



European Asylum Support Office

# Annual Report on the Situation of Asylum in the European Union 2014

July 2015

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ACCEM

Association Européenne pour la Défense des Droits de l'Homme European Association  
for the Defence of Human Rights

Comision Española De Ayuda Al Refugiado (CEAR)

Forum réfugiés-Cosi

Greek Council for Refugees

Swiss Refugee Council





# Executive Summary

The 2014 Annual Report on the Situation of Asylum in the European Union aims to provide a comprehensive overview of the number and nature of applications for international protection made in the EU+ <sup>(1)</sup>. It examines how those applications were processed and indicates important developments at EU+ and national level in order to describe the functioning of the Common European Asylum System (CEAS) in each of its key aspects.

## International Protection in the EU

In 2014, more than 660 000 third-country nationals applied for international protection in the EU+, representing both the highest number and the sharpest year-to-year growth (+43 % compared to 2013) since the beginning of EU-level data collection in 2008. The highest numbers of asylum applicants recorded were citizens of Syria, Western Balkan countries (Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia (FYROM), Kosovo <sup>(2)</sup>, Montenegro and Serbia combined), and Eritrea. The main receiving EU+ countries were Germany, Sweden, Italy, France, and Hungary.

At the end of 2014, more than 500 000 persons were awaiting a decision on their asylum application in the EU+; the volume of pending applications therefore increased by 37 % compared to the previous year.

In line with this increased number of applicants, about 390 000 first instance decisions were issued in 2014 (a growth of 10 % compared to 2013). The overall recognition rate at EU+ level (including humanitarian protection) stood at 47 % based on the granting of refugee status to 99 440 persons, subsidiary protection to 59 565 persons and humanitarian protection to 22 315 persons. The highest recognition rates were noted for Syrians, Eritreans, and stateless persons.

While the statistics on decisions in appeal or review were not complete at the time of writing, available data indicated that more than 106 000 decisions in appeal or in review were issued in 2014.

The ongoing crisis in Syria posed a key challenge in the EU+ in 2014 as the number of Syrian applicants reached 128 020 (+143 % compared to 2013). This triggered the establishment of special measures in terms of resettlement and humanitarian admission. With a very high recognition rate, practices varied regarding the form of protection granted to Syrian applicants across the EU+.

Afghanistan remained one of the main countries of origin of applicants last year; the 42 745 applicants for 2014 represented a 54 % increase compared to 2013. It also had the highest share of unaccompanied minors in the EU+ (6 155). With a generally high recognition rate at first instance of 65 %, forms of protection granted remained diverse and establishment of citizenship continued to pose a challenge.

The number of applicants from Western Balkan countries amounted to 110 000 with a significant share from Serbia and Kosovo. At EU+ level, the recognition rate for Western Balkan applicants was 4.8 % in 2014 and they constituted the largest proportion of repeated applicants. Eritrean applicants spiked in April and July 2014 and the number of pending cases remained very high at the end of 2014.

Ukrainian applicants totalled 14 390, which was a 13-fold increase compared to 2013, with many EU+ countries suspending decision-making on applications due to the instability in the country.

<sup>(1)</sup> EU Member States plus Switzerland and Norway.

<sup>(2)</sup> This designation is without prejudice to positions on status and is in line with United Nations Security Council Resolution 1244/99 and the Advisory Opinion of the International Court of Justice on the Kosovo declaration of independence.

## Major Developments in 2014

New rules concerning Dublin procedures were applied in 2014 following the recast of the Dublin Regulation and adoption of the Dublin Implementing Regulation. EU+ countries amended their practices and worked towards improved communication and coordination with each other. The *Tarakhel* judgment of the European Court of Human Rights put a heightened obligation on national authorities to ensure that there were appropriate reception facilities for applicants where vulnerable persons such as families with children were to be transferred under Dublin procedures.

The Court of Justice of the European Union (CJEU) ruled on important aspects of subsidiary protection (most notably the concept of internal armed conflict and cases of serious medical conditions) and clarified how national authorities may assess the credibility of the declared sexual orientation of applicants for asylum.

Last year also marked the launch of the Asylum, Migration and Integration Fund (AMIF) with a budget of 3.137 billion EUR to support projects in Member States.

Reflecting increases in applications and pending cases, many EU+ countries restructured their asylum administrations, recruited extra staff and reorganised tasks and resources. Several measures were implemented to boost efficiency and react to emerging pressures in a flexible manner. These included: defining contingency plans, use of special procedures, revisions to national lists of safe countries of origin, prioritisation of certain classes of cases, and new technological solutions.

EASO continued to provide support to Greece, Italy, Bulgaria, and Cyprus and successfully piloted join-processing projects that demonstrated the suitability of deploying processing support teams to Member States. The European Neighbourhood Policy Instrument (ENPI) project implemented by EASO, with the participation of Jordan, Morocco, and Tunisia, contributed to the EU's external activities in the field of asylum.

As regards the recast asylum *acquis*, Member States took steps towards transposition of the recast Reception Conditions Directive (RCD) and the recast Asylum Procedures Directive (APD) in view of the general deadline of 20 July 2015. This resulted in changing policies and practices on many issues, most notably regarding detention and rights offered to beneficiaries of international protection (including residence permits and family reunification). The jurisprudence of national asylum courts and tribunals revealed that many well-established concepts in asylum law (such as religion) were the focus in individual cases, alongside more recent concepts based on, and specific to, EU law.

Resettlement and humanitarian admission programmes continued in 2014 with 7 670 persons, mostly Syrians, during the year.

## Functioning of the CEAS

Access to procedure and management of mixed migratory flows were at the forefront of the asylum debate in 2014 with a significant rise in arrivals by sea, often leading to tragic loss of life in the Mediterranean. The Task Force Mediterranean sought to learn more about the root cause of the problem and find solutions to address it. Much emphasis was put on the initial stage of the asylum procedure, including the application and registration process, where significant challenges remain, particularly in EU+ countries facing substantial and/or sudden increases in arrivals. New information materials were provided and EU+ countries revised their policies on the provision of legal aid and representation in procedures for international protection. The lack of interpreters for certain languages and the need for specialised training for interpreters dealing with cases of international protection presented a challenge for Member States in 2014, especially in view of increased demand and an often limited pool of resources.

An increase in applications in 2014 led to accommodation shortages in many countries, highlighting the need for greater flexibility regarding reception facilities. Member States responded by creating new facilities and setting up emergency ones. In that context, CJEU clarified that financial allowances granted to applicants must enable them to find, if necessary, private rental accommodation. Many EU+ countries decided to widen access to the labour market so that applicants could improve their self-sustainability. Detention policies were revised in many Member States with a visible trend of introducing alternatives to detention.

Developments in procedures conducted at first instance concerned, among others, the issue of availability of protection in countries of origin. A key debate was the relationship between refugee status and subsidiary protection. (CJEU confirmed in its judgment in the case of *HN* that subsidiary protection was secondary and of complementary nature).

EASO launched data collection on special procedures, shedding more light on how differently they are used across Member States, and strengthened the joint drafting of COI products by EU+ country experts.

Activities in 2014 concerning vulnerable groups strongly focused on unaccompanied minors. EU+ countries also worked on establishing and developing identification procedures and response mechanisms for other categories of vulnerable persons and applicants with special reception needs, reflecting changes in the revised *acquis*.

Last year brought changes in procedures conducted at second instance with courts and tribunals obtaining competency to judge on asylum cases and broadening the scope of their reviewing powers.

Many EU+ countries revised the set of rights granted to beneficiaries of international protection, although these developments comprised an expansion of those rights in some countries and a reduction of them in others. With regard to unsuccessful applications, in 2014 there were more decisions to return made than actual effective returns and about one-third of all reported returns concerned a person who had made an application for international protection previously. Many Member States took measures to streamline forced and voluntary return procedures to make them more effective.

Building upon the debate in 2014, and given significant developments in the Mediterranean in the beginning of 2015, new directions for European asylum policy were outlined by the Commission in the communication *A European Agenda On Migration* issued in May 2015. This called for a set of core measures and a consistent and clear common policy, where those in need are to be protected. Immediate action was proposed to save lives at sea, combat criminal smuggling networks, respond to high volumes of arrivals within the EU with relocation activities and develop a common approach to resettlement. Partnership with third countries should help to prevent hazardous journeys, while EU tools would be used to help frontline Member States. Strong common asylum policy was identified as one of the pillars to manage migration better. The EAM foresees a key role for EASO in a number of these measures.

Combining efforts undertaken at national level with a European approach, while involving all relevant stakeholders, will be a key requirement to move towards this goal in 2015 and beyond.



# 1. Introduction

The EASO Annual Report on the Situation of Asylum in the EU is drawn up in accordance with Article 12 of the EASO Regulation <sup>(3)</sup>. Its objective is to provide a comprehensive overview of the situation of asylum in the EU+ countries (comprising all 28 EU Member States, Norway, and Switzerland) <sup>(4)</sup>, describing and analysing flows of applicants for international protection to the EU, major developments in legislation, jurisprudence, and policies at the EU/national level and reporting on the practical functioning of the Common European Asylum System (CEAS). As in previous years, the report aims to provide analysis based on independent sources of information and helps identify the areas where improvement is most needed (and thus where EASO and other key stakeholders should focus their efforts) in line with its declared purpose of improving the quality, consistency and effectiveness of the CEAS. The report makes no claim to be exhaustive. State-specific examples mentioned in the report serve only as illustrations of relevant aspects of the CEAS.

The report takes due account of information already available from a wide range of sources. For the purpose of this report, EASO received information from Member States, EU institutions, civil society, international organisations, and academia.

In accordance with its role under Article 35 of the Geneva Convention of 28 July 1951 relating to the Status of Refugees, which is reflected in the EU Treaties and the asylum *acquis* instruments, the United Nations High Commissioner for Refugees made a special contribution to this report (also referred to as UNHCR input).

To avoid duplication with the *Annual Report on Immigration and Asylum*, the European Commission was regularly consulted during the drafting process and actively contributed. Information was also received via questionnaire responses made as part of the drafting of the European Migration Network's *Annual Report*. To complement the information obtained in this way, EASO requested additional information from Member States through an Annual Report Matrix (and where needed, clarifications were sought bilaterally). <sup>(5)</sup> The Report also takes account of additional information based on publicly available sources, including in particular the Asylum Information Database (AIDA) <sup>(6)</sup>, duly referenced.

The EASO Network of Court and Tribunal members contributed to the report by providing relevant examples of national case law.

Finally, contributions were specifically sought from civil society with a call for input from the EASO Executive Director to the members of the EASO Consultative Forum, inviting them to provide information on their work relevant for the functioning of the CEAS. Several contributions were received in reply to this call and are acknowledged in the list of contributors.

The EASO Annual Report covers the period from 1 January to 31 December inclusive, but also refers to major recent relevant developments in the year of writing.

<sup>(3)</sup> *Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office* <http://easo.europa.eu/wp-content/uploads/EASO-Regulation-EN.pdf>.

<sup>(4)</sup> This represents an extension in scope from previous reports, which considered EU MS only.

<sup>(5)</sup> Information on state practices in footnotes that does not refer to a specific source originates from this MS input.

<sup>(6)</sup> <http://www.asylumineurope.org/>. A project of the European Council on Refugees and Exiles (ECRE), in partnership with Forum Réfugiés-Cosi, the Hungarian Helsinki Committee and the Irish Refugee Council.

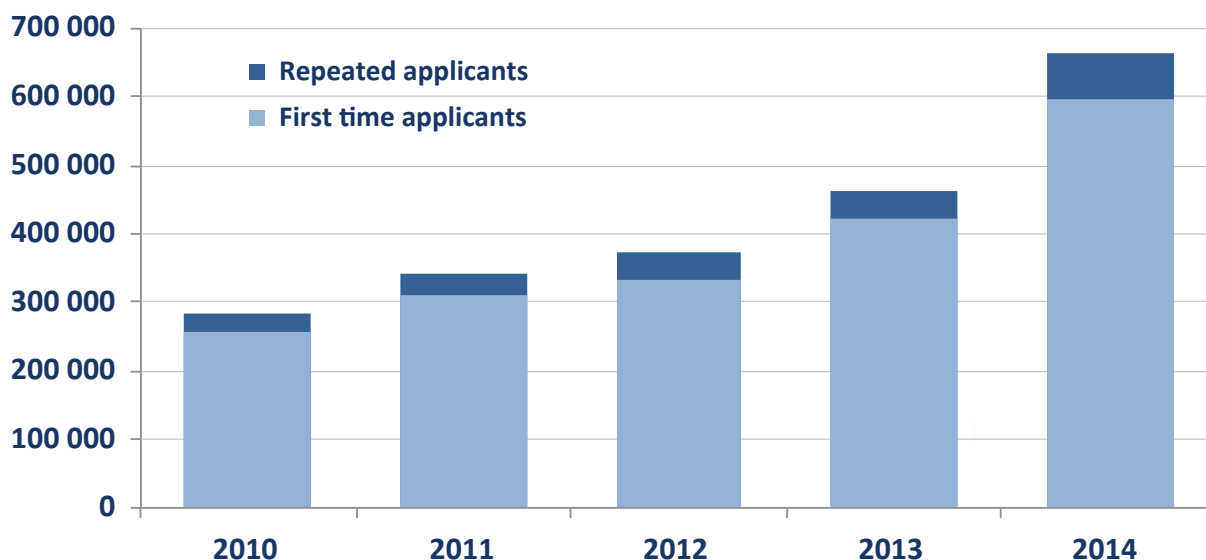


## 2. International Protection in the EU+

### 2.1. Applicants for international protection in the EU+

2014 marked the highest level of applicants for international protection recorded in the EU+ since EU-level data collection <sup>(7)</sup> began, with 662 680 applicants <sup>(8)</sup> (or 1 274 applicants per million inhabitants) <sup>(9)</sup>.

**Figure 1: Fourth consecutive year of growth in applicants in the EU+. Repeated and first time applicants in the EU+, 2010-2014 <sup>(10)</sup>**



As shown in the chart in Figure 1, the number of applicants in the EU+ has been steadily growing since 2010 with four consecutive years of growth. With +43 % more applicants (more than 198 000) compared to 2013, the increase in 2014 was also the largest year-to-year increase since 2008.

