure in the UK in 2015:</p> <ul style="list-style-type: none"> <li>• On 2 July 2015, the Minister for Immigration, James Brokenshire, announced the suspension of the Detained Fast Track process. The suspension was to enable its review and to ensure that the right structures were put in</li> </ul>


place to minimise any risk of unfairness. This followed a series of litigation challenges. The Immigration Minister explained

The UK will only resume operation of DFT when we have fully considered the findings of an independent review of the broader immigration detention estate and when there is certainty that the right structures are in place to minimise any risk of unfairness.

The UK has also engaged with the Tribunal Procedures Committee to discuss arrangements relating to improving the appeals process for detained cases.

- In August 2015, the level of the living allowance provided to destitute asylum seekers and their dependants was harmonized so all persons receive the same amount (£36.95 per week). Previously, the level of the allowance was higher for child dependants.
- The Immigration Bill also sets out the change that applications for asylum from EU nationals will be treated as automatically ‘inadmissible’ under the Spanish protocol of the Lisbon Treaty
- To aid in dealing with individuals who have had their application for asylum refused, new powers will allow for these persons to be removed and from the UK and required to make any appeals to the decision from outside the UK. The Immigration Bill 2015/16 contains measures to restrict the support available to individuals who have been refused asylum. The key changes are:
  - Those with children with them when their asylum claim and any appeal are rejected will no longer be treated as though they were still asylum seekers and will cease to be eligible for support (accommodation and a living allowance to cover other essential living needs).
  - All failed asylum seekers will in future only receive support if they are destitute and there is a practical obstacle that prevents them from leaving the UK.

**3.** The following are designated safe countries of origin by the UK. (i) Albania (ii) Bolivia (iii) Bosnia (iv) Brazil (v) Ecuador (vi) Gambia (men only) (vii) Ghana (men only) (viii) India (ix) Kenya (men only) (x) Kosovo (xi) Liberia (men only) (xii) Macedonia (xiii) Malawi (men only) (xiv) Mali (men only) (xv) Mauritius (xvi) Moldova (xvii) Mongolia (xviii) Montenegro (xix) Nigeria (men only) (xx) Peru (xxi) Serbia (xxii) Sierra Leone (men only) (xxiii) South Africa (xxiv) South Korea (xxv) Ukraine As regards changes to the list of designated countries, in March 2015, the Supreme Court in the case of *Brown (Jamaica), R (on the applications of) v Secretary of State for the Home Department* [2015] UKSC 8 (4 March 2015) found that the designation of Jamaica was unlawful. This was because, although Jamaica could be considered generally safe for the most part, this could not be said about the LGBT community there. In light of that judgement we have been reviewing all designated countries to determine whether other changes to the list are necessary in order to

			comply with the rationale of the Supreme Court judgement. That review process is nearing completion. Any proposals for changes to the designation of countries must be made by order and so will be put to Parliament.
	Norway	Yes	<p><b>1.</b> Size and character of the influx of asylum seekers to Norway:</p> <ul style="list-style-type: none"> <li>• 31 145 arrivals in total in 2015, nearly a tripling compared to 2014 and compared to the predictions made at the start of the year.</li> <li>• Most of the asylum seekers came through other Schengen Member States, but 5 500 arrived over the external border with the Russian federation.</li> <li>• Most asylum seekers who came through other Schengen Member States were not registered in these states and the Dublin III Regulation was only applicable to a minority of cases.</li> <li>• 5 300 asylum seekers were registered as unaccompanied minors.</li> </ul> <p>Steps taken:</p> <ul style="list-style-type: none"> <li>• The Government budget for 2015 and the proposed budget for 2016 were amended, allocating more funds to the asylum system from other public sectors. For 2016 the Parliament decided to reallocate 9.5 billion NOK (about 1 billion Euro). More resources were allocated to the asylum adjudicating bodies, to the reception centres, to the registration and return operations of the police and to the accommodation and integration of recognized refugees.</li> <li>• The Immigration act was amended in November 2015 enabling the immigration authorities to return, albeit after individual assessments, asylum seekers to the Russian federation without assessing the asylum application on its merits.</li> <li>• By late November control at internal Schengen borders was introduced. The control were prolonged to 14 February 2016.</li> </ul> <p><b>2.</b> On 29.12.2015 the Ministry of Justice and Public Security presented for public consultations proposals for a wide range of amendments to the current immigration legislation, designed to address the current refugee crises. They include:</p> <ul style="list-style-type: none"> <li>• Restrictions on the right to family reunion.</li> <li>• Integration criteria for permanent residence.</li> <li>• Greater opportunity to return TCNs whose applications for asylum are clearly unfounded.</li> <li>• Deadline for lodging an appeal following rejection of an application for asylum reduced from three weeks to one week for applications that are clearly unfounded.</li> <li>• Effective ID clarification.</li> <li>• Simplification of processing routines when an application can be refused individual consideration.</li> </ul>

			<ul style="list-style-type: none"><li>• New categories of temporary protection.</li><li>• A new category of protection that differentiates between refugees as defined in the UN Convention and others who cannot be returned to their country of origin due to other obligations under international law.</li><li>• Unaccompanied minors to be given protection on a temporary basis until the age of 18.</li><li>• Legal basis to decide not to assess in substance individual applications from asylum seekers who enter Norway directly from a neighbouring Nordic country.</li></ul> <p><b>3.</b> The list of countries whose citizens are subject to the 48 hours procedure for considering the merits of an asylum application was last amended 09.11.2014. See <a href="https://www.regjeringen.no/en/dep/jd/id463/">https://www.regjeringen.no/en/dep/jd/id463/</a> for further information.</p>
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