The proportion of new applicants, persons who were never registered before in the asylum system of the reporting EU+ country, was about 90 % in the EU+, a proportion similar to past years. This proportion, however, varies greatly depending on the citizenship of the applicant.

<sup>(7)</sup> As per Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:199:0023:0029:EN:PDF>.

<sup>(8)</sup> Citizens of EU+ countries who applied for international protection in another EU+ state are not included in the figures.

<sup>(9)</sup> The EU+ has already experienced comparable levels, e.g. in 1992 when, due to the conflict in the former Yugoslavia, more than 620 000 applicants for international protection were reported. Even if only 15 Countries were reporting at the time, such figure still helps to put current numbers into perspective.

<sup>(10)</sup> When not available, figures for first time applicants have been replaced with data of total applicants and vice versa.

**Figure 2: In 2014 the monthly totals did not follow previous seasonal patterns. Evolution of applicants in the EU+, by reporting year, January 2010 - December 2014.**

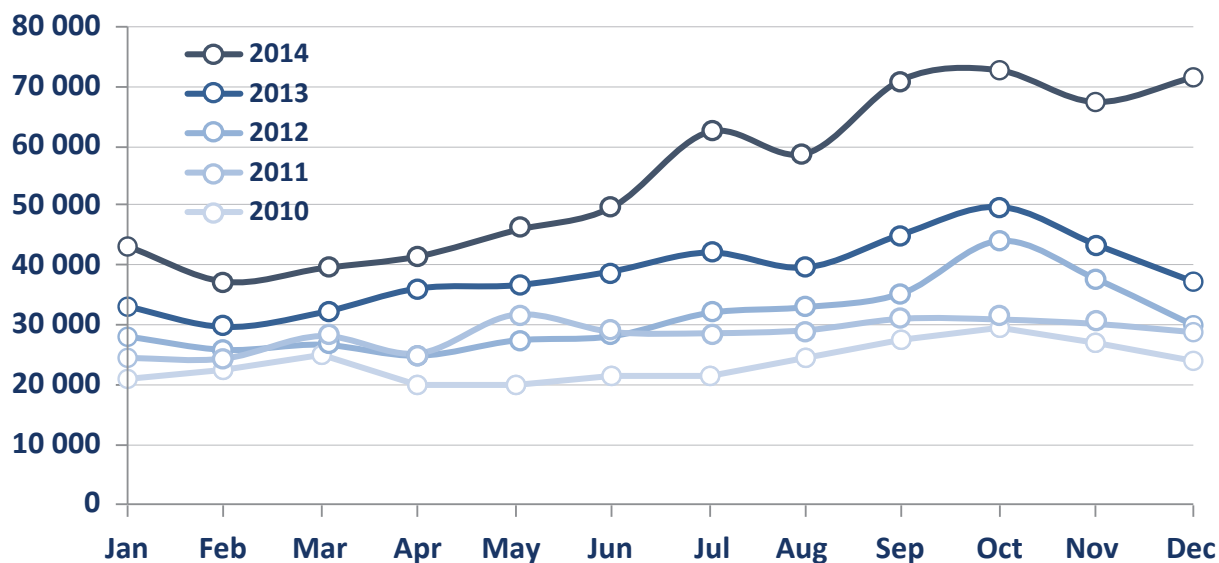


Figure 2 shows the monthly evolution in the number of applicants for international protection in 2014, compared to the previous years. The evolution in 2014 followed the same pattern as observed in 2013 until October, when the monthly total of registered applicants rose to a high for the year, but afterwards the total failed to decline with the same seasonal effect seen in previous years. It remained at approximately 70 000 applicants per month until the end of the year.

**Map 1: Main countries of origin of applicants in the EU+**



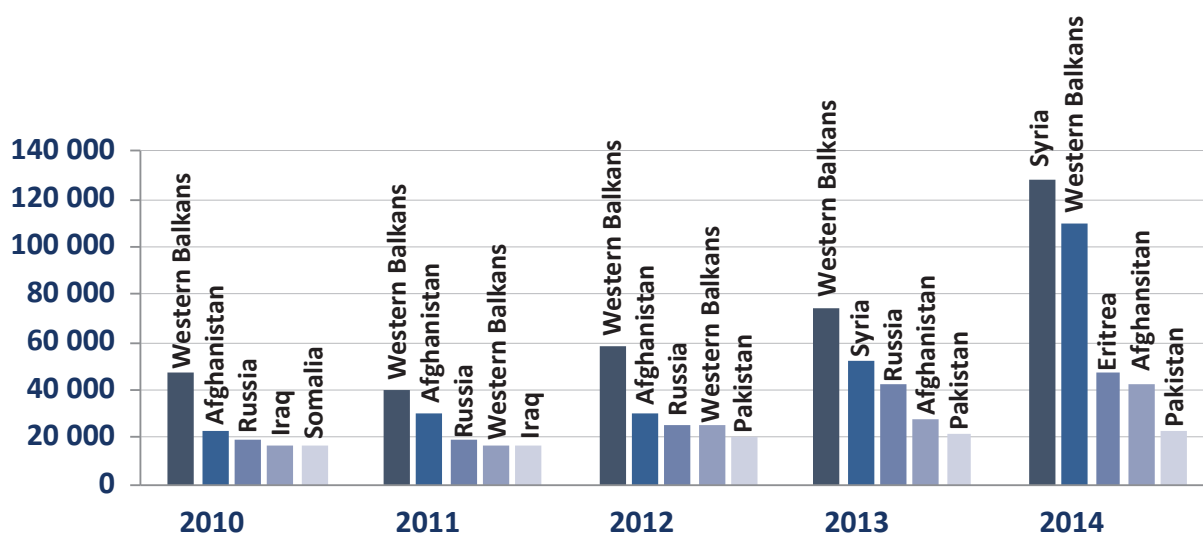


After four years of continued crisis and armed conflict, applications for international protection registered in the EU+ from Syrians continued to grow in 2014. Following an increase of 109 % in 2013 compared to 2012 the total number of Syrian applicants again more than doubled in 2014 and reached 128 020 applicants. This was the highest number of applicants from any single/group country of origin recorded since 2008 and represented 19 % of the EU+ total. It was also the first time that a single country of origin provided more applicants for international protection than the Western Balkan countries combined at EU+ level. While large, such numbers were dwarfed by those in the region: more than 3 million Syrians were registered by UNHCR as persons in need of international protection in the Western Asia region at the end of 2014. To put overall figures in perspective, the 128 695 applicants in the EU+ can be compared to approximately 1.55 million Syrians newly registered by UNHCR during 2014. <sup>(11)</sup> Last year a larger proportion of those who fled Syria came to EU+ countries than in 2013.

When considered together, in 2014, applications from nationals of Western Balkans countries (Albania, Bosnia and Herzegovina, former Yugoslav Republic of Macedonia, Kosovo <sup>(12)</sup>, Montenegro, and Serbia) grew for the third consecutive year with 109 970 applicants (+47 %) and accounted for 17 % of all applicants in the EU+. Strong increases were registered in the number of applicants from Kosovo (particularly at the end of the year), and Serbia, and these two citizenships were fourth and fifth in the ranking of main single citizenships of applicants in the EU+. <sup>(13)</sup>

Applicants from Eritrea also displayed a sharp spike over the summer of 2014 reaching 47 140 applicants, becoming the second main single citizenship ahead of Afghanistan, whose level also rose by 54 % compared to 2013, totalling 42 745 applicants. In spite of only a moderate increase, Pakistan remained in the top five for citizenship of applicants for international protection with 22 355 applicants. Importantly, a large surge in applications for international protection from citizens of Ukraine also took place from March 2014 and continued to rise throughout the year as a result of the conflict in the east of the country.

**Figure 3: Syria became the main country of origin for applications.  
Main countries of origin of applicants in the EU+, 2010-2014**



From the Member States' perspective, **Germany** was confirmed once again in 2014 as the top receiving country for the third consecutive year, followed by **Sweden, Italy, France, and Hungary**. The gap between the first and the second ranked receiving country widened significantly. In 2014, **Germany** reported 202 645 applicants, or more than double the number registered in **Sweden**, which, with 81 180 applicants, became the second main receiving country, ahead of **Italy** and **France**. This strong increase is shown in Figure 4. **Germany** was the first destination country for applicants from 9 out of the 10 main citizenships of applicants and was the second destination for the

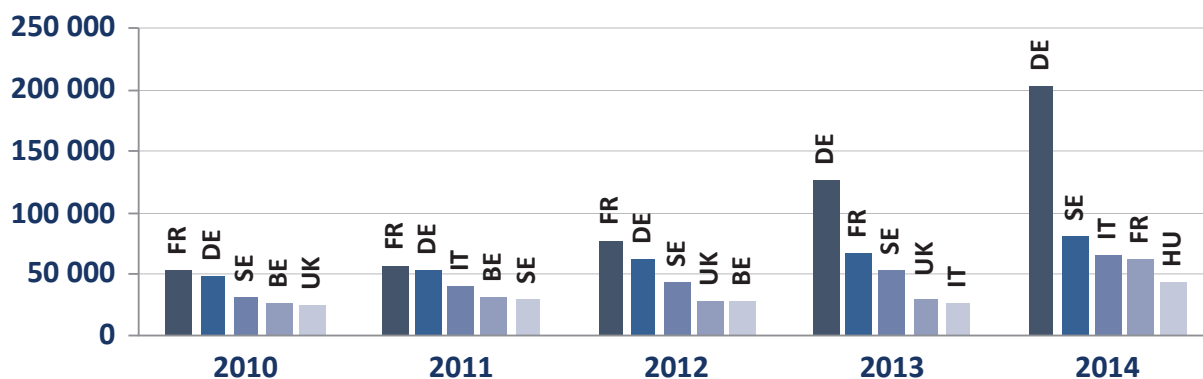
<sup>(11)</sup> Some 1.55 million Syrian refugees were newly registered and granted temporary protection during the year, mainly in neighbouring countries. An additional 96,100 were granted international protection on an individual basis. *UNHCR Global Trends 2014*, <http://www.unhcr.org/556725e69.html>

<sup>(12)</sup> This designation is without prejudice to positions on status and is in line with United Nations Security Council Resolution 1244/99 and the Advisory Opinion of the International Court of Justice on the Kosovo declaration of independence.

<sup>(13)</sup> Throughout the report, where appropriate, Western Balkan countries are considered together for a number of reasons: their common EU perspective (i.e. the expectation that they will eventually become candidates for EU accession), their geographical proximity to the EU, the fact that applications from most of these countries are processed under an accelerated or prioritised procedure because they are considered manifestly unfounded and/or the country of origin is considered to be 'safe' in the most important destination countries, their common past (five out of six having been part of Yugoslavia) and similar current economic and social conditions.

10th. **Italy** moved to the third position, following the very high number of Mediterranean crossings of irregular migrants recorded in 2014, while **Hungary** entered the top five receiving countries at fifth place due to large inflows of Kosovar applicants received during the last four months of 2014.

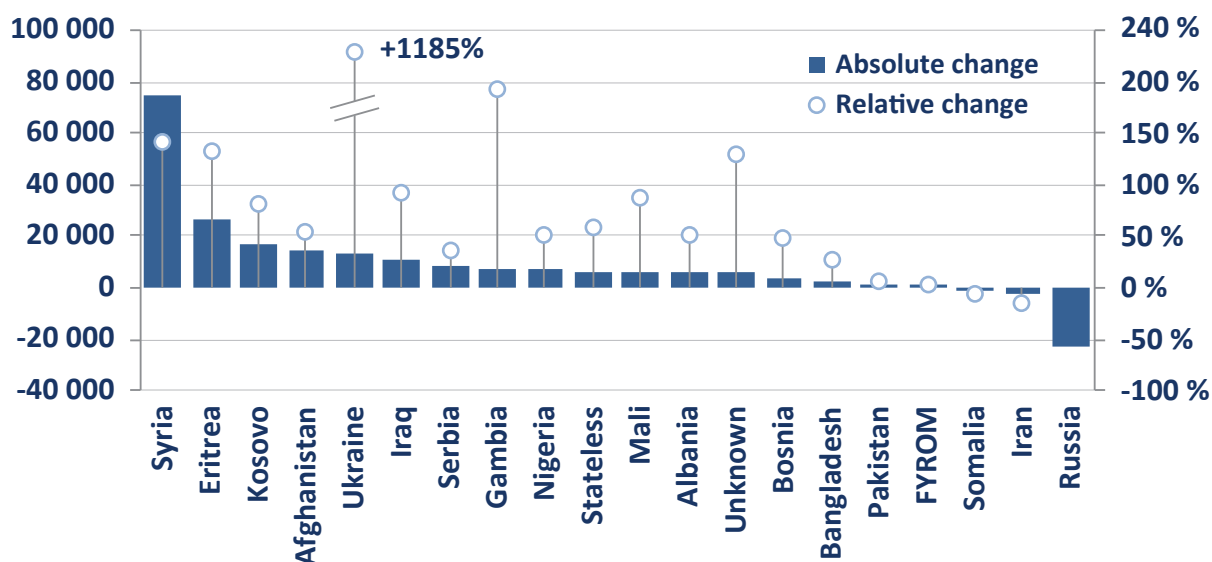
**Figure 4: Germany was main destination country in 2014.**  
Main destination countries of applicants, 2010-2014



In 2014, the number of applicants from 16 of the top 20 citizenships grew compared to 2013, of which 12 had a year-to-year growth above 50 %. Citizens from Ukraine and Gambia, as well as individuals of 'Unknown' citizenship entered the top 20 ranking with strong increases in the numbers of applicants. The unfolding of the Crimean crisis in February 2014 and the events that followed, created an unprecedented rise in the number of Ukrainian applicants for international protection in the EU+, up from 1 120 applicants in 2013 to 14 390 in 2014. Ukraine displayed the largest relative annual growth rate of +1 185 % (see section 2.3.5). For the second consecutive year Syria was the citizenship registering the largest absolute increase, +75 275 applicants, ranking in the top 3 main citizenship of applicants in 20 EU+ countries (see section 2.8.1). Eritrean citizens applying for international protection in the EU+ accounted for the second most significant absolute increase at EU+ level (+26 845; +132 %), with the flow concentrated primarily in northern Europe, with spikes in specific countries in specific months during 2014 (see section 2.8.4). Kosovo represented the third most significant increase at EU+ level (+17 265; +82 %) and was mainly registered in Hungary (see section 2.8.3). After a decrease in 2013, applicants from Afghanistan in the EU+ saw a sharp increase in 2014 and recorded the fourth largest increase (+14 910; +54 %), affecting mainly EU+ countries in South-Eastern and Central Europe (see section 2.8.2).

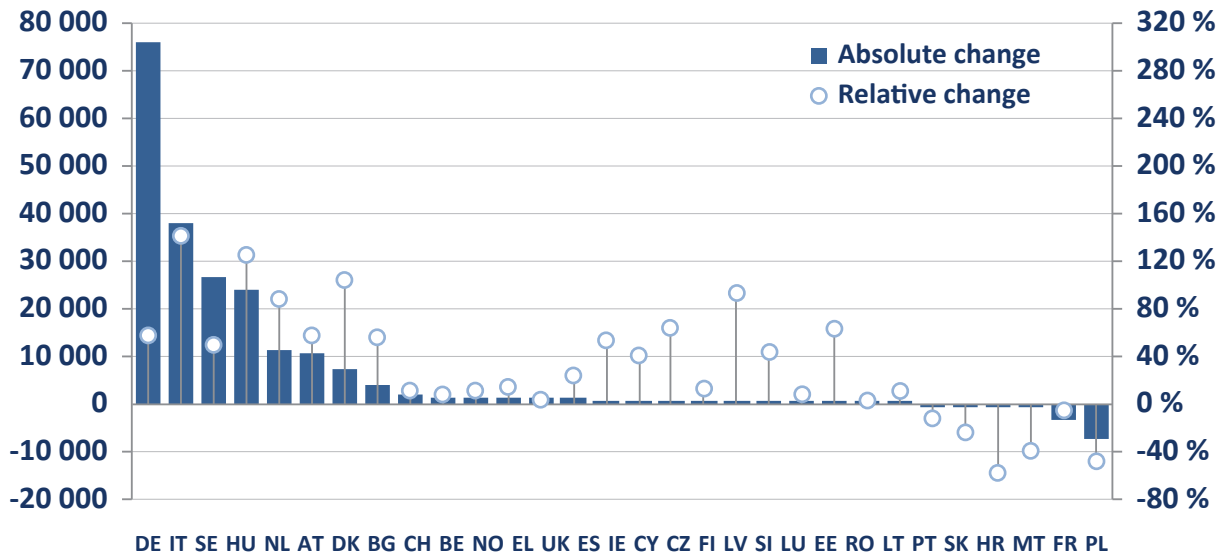
The most significant absolute decrease registered in 2014 was for Russian Federation citizens (22 190; -52 %).

**Figure 5: Last year, 16 of the top 20 citizenship of applicants grew compared to 2013.**  
Year-to-year change in main single citizenship of applicants, 2013-2014



From the Member States' perspective, the overall rise in the number of applicants for international protection at the EU level resulted in increases for 24 EU+ countries (compared to 16 in 2013) and moderate decreases in 6 countries. Significantly, at national level 12 countries faced increases of 50 % or more in the number of applicants and 3 countries experienced decreases of about 40 % compared to the previous year. Such variations in numbers can have significant impact on planning within individual countries and their level of preparedness.

**Figure 6: Italy and Hungary registered very large percentage increases.**  
Year-to-year change in level and percentage in the EU+, by country, 2013-2014



In 2014, **Germany** faced the highest absolute increase (+75 940) of any EU+ country. The increase reported by **Germany** represented 38 % of the absolute rise at EU+ level compared to 2013. The large influxes from conflict areas in Syria, from Afghanistan, as well as citizens of all 6 WB countries, contributed to this increase. The highest relative increases compared to 2013 were reported by **Italy** (+143 %), followed by **Hungary** (+126 %) and **Denmark** (+105 %). The rise in **Italy** was linked to the increase in the number of irregular sea arrivals, mainly from Libya (at a level higher than the one that occurred in 2011 during the Arab Spring). In contrast, the rise in **Hungary** during the last quarter of the year was driven by the large number of Kosovar nationals who entered Hungary via the land border with Serbia. Given the high number of Dublin take back requests sent to **Hungary** in 2014, it is clear that a very high share of the Kosovars reported by countries such as **Germany** and **Austria** had previously lodged an application for international protection in **Hungary**.

In 2014, **Poland** and **France** recorded the highest absolute decrease, 7 220 and 1 355 less than in 2013, respectively. The drop of 47 % in **Poland** came as a result of lower numbers of Russian (of Chechen origin) applicants, which fell 52 % at EU+ level compared to 2013, as mentioned in the previous section. **Malta** (-895), **Croatia** (-625), **Slovakia** (-110), and **Portugal** (-60) also reported lower number of applicants than in 2013.

## 2.2. Pending cases <sup>(14)</sup>

Once a person has lodged an application for international protection, their case is considered open until a final decision has been issued or the case is otherwise closed <sup>(15)</sup>. A final decision means a decision that can no longer be appealed <sup>(16)</sup>. How long a case takes to be processed varies greatly depending on the nature and complexity of the case, but also on the structure and the functioning of the asylum system in each Member State. The current

<sup>(14)</sup> At the date of extraction, 6 May 2015, information for Austria (2014), (Cyprus (2011 and 2013), and the Netherlands (2012, 2013 and 2014) were not available.

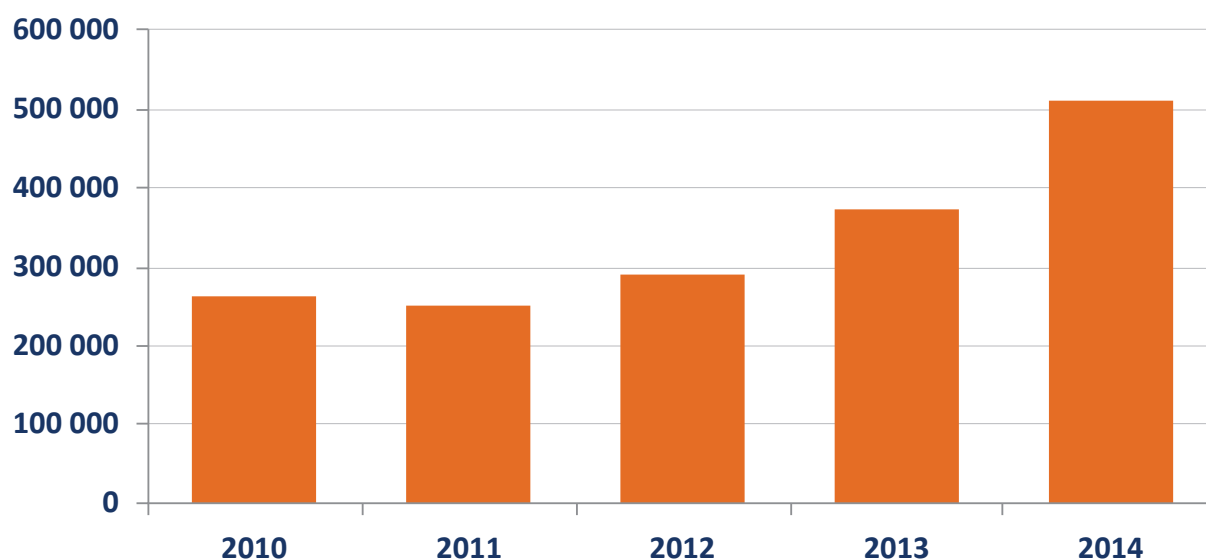
<sup>(15)</sup> For example, where the case is closed after contact with the applicant is no longer possible as in the case of an implicit withdrawal.

<sup>(16)</sup> At least in appeal procedures before a court or tribunal of first instance, as extraordinary means of appeal or review may still be available, depending on the national legal framework.

stock of pending cases is thus key information when considering the pressure on the asylum system of the Member States.

At the end of December 2014, more than 500 000 applicants for international protection were awaiting a decision on their application for international protection in the EU+, an increase of 37 % compared to the end of December 2013.<sup>(17)</sup> This was the highest level since the beginning of the EU-level data collection in 2008 and reflected the large rise in numbers of applicants for international protection recorded throughout 2014.

**Figure 7: The stock of pending cases continued to rise.  
Pending cases in EU+ at the end of the year, 2010-2014**



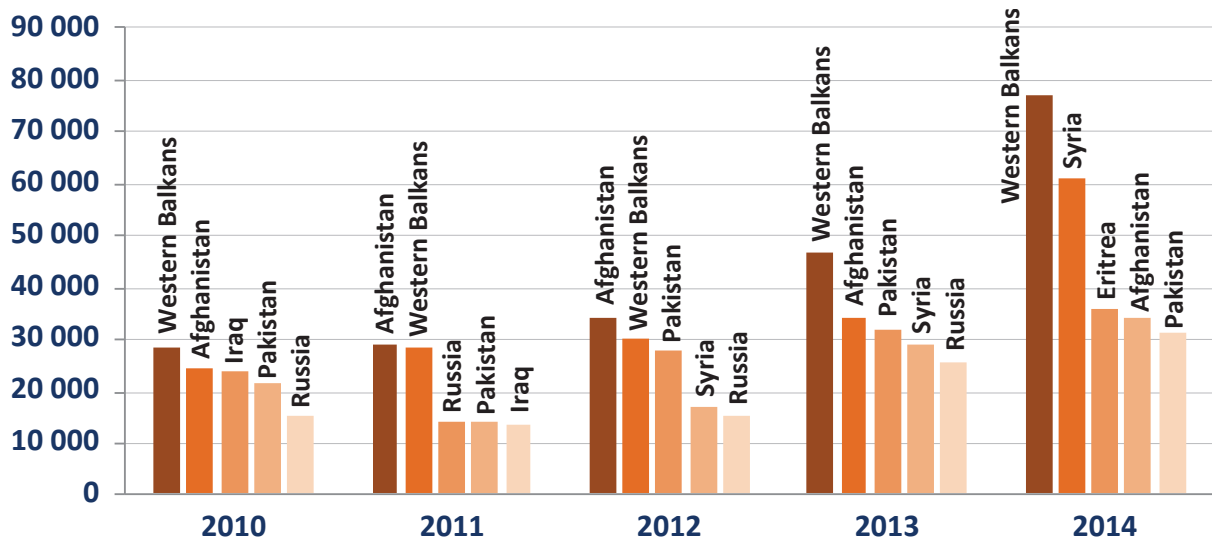
For the second consecutive year, nationals from the WB countries were the largest group of applicants awaiting a decision on their claim for international protection. This came as a result of the high influx of WB nationals recorded by some EU+ countries (mainly Hungary, and Germany) in the last quarter of 2014 and despite special measures introduced by the main destination countries in order to process cases faster (see section 4.5). A total of 77 115 citizens of one of the 6 WB countries were awaiting a decision on their case at the end of December 2014 or 15 % of the EU+ total.

Compared to 2013, in 2014 the stock of Syrian applicants rose and, in the ranking of main nationalities of applicants waiting for a decision, went from fourth to second place, after Western Balkan nationals. As a result of high numbers reported last summer, 35 810 Eritreans were still awaiting a decision at the end of 2014, and Eritrea entered the top five ranking at third place. Applications from citizens of the Russian Federation dropped significantly in 2014, and it was no longer in the top five ranking in terms of pending cases for the first time in five years.

Compared to previous years, at the end of December 2014, Afghanistan and Pakistan ranked 4<sup>th</sup> and 5<sup>th</sup>, and totalled 33 825 and 31 035 pending cases respectively. Although the ranking of these two countries of origin fell in the top five, the number of pending cases remained at levels comparable to the end of 2013. This indicates that reordering was caused by a high growth in numbers of WB and Syrian applicants.

<sup>(17)</sup> This figure concerns applications for international protection as defined under Regulation 862/2007 and does not include possible pending applications for other national forms of protection, such as political asylum stipulated for in legal acts of a constitutional rank (constitutional asylum).

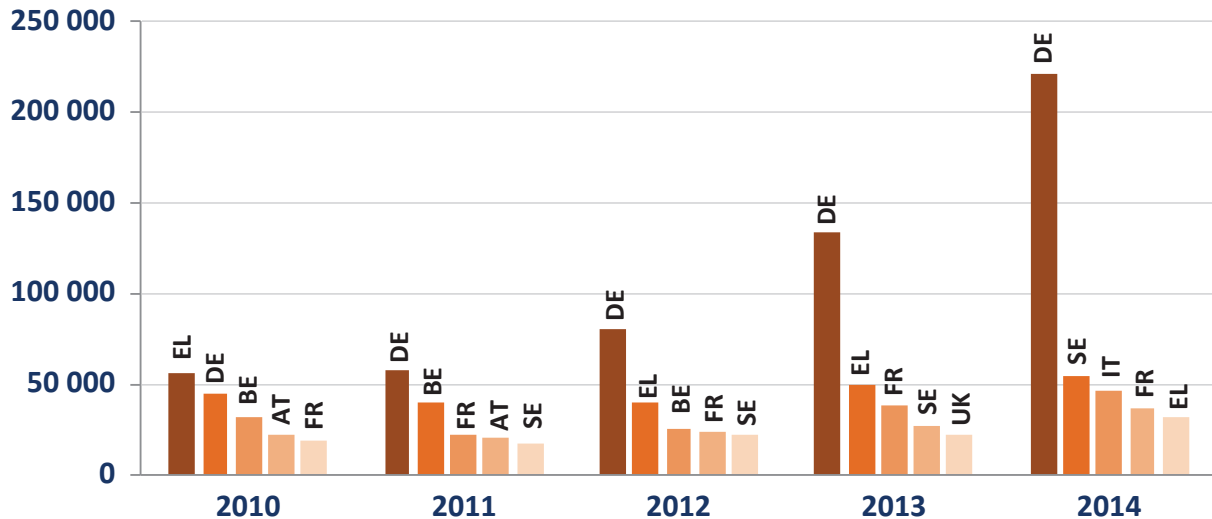
**Figure 8: Western Balkan applicants continued to lead nationalities awaiting a decision. Distribution of pending cases by main countries of origin, 2010-2014**



High stocks of pending cases were mainly in the EU+ countries facing the largest numbers of applications, predominantly Germany, followed by Sweden and Italy. At the end of December 2014, Germany had a stock of pending cases 65 % higher than at the same point in 2013.

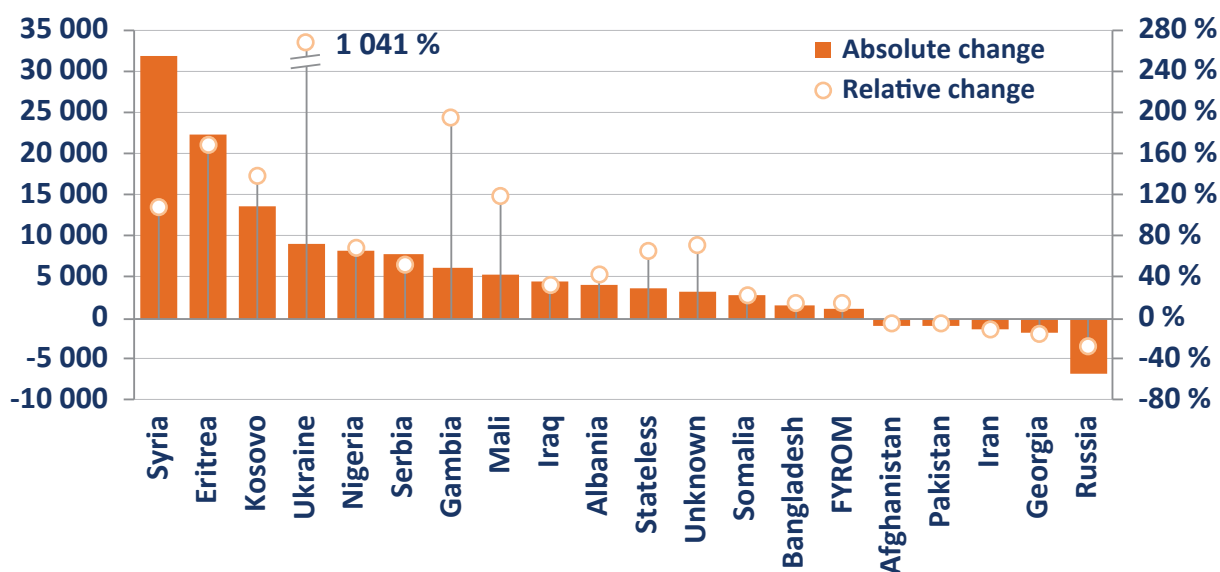
Despite the historical backlog, Greece reduced its stock by 36 % compared to the end of 2013, and, as can be noticed in the graph below, fell to 5<sup>th</sup> position.

**Figure 9: At the end of 2014, 43 % of all applicants awaiting a decision were in Germany. Distribution of pending cases by main EU+ countries, 2010-2014**



In relative terms, the largest change in pending cases occurred for the caseload of Ukrainian applicants, which increased more than 11 times compared to the end of 2013. The stock of Syrians, Eritreans, Kosovars and Malians more than doubled in 2014 as a result of the increased influx of applicants from these countries.

**Figure 10: The stock of Ukrainian cases marked an 11-fold increase compared to the end of 2013. Year-to-year relative and absolute change in main single citizenship of pending cases, 2013-2014**

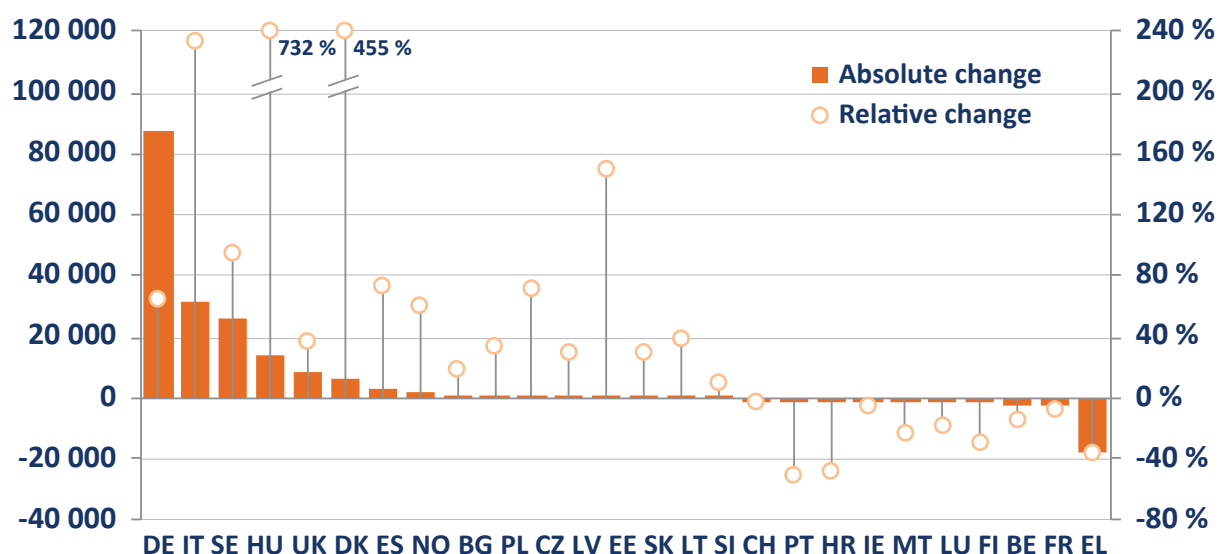


In terms of EU+ country caseloads, **Germany** saw the largest change from the previous year in pending cases with an increase of 87 150 cases or +65 %, mainly of applicants from Syria, Eritrea, and the Western Balkans. The increase in Germany alone, in absolute terms, is larger than the stock reported by any other EU+ country.

In relative terms, Hungary, Denmark, and Italy registered the largest increases.<sup>(18)</sup> While in Denmark these changes were mainly driven by an increased caseload from Syria and Eritrea, in **Hungary** this shift was primarily imputable to the new caseload of applicants from Kosovo. Decreases in the stock of pending cases were reported in 7 EU+ countries, but the most significant reduction was in Greece where the stock of pending cases dropped by 36 % or -17 870 cases as special committees worked through its backlog.

**Figure 11: Hungary, Denmark and Italy reported the highest relative increase in the stock of pending cases compared to the end of 2013.**

**Year-to-year relative and absolute change in the EU+ countries' stock of pending cases, 2013-2014**



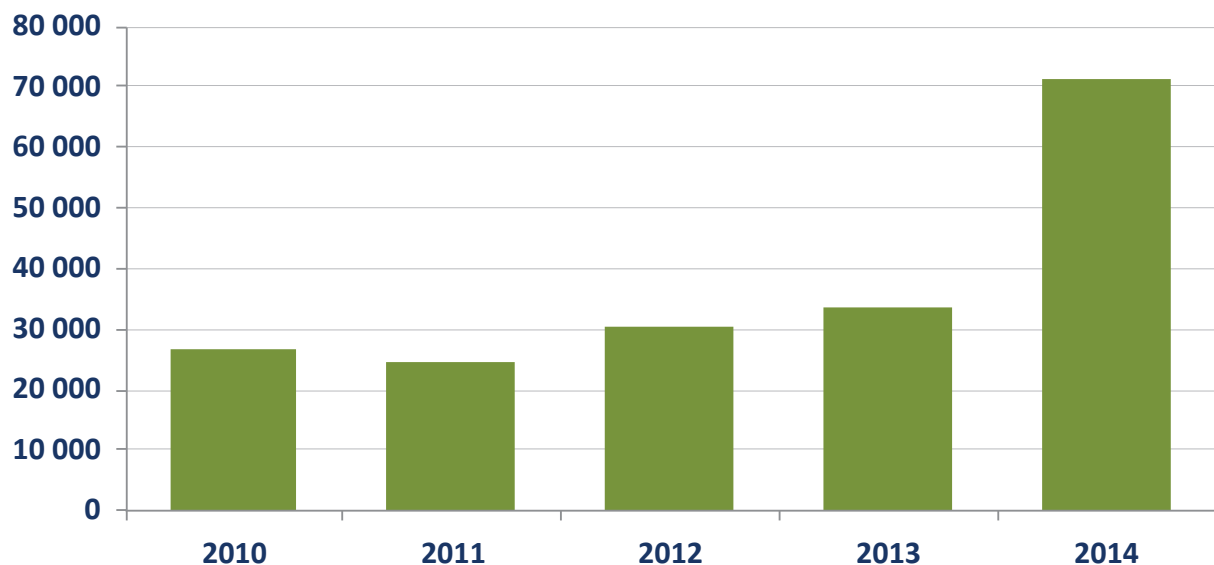
<sup>(18)</sup> This is the primary indicator of pressure on national asylum systems as even minor rises in absolute numbers can represent a very serious challenge to smaller systems.

The size of the pending case backlog at EU+ level is now almost equal to the number of applications made in 2014; data available from the EASO Early warning and Preparedness System (EPS) collection shows that approximately 150 000 applications had been pending (at first instance) for more than six months at the end of 2014.

### 2.3. Withdrawn applications <sup>(19)</sup>

Once a person has lodged an application for international protection it can be withdrawn during the asylum procedure and before a final decision is issued. An applicant may withdraw his or her application either explicitly (in line with procedures laid down in national law) or implicitly when, by the actions or inactions of the applicant, EU+ countries deem that the application has been withdrawn or abandoned.

**Figure 12: Relative to other asylum indicators, withdrawn applications remain low in magnitude. Withdrawn applications 2010-2014**



During 2014, more than 70 000 applicants for international protection withdrew their claim in the EU+. Mirroring the steady rise in the number of applicants recorded throughout the year, this level was the highest since the beginning of the data collection in 2008. The significant increase compared to 2013 (+113 %) can be attributed partly to the changes in reporting practice: new Eurostat Technical Guidelines for the data collection, which entered into force in 2014, now instruct reporting countries to report all withdrawals including implicit ones.

Contrary to the decrease recorded in 2013, the ratio of applications withdrawn to the total number of applications increased by 5 percentage points in 2014; 11 % of all applications made in the EU+ were withdrawn.

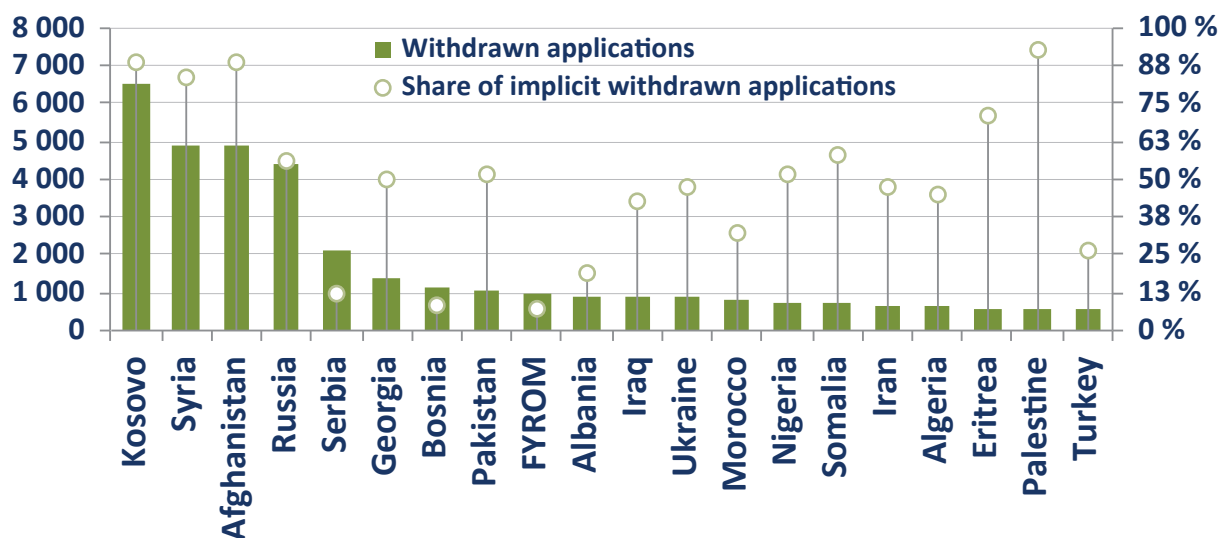
The new EPS data collection, though partial <sup>(20)</sup>, reveals a number of interesting trends. Firstly, of the total number of withdrawn applications a significant proportion (up to 75 %) is implicit <sup>(21)</sup>. Moreover, certain citizenships are more likely to implicitly withdraw their application than others.

<sup>(19)</sup> At the date of extraction, 6 May 2015, information for Austria (2014) was not available.

<sup>(20)</sup> Compliance with data collection for this indicator is not complete. Some MS were not able to provide data at all or only provided after a certain time and some are not able to distinguish between implicit and explicit withdrawal. Moreover, the criteria which MS use to establish that a case has been implicitly withdrawn vary between MS – some thus only report a withdrawal when a decision is made to close the case while others can report the withdrawal before such a decision is made. Despite these difficulties, the indicators nevertheless give a good idea of the trends noted in the text.

<sup>(21)</sup> This proportion is strongly linked to Dublin figures – see relevant section.

**Figure 13: Certain citizenships are more likely to implicitly withdraw their application than others. Withdrawn applications and share of implicit withdrawals by main citizenship, Mar 2014-Dec 2014**



Source: EPS data, March 2014–December 2014.

Implicit withdrawals are also mostly concentrated in certain Member States: those with external land or sea borders (e.g. Hungary, Poland, Italy, and Greece) have the highest absolute numbers of implicit withdrawals and, in relative terms, in almost all Member States with external land borders the numbers of implicit withdrawals represent high proportions of the total number of withdrawn applications and the numbers of withdrawn applications also represent high proportions of the total applications made (sometimes over 50 %).

EPS also includes an indicator on withdrawn applications made by persons claiming to be unaccompanied minors conceived as a possible proxy indicator for trafficking of children (see section 4.11).

## 2.4. Asylum decisions – first instance <sup>(22)</sup>

### 2.4.1. Recognition rate

Regulation (EC) 862/2007 on Community statistics on migration and international protection and repealing Council Regulation No 311/76 on the compilation of statistics on foreign workers specifies that the following possible outcomes of international protection procedures be notified by Member States:

1. Grant of refugee status (under Geneva Convention)
2. Grant of subsidiary protection status
3. Grant of an authorisation to stay for humanitarian reasons under national law concerning international protection
4. Temporary protection status (under EU legislation <sup>(23)</sup>)
5. Rejection of the application

<sup>(22)</sup> At the date of extraction, 6 May 2015, information for Austria (2014) was not available.

<sup>(23)</sup> 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 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:212:0012:0023:EN:PDF>.



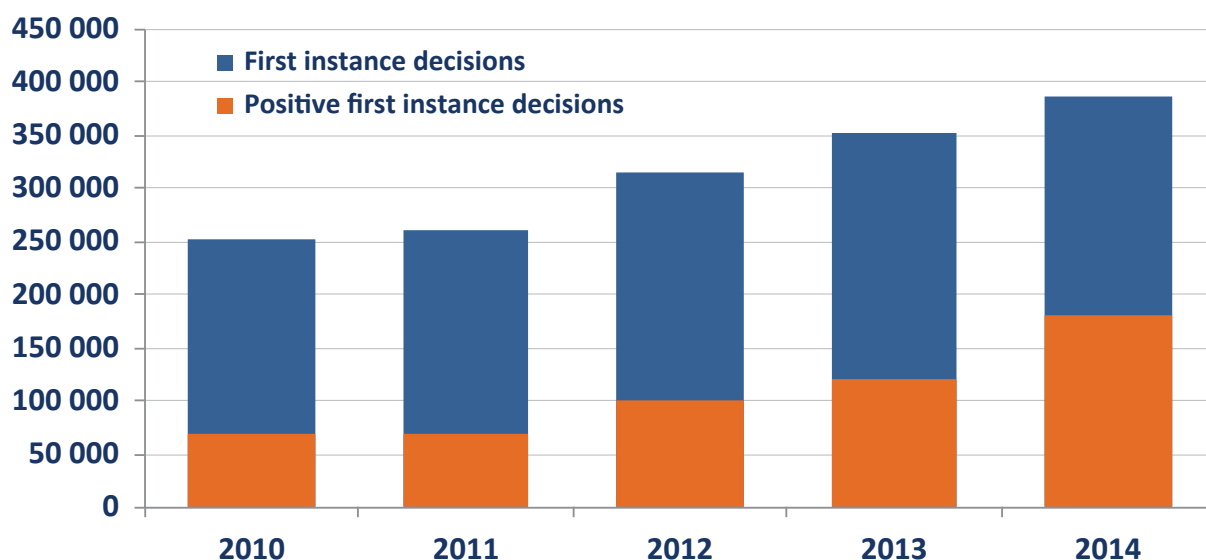
The EU temporary protection mechanism has not yet been used since it was introduced into EU legislation and this section will therefore focus on the grants on positive decisions via refugee status, subsidiary protection or authorisation to stay for humanitarian reasons under national law (referred to as ‘humanitarian protection’ in this document <sup>(24)</sup>).

As shown in the bar chart below, the number of decisions issued at first instance in EU+ countries has seen an upward trend since 2010, in line with the increase reported in applications. In 2014, EU+ countries issued 387 805 first instance decisions, an increase of 10 % compared to 2013, when 351 670 were recorded.

Out of the 387 805 decisions issued in 2014, 181 320 were positive, marking an overall recognition rate at first instance of 47 %, which is 12 percentage points higher than the recognition rate from the previous year (2013) 35 %.

This increase in recognition rate was caused partially by the profile of applicants in the EU+ (with many more applications from those with very clear grounds for asylum, particularly Syrians) but also the new Eurostat Technical Guidelines for data collection which were amended in December 2013 and subsequently entered into force at the beginning of 2014. The changes in its content affect the backward comparability of 2014 data. The main changes in the Eurostat Technical Guidelines that affect the comparisons between the recognition rates of 2014 to the ones of previous years are the instruction not to report Dublin cases as negative decisions and clarification of the concept of humanitarian protection.

**Figure 14: In 2014, the recognition rate increased compared to 2013.  
First instance decisions and positive first instance decisions in EU, 2010-2014**

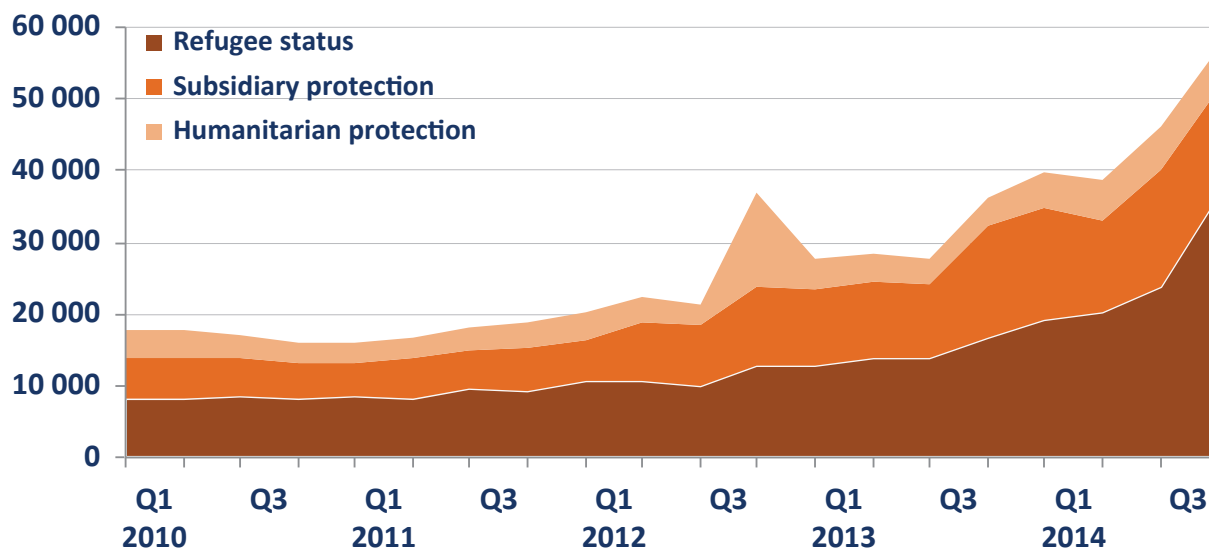


The overall increase in positive decisions is principally due to increases in the granting of refugee and of subsidiary protection status rather than humanitarian protection.

<sup>(24)</sup> Throughout this report, and in particular when considering the rate of positive decisions at first instance, it should be borne in mind that this latter type of protection is not harmonized at EU level and is reported only by 20 of the 30 EU+ countries (Cyprus, the Czech Republic, Denmark, Germany, Greece, Estonia, Finland, Hungary, Italy, Lithuania, Malta, the Netherlands, Norway, Poland, Romania, Spain, Sweden, Switzerland, Slovakia, and the United Kingdom), though it sometimes represents a high proportion of the positive decisions issued.

**Figure 15: In 2014, the increase in positive decisions was due to higher levels of refugee and subsidiary protection granted.**

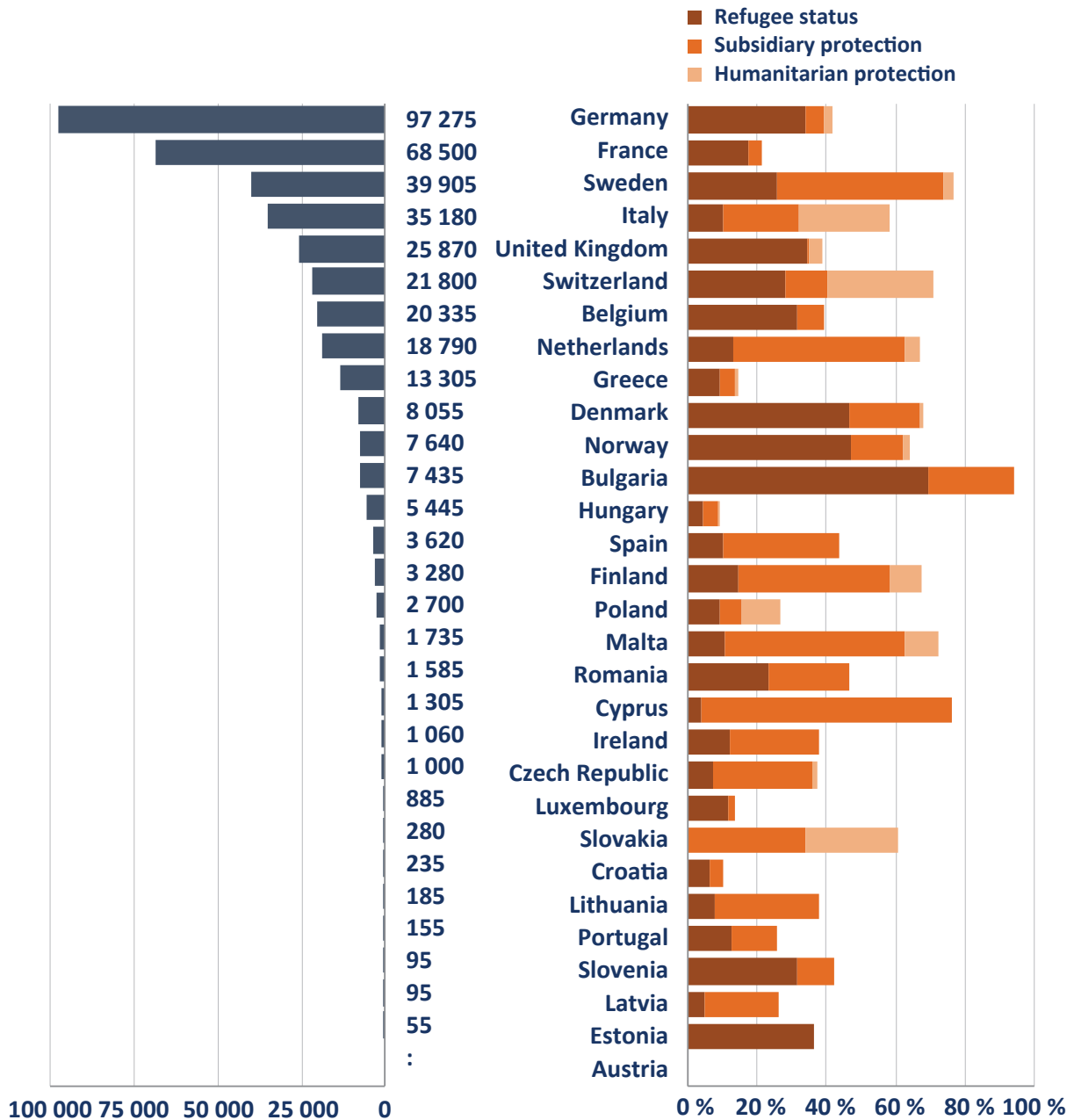
Trend in numbers of positive decisions in EU+, by type of decision, Q1 2010-Q4 2014



Throughout 2014, first instance decisions issuing refugee status increased and refugee status was granted to 99 440 applicants, an increase of close to 74 % compared to the 57 275 refugee statuses granted in 2013. A large share of these decisions were issued by **Germany, France, Sweden, and the United Kingdom** and usually associated with citizens of Syria and Eritrea.

The number of applicants granted subsidiary protection, which is usually offered in situations of generalised violence in the country of origin, increased by 26 % in 2014 compared to 2013. One out of every three positive decisions issued at first instance during 2014 granted subsidiary protection to the applicant.

**Figure 16: Recognition rates at MS level depend mainly on the nationalities of asylum applicants. First instance decisions in EU+ countries, 2014** **Type of decisions in EU+ countries, 2014**



As in previous years, substantial variations in the overall recognition rate continued to persist between EU+ countries. The chart in Figure 16 shows the total number of first instance decisions issued by all 30 EU+ countries in 2014 (on the left-hand side of the chart) and the share of positive decisions granted by type of protection offered (on the right-hand side).

The numbers show that the first instance recognition rate at EU+ country level varied significantly and ranged between 9 % and 94 %, while half of the EU+ countries had recognition rates between 35 % and 68 %.

However, as noted in previous reports, the overall recognition rate should only be used as a guide and, in general, recognition rates across citizenships should not be compared due to the vastly different circumstances in different countries of origin. Thus, differences in overall recognition rate between EU+ countries are mostly due to differences in the citizenship of the applicant.

In 2014, **Bulgaria** by far recorded the highest positive decision rate at first instance with 94 %. The asylum flow faced by Bulgaria in 2014 was composed almost exclusively by nationals of Syria and Iraq. Sweden ranked second with 77 % of all decisions issued at first instance resulting in a positive outcome, followed by Cyprus and Malta with 76 % and 72 % respectively.

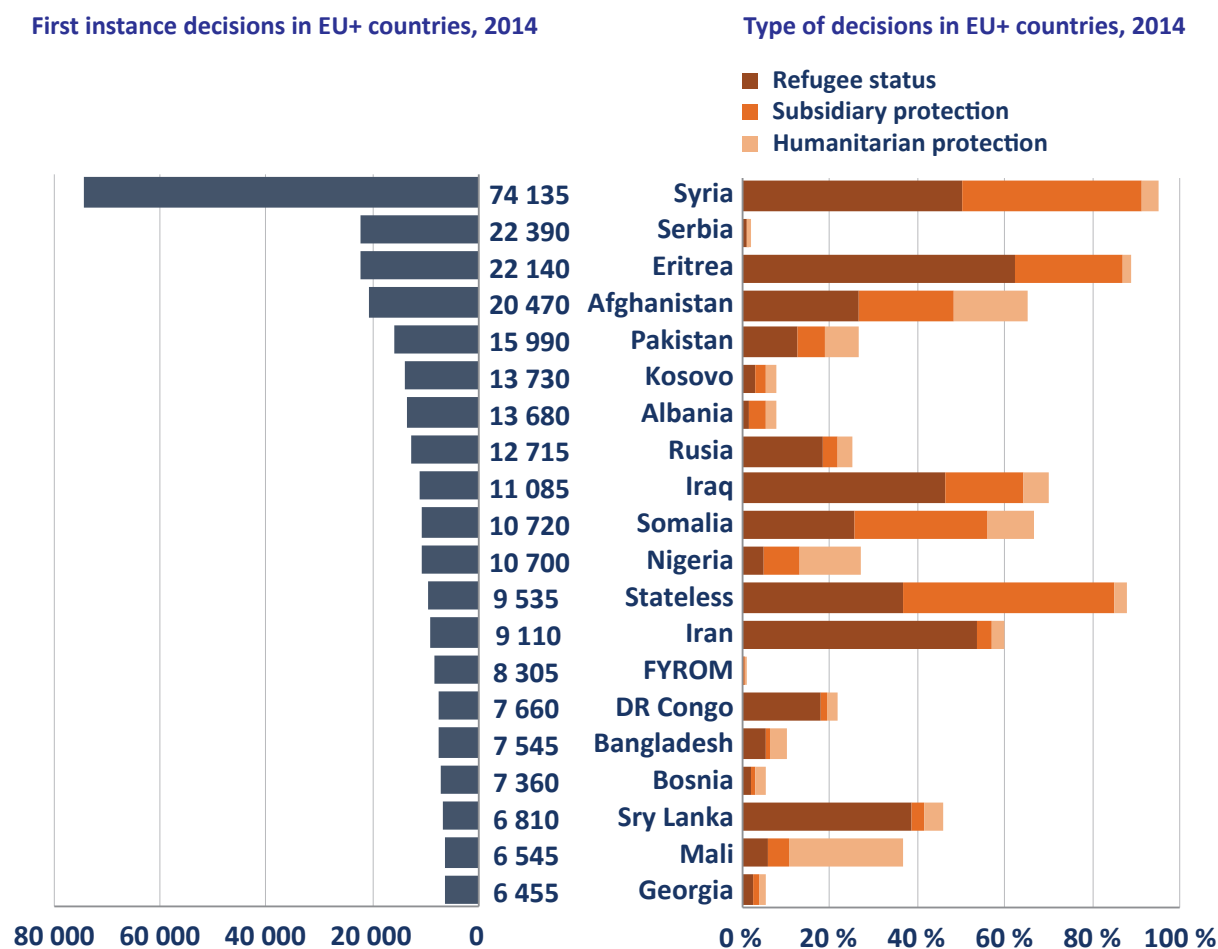
In contrast, Hungary displayed the lowest recognition rate (9 %), largely caused by the high number of negative decisions issued to Kosovar applicants in Hungary during the last quarter of 2014.

## 2.4.2. Recognition rate by country of origin

The chart in Figure 17 provides an overview of first instance decisions issued in EU+ in 2014 for the 20 main citizenships<sup>(25)</sup> (in terms of total first instance decisions issued). As in 2013, Syrian, Eritrean, and stateless<sup>(26)</sup> applicants continued to have the highest recognition rates with 95 %, 89 % and 88 %, respectively. Eritreans and Syrians were more often granted refugee status rather than subsidiary protection while those considered stateless more often received subsidiary protection.

The applicants with the lowest recognition rates were nationals of Western Balkan countries: the former Yugoslav Republic of Macedonia 1 %, Serbia 2 %, Bosnia and Herzegovina 5 %, Kosovo 8 %, and Albania 8 %. Low recognition rates and a high number of decisions taken on Western Balkans cases (five out of six Western Balkans nations are present in the top 20 main nationalities in terms of decisions issued in 2014) resulted from measures implemented by almost all main destination countries to speed up the decision-making process at first instance on Western Balkans claims.

**Figure 17: Recognition rates change among main nationalities of applicants.**

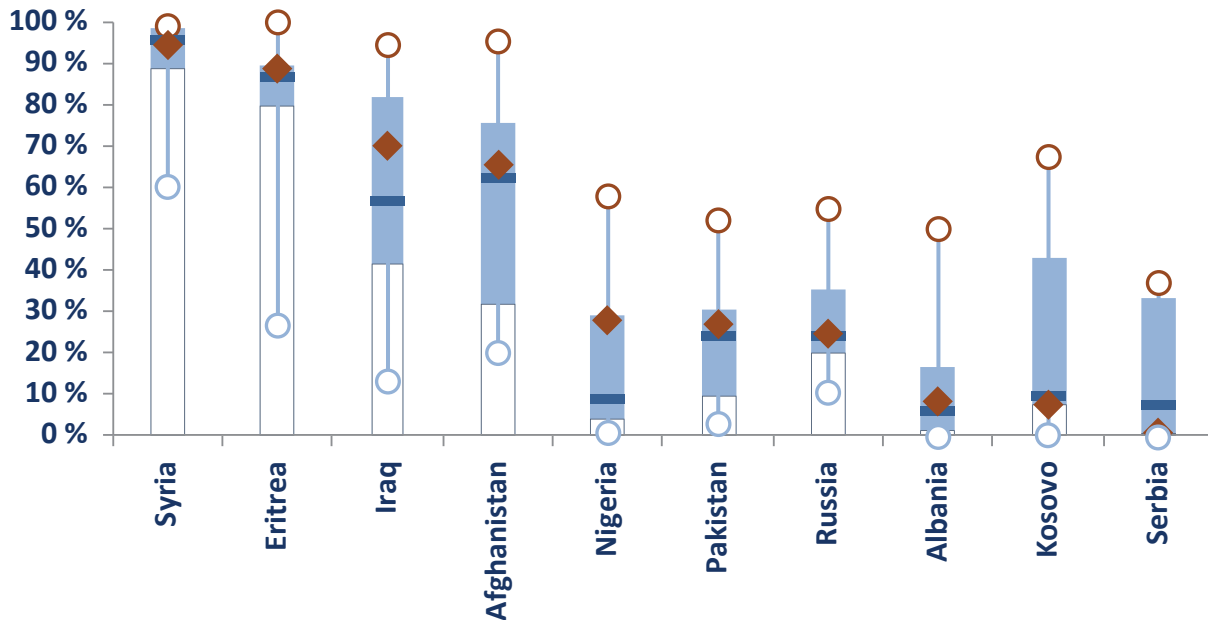


<sup>(25)</sup> Citizenship is the statistical category used in the data collection under Regulation 862/2007, whereas country of origin is the term used in the context of examination procedures for international protection. Both terms are used interchangeably in this section.

<sup>(26)</sup> This designation is mainly used by MS to indicate persons of Palestinian origin who have fled their residences in countries neighbouring the State of Palestine (UN Resolution of 2012).

Recognition rates at first instance of EU+ countries for the 10 main nationalities of applicants show significant discrepancies between countries of destination. In the chart in Figure 18, it can be seen that for some third-country nationalities, EU+ countries were relatively similar in terms of recognition rate (short bars), while for others there were pronounced variations (longer bars)<sup>(27)</sup>. In 2014, EU+ countries had quite similar approaches when deciding on Syrian and Eritrean cases, most likely due to the situation in both countries of origin.

**Figure 18: Wide disparity in recognition rates among EU+ countries for some citizenships. Disparity of recognition rate in EU+ in 2014, 10 main nationalities (> 100 decisions by country)**



The same chart shows that the recognition rates of Iraqi and Afghan applicants varied prominently and ranged from 13 % to 94 % for the first and from 20 % to 95 % for the latter group of applicants.

The vast majority of EU+ countries considered Western Balkan countries as safe countries of origin and therefore most of the Western Balkans applications were rejected. This is also highlighted in the above chart, which presents a relative consensus across EU+ when deciding on Western Balkans cases. In the cases of Albania, Kosovo, and Serbia, high levels of positive decisions were reported by France, which in 2014 recorded half of the positive decisions issued at EU+ level on each of the three mentioned Western Balkan groups.

It should be noted that the scattering does not necessarily point towards a lack of harmonisation across EU+ countries in terms of decision-making practice, but may rather indicate different profiles of applicants who have the same citizenship (e.g. such as states favoured as destination countries by specific ethnic minorities such as Chechen or Kurds). Only a case-by-case analysis of decisions would determine real differences in practice or policy among states on similar types of claim.

## 2.5. Asylum decisions – second and higher instance <sup>(28)</sup>

### 2.5.1. Recognition rate

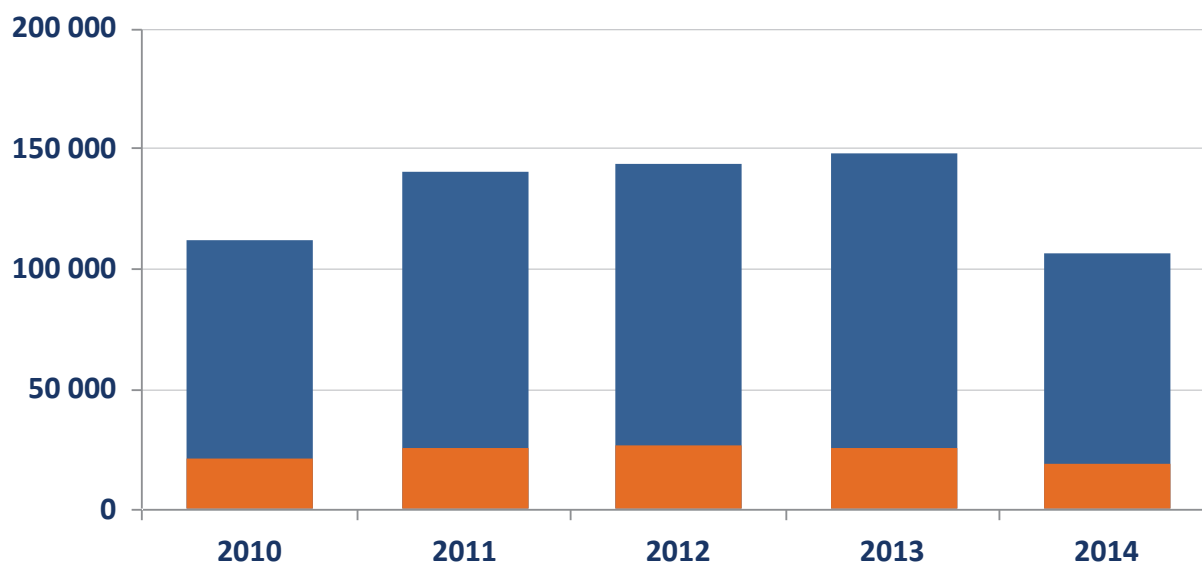
The appeals instance normally decides on a variety of issues and is not limited to assessing the merits of the case in terms of international protection. The current Asylum Procedures Directive does not prescribe any harmonised

<sup>(27)</sup> The red diamond indicates the recognition rate at EU+ level, the red circles represent the lowest and the highest recognition rate reported among EU+ countries. The length of the light-blue band displays the range between the 25-percentile and 75-percentile of the recognition rate.

<sup>(28)</sup> At the date of extraction, 6 May 2015, information for Austria, France, and Lithuania was not available.

standards concerning the organisation of the appeal or the procedure to be followed. In some Member States the appeal instance examines the case *de novo* in fact and in law, while in others the appeal instance only examines the legality of the decision taken by the first instance. Thus, in some Member States, the relevant second instance bodies take a decision on the merits of the application while in others they may merely order the first instance body to review its decision. Eurostat data regarding second instance decisions is therefore difficult to analyse.

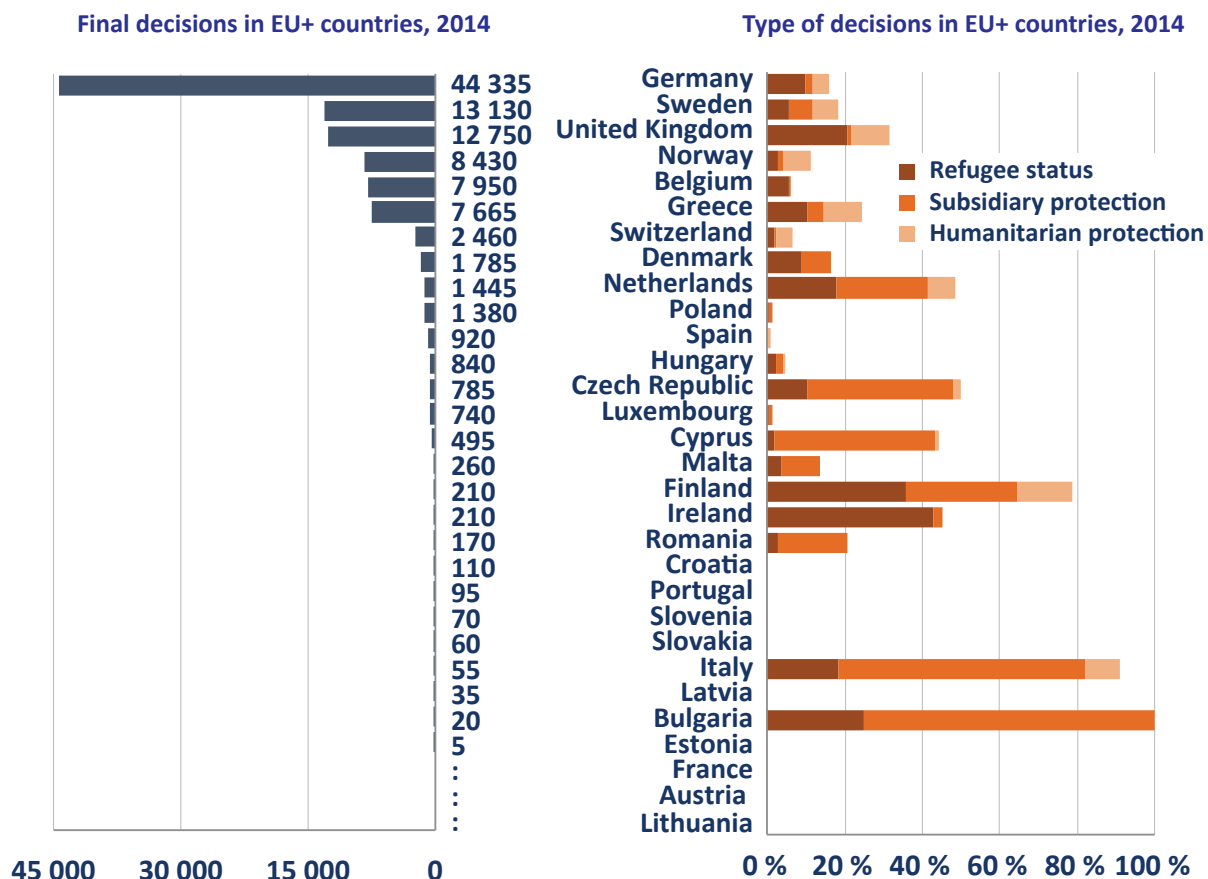
**Figure 19: Final decisions in appeal or review in the EU+ countries, 2010-2014**



In 2014, the decisions issued by EU+ countries at second or higher instance reached 106 415. Though seemingly significantly lower than numbers in the previous 3 years, comparison of figures is difficult since data for Austria, France, and Lithuania was unavailable at the time of writing.

Greece almost doubled its number of decisions in appeal, followed by the Czech Republic and Malta. These countries saw the strongest relative rises compared to 2013, with 97 %, 89 % and 86 % gains respectively. However, Romania reported 89 % less decisions for 2014 than the previous year.

The largest absolute increase was reported by Germany, with 7 675 decisions more than in 2013. Germany accounted for 42 % of the total number of decisions at second instance or higher issued by EU+ countries in 2014. This was a 7 % increase compared to the situation in 2013. Decisions issued by Germany were predominantly cases of Western Balkan nationals (55 % of the total).

**Figure 20: Recognition rates depend on the main nationalities of applicants.**

The chart above presents an overview of the number of final decisions issued on appeal or review by the EU+ countries in 2014 (except France, Austria, and Lithuania), the legal regimes used, as well as the proportion of positive outcomes on appeal or review.

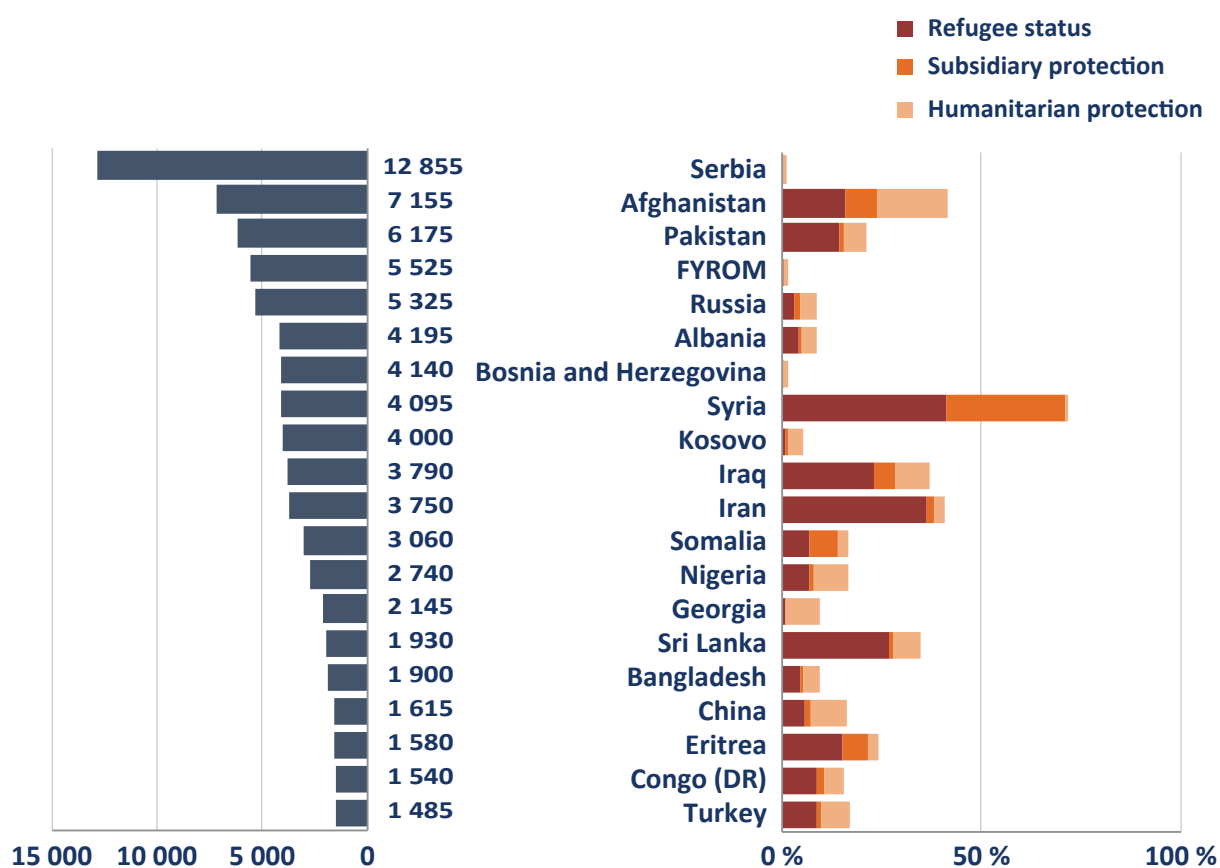
The recognition rate of cases on appeal or review (18 %) was 29 percentage points below the recognition rate at first instance (47 %).

Overall rates should be viewed with care since differences in rates usually mirror differences in the caseloads on which decisions are issued. At second instance, large disparities exist between the likelihood of a successful appeal in different EU+ countries. This may be due to a number of factors: principally the size of a caseload from certain countries of origin, the propensity of nationals from these countries to appeal decisions and the probability of those appeals being successful depending on how such cases can be reviewed based on national law.

More than 50 % of first-instance decisions that were appealed saw a positive decision in Bulgaria, Italy and Finland. In 12 EU+ countries, applicants for international protection who appealed against a decision issued at first instance had a less than 8 % chance of success. In 5 of those Member States the rate was close to zero.

## 2.5.2. Recognition rate by country of origin for higher instances

Figure 21: Recognition rates differ among top 20 main nationalities of applicants.  
Final decisions in EU+ countries, 2014



The left-hand side of the graph displays the number of decisions issued at second or higher instance for the top 20 main nationalities, while the right-hand side illustrates the type of protection granted and the share of positive decisions. The top countries of origin in terms of appeal or review do not exactly mirror the top countries of origin in terms of numbers of applicants for international protection. As in previous years, in 2014 citizens of certain countries of origin were more likely to appeal the first instance decision than others. For example, first place is taken by Serbia followed by Afghanistan and Pakistan.

Some nationalities that had a high share of first instance decisions and received a high protection rate at first instance (such as Syria with its 95 % recognition rate at first instance) saw lower levels of appeals.

In terms of recognition rates in appeal or review, the recognition rate varies significantly depending on the country of origin: Syria (71 %), Afghanistan (42 %), Iran (41 %), and Iraq (37 %) had the highest final recognition rates of the top 20 main countries of origin. The lowest rates were granted to applicants from the Western Balkans: Serbia (1 %), the former Yugoslav Republic of Macedonia (1 %), Bosnia and Herzegovina (2 %), Kosovo (5 %), and Albania (9 %).

For Syria, Iran, Sri Lanka, Iraq, and Afghanistan, the majority of second or higher instance decisions resulted in the granting of refugee status. Only Afghans received a significant proportion (18 %) of humanitarian status.



Table 1: Recognition rates for final decisions in appeal or review across the EU+ for selected countries of origin

Country	Afghanistan	Albania	Bangladesh	Bosnia and Herzegovina	China	Congo (DR)	Eritrea	FYROM	Georgia	Iran	Iraq	Kosovo	Nigeria	Pakistan	Russia	Serbia	Somalia	Sri Lanka	Syria	Turkey
EU+	42%	8%	10%	2%	16%	16%	24%	1%	10%	41%	37%	5%	17%	21%	9%	1%	17%	35%	72%	17%
Belgium	1%	6%	0%	0%	0%	3%	0%	15%	4%	0%	4%	0%	12%	0%	4%	5%	0%	0%	25%	13%
Bulgaria	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	100%	0%	0%	0%	0%	0%	0%	0%	100%	0%
Croatia	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Cyprus	0%	0%	0%	0%	0%	0%	0%	0%	0%	33%	33%	0%	0%	0%	0%	0%	100%	0%	95%	0%
Czech Republic	100%	0%	0%	0%	33%	0%	0%	0%	0%	0%	100%	0%	0%	0%	30%	0%	0%	100%	100%	0%
Denmark	33%	0%	6%	0%	0%	50%	50%	0%	0%	50%	9%	0%	0%	13%	10%	4%	33%	0%	27%	0%
Estonia	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Finland	50%	0%	0%	0%	0%	100%	0%	0%	0%	83%	78%	88%	67%	0%	0%	0%	100%	0%	100%	100%
Germany	56%	1%	3%	1%	24%	32%	72%	1%	1%	55%	50%	3%	20%	38%	9%	1%	55%	31%	95%	10%
Greece	48%	12%	15%	0%	20%	57%	60%	0%	29%	38%	29%	0%	23%	15%	0%	0%	40%	33%	76%	40%
Hungary	20%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	33%	0%
Ireland	50%	0%	0%	0%	0%	100%	0%	0%	0%	100%	100%	0%	22%	33%	0%	0%	50%	0%	0%	0%
Italy	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	100%	0%	0%	0%	0%	0%	0%
Latvia	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	7%	0%	0%	0%	0%
Luxembourg	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	0%	0%	0%	0%	0%	0%	0%	0%
Malta	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	22%	0%	0%	0%
Netherlands	56%	0%	100%	0%	67%	78%	0%	0%	0%	65%	54%	0%	50%	60%	31%	0%	53%	50%	75%	100%
Norway	32%	0%	0%	0%	0%	20%	7%	0%	0%	15%	27%	3%	5%	0%	14%	7%	2%	31%	24%	11%
Poland	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	0%	0%	0%	100%	0%
Portugal	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Romania	40%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	25%	0%	0%	50%	0%	0%	0%
Slovakia	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Slovenia	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Spain	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Sweden	29%	6%	13%	6%	17%	33%	33%	2%	4%	42%	24%	8%	15%	6%	19%	6%	12%	20%	44%	14%
Switzerland	7%	0%	0%	17%	0%	20%	11%	22%	14%	10%	0%	6%	0%	0%	10%	5%	0%	4%	25%	11%
United Kingdom	41%	36%	14%	0%	18%	49%	48%	0%	33%	51%	24%	19%	29%	23%	30%	5%	25%	45%	30%	40%
Austria																				
France																				
Lithuania																				

● Recognition rate between 0% and 33%

● Recognition rate between 33% and 67%

● Recognition rate between 67% and 100%

## 2.6. Dublin

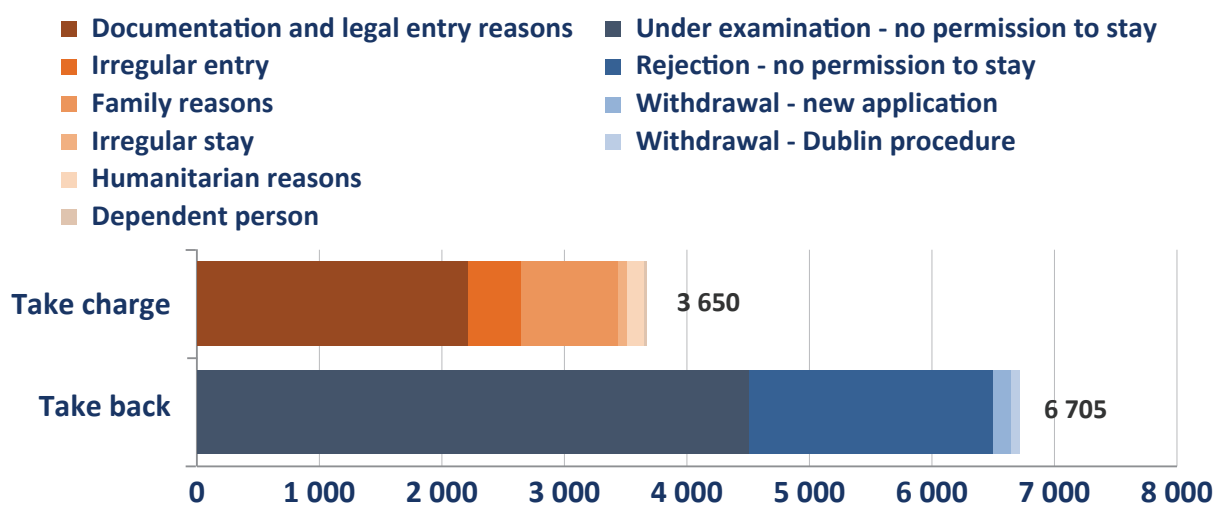
At the time of writing, the available data for 2014 regarding the functioning of the Dublin system were incomplete<sup>(29)</sup> and therefore this analysis is based on information from only 21 EU+ countries<sup>(30)</sup>. The principles and functioning of the Dublin system are explained in section 4.4 on Dublin procedures.

As in previous years, the data provided to Eurostat include the number of requests made to “take charge”<sup>(31)</sup> or “take back”<sup>(32)</sup> applicants for international protection, the number of requests for information, the number of requests pending, accepted and refused, and physical transfers of applicants. In addition to these elements, EU+ countries were requested to report for the first time information pertaining to: re-examination of requests and decisions; pending transfers; number of cases when the reporting country became responsible by default<sup>(33)</sup>; and use of discretionary clause of Art. 17.1<sup>(34)</sup>. Also among the changes to the reporting, were adaptations of the legal basis of the requests, decisions and transfers according to the recast Dublin Regulation.

Based on the information provided by EU+ countries to Eurostat for 2014, between 6 956 (incoming) and 10 355 (outgoing) Dublin transfers were reported in the EU+<sup>(35)</sup>. The majority (65 % of all outgoing transfers registered in 2014) of Dublin transfers took place after a “take back” request. In the remaining 35 % of cases, the transfers followed a “take charge” request<sup>(36)</sup>.

Transfers further to “take back” requests were mostly transfers of persons who were staying without permission in an EU+ country and whose application was still under examination (67 %) or who had been rejected (30 %) in another EU+ country.<sup>(36)</sup>

**Figure 22: Most Dublin transfers were related to take-back requests<sup>(37)</sup>.  
Outgoing transfers by type of requests in the EU+, 2014**



<sup>(29)</sup> The Dublin data are provided annually to Eurostat usually within three months of the end of the reporting year. However, at the end of 2014, Eurostat revised its Technical Guidelines to align them with the expanded data collection for the reporting of Dublin Statistics in compliance with the recast Dublin Regulation that entered into force at the beginning of 2014. Exceptionally, due to these changes, Eurostat extended the data provision deadline for EU+ countries by additional six weeks (until 15 May 2015).

<sup>(30)</sup> Austria, Bulgaria, Croatia, Cyprus, Denmark, Estonia, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Norway, Portugal, Romania, Slovakia, Slovenia, and Switzerland.

<sup>(31)</sup> “Take charge” requests include all Dublin transfer requests to take charge of a person who applied for international protection in the reporting country and not in the partner country, in accordance with Articles 8-16 and 17(2) of the Dublin Regulation.

<sup>(32)</sup> “Take back” requests include all Dublin transfer requests to take back a person who applied for international protection in the partner country, in accordance with Articles 18(1) b-d and 20(5) of Regulation (EU) No 604/2013 (the Dublin Regulation). This includes: persons who have applied for international protection in the reporting country, or have been apprehended for illegal stay in the reporting country but have not applied there.

<sup>(33)</sup> Art. 3.2 and Art. 29.2 of Dublin III Regulation.

<sup>(34)</sup> sovereignty clause” where Member State decides to examine an application even if such examination is not its responsibility

<sup>(35)</sup> Given the relatively small number of states providing data however, this is likely to be a significant underestimate of the final total.

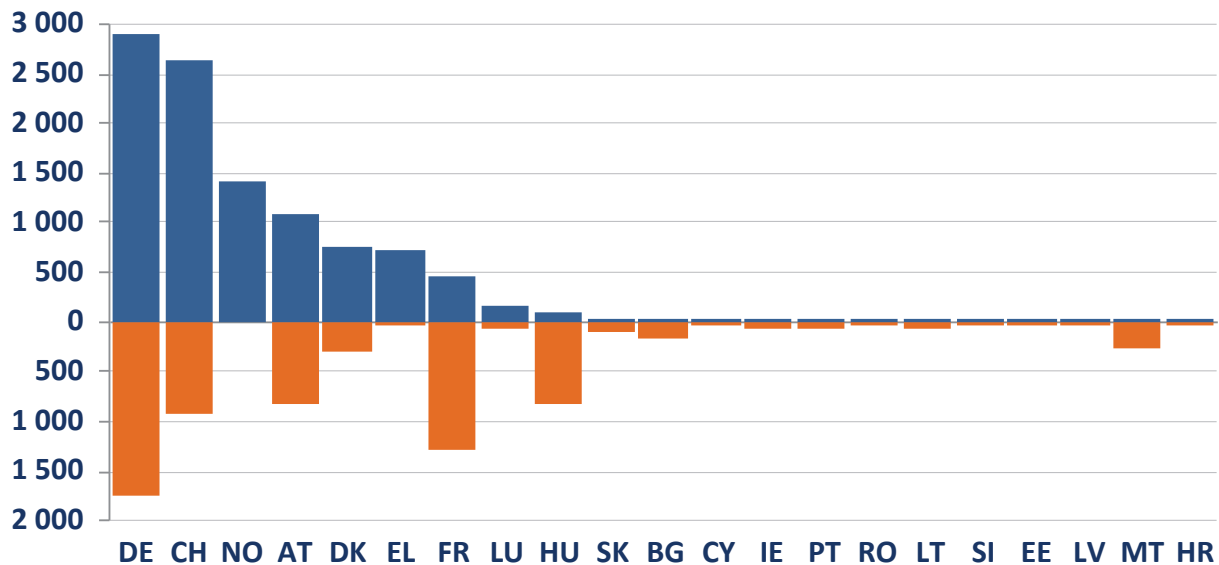
<sup>(36)</sup> It should be noted that the information on the stage of the asylum procedure (i.e. pending, withdrawn, rejected applicants) in the partner country is limited for the reporting country and therefore there might be some quality issues for this breakdown and the numbers might not be consistent with what is reported in the asylum tables to Eurostat (i.e. pending cases, withdrawn applications, rejected applicants) by the partner country

<sup>(37)</sup> 44 outgoing transfers reported by Poland were not disaggregated by type of request (take back or take charge)

A large share of transfers further to “take charge” requests were reported as transfers for documentation and legal entry reasons (60 %)<sup>(38)</sup>, followed by family reasons (22 %) and to a lesser extent irregular entry reasons (12 %) while the remaining cases were connected to humanitarian reasons.

Tables on Dublin transfers include a disaggregation on the time taken to implement the transfer (within 6, 12 or 18 months); however this breakdown is currently not available for all EU+ countries. According to available figures, the vast majority of the 2014 outgoing transfers took place within the six months’ time from the date of acceptance of the request<sup>(39)</sup>, although this deadline was slightly more likely to be met in the case of transfers made on the basis of a take charge requests (89 % of the time) than for take back requests (84 % of the time).

**Figure 23: While Germany performed the largest number of outgoing transfers to other EU+ countries, the largest net number of transfers was reported by Switzerland<sup>(40)</sup>.  
Outgoing transfers in the EU+ by type of request, 2014**



Considering net transfers within the EU+ in 2014, Switzerland and Germany ranked first in terms of net outgoing transfers with 1 705 and 1 119 transfers, respectively. Compared to 2013, this number decreased significantly, -50 % in Switzerland and -58 % in Germany. This decrease primarily reflects a decline in the number of outgoing transfers (-36% and -33%, respectively) as incoming transfers did not change substantially. In terms of net incoming transfers, France ranked first with 827 transfers in 2014, followed by Hungary, Malta and Bulgaria.

In terms of volume of transfers (incoming and outgoing) Germany had the highest number of transfers made with 4 655 followed by Switzerland with 3 571. Norway, Austria, France and Denmark were the only other EU+ countries (among the ones that provided data for 2014) that transferred more than 1 000 applicants during 2014.

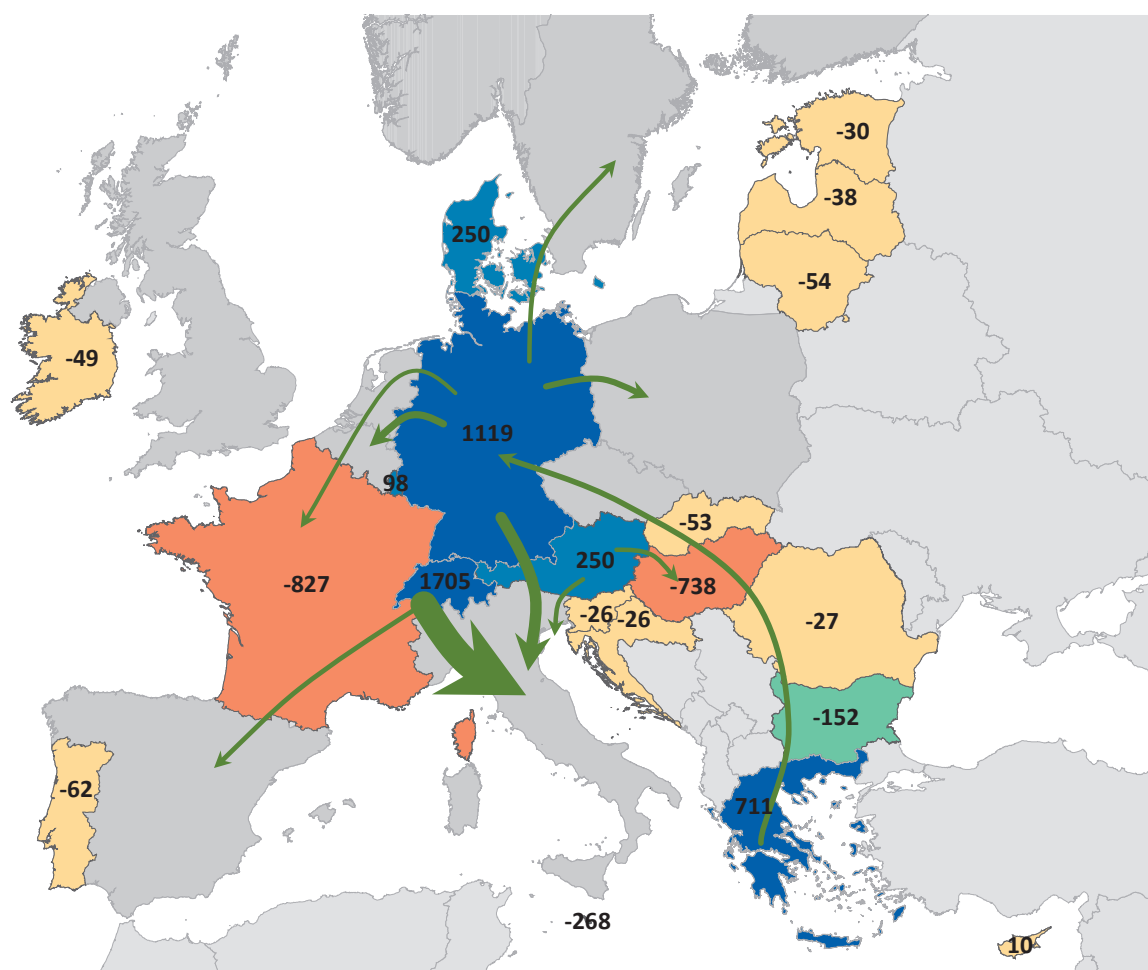
The map below (Map 2) indicates the main net Dublin transfer flows according to the information available (data reported by 21 EU+ countries on both incoming and outgoing transfers) calculated as outgoing transfers from a country minus incoming transfers. The arrows represent the net transfers between EU+ countries with net flows above 200 persons.

<sup>(38)</sup> Data on take charge provided by Switzerland is not disaggregated by legal/irregular. As such, data from Switzerland on outgoing transfers was considered to be in the category legal in this section.

<sup>(39)</sup> According to Article 29(1) of the Dublin Regulation the transfer shall be carried out “within six months of acceptance of the request by another Member State to take charge or to take back the person concerned or of the final decision on an appeal or review where there is a suspensive effect in accordance with Article 27(3)”. However there are two exceptions mentioned in Article 29(2): “This time limit may be extended up to a maximum of one year if the transfer could not be carried out due to imprisonment of the person concerned or up to a maximum of eighteen months if the person concerned absconds.”

<sup>(40)</sup> Information on incoming transfers is missing for Norway, as a result net transfers cannot be computed.

**Map 2: Net Dublin transfers in EU+ countries and main net transfer flows in 2014  
(green arrows show only the net EU+ transfers flows above 200 persons)**



From a long-term perspective, during the five-year period from 2009 to 2013, on average some 55 000 outgoing Dublin requests were made annually. 73 % of the outgoing requests were accepted, but only some 26 %<sup>(41)</sup> of the outgoing requests resulted in the physical transfer of a person from one EU+ country to another (on average, about 14 000 persons annually)<sup>(42)</sup>. The proportion of outgoing requests corresponded on average to about 15% of the number of registered asylum applicants. The proportion of physical Dublin transfers to the number of applicants for international protection in the EU+<sup>(43)</sup> was about 4 %<sup>(44)</sup>.

Assessment of potential immediate impact of revisions to the Dublin Regulation (described in section 4.4. Dublin) on procedures conducted under the Regulation is difficult, in view of the short time frame and data being only partially available. However, it can be assumed that in particular the widening of the definition of a family member coupled with an obligation on Member States to perform family tracking may result in higher number of transfers based on those grounds in the near future (in 2014 transfers due to family reasons amounted to 22 % of “take charge” requests). In parallel, more robust opportunities for persons subject to Dublin procedures to appeal their case may cause the total number of actual transfers to decrease.

<sup>(41)</sup> In the absence of longitudinal (cohort) data, this number has been calculated on the basis of annual data on registered requests, decisions and transfers. However due to latency between these events, this proportion may not be accurate.

<sup>(42)</sup> Dublin statistics are collected in a manner that allows for consistency between incoming and outgoing data: the outgoing transfers reported by country A to country B should therefore be in line the incoming transfers reported by country B from country A. However, for a number of reasons, including reporting latency, difference in reporting practices across EU+ countries, and missing data (typically incoming transfers), there can be discrepancies between the two sets of data. Thus, in each year there is a difference of up to as much as 40% (24% on average) in the number of transfers reported as having taken place by receiving countries compared to those reported by sending countries.

<sup>(43)</sup> A Dublin procedure implies that there is an asylum application lodged in one of the states involved, so some asylum applicants are counted by more than one state. The Eurostat data collection on Dublin and Asylum under Regulation (EC) No 862/2007 are not linked making it impossible to calculate an exact percentage.

<sup>(44)</sup> These proportions on requests and transfers to the number of applicants have been calculated for the historical period 2009-13, however due to the unavailability of complete Dublin information, they have not been calculated for 2014.

In anticipation of the review of the Dublin system by the European Commission envisaged for 2016, EASO proposed inclusion of Dublin-relevant indicators in the monthly data collection of EPS. This collection will cover data not covered by Eurostat (principally citizenship, sex and age of persons subject to the procedure) and should contribute to a better understanding of the practical functioning of the system.

## 2.7. Overview of developments in 2014 in main countries of origin

Taking into consideration a combination of quantitative indicators (applications, pending cases, and decisions), a selection has been made of particularly relevant countries of origin of applicants for international protection in 2014. For each of these countries a short update is given of some major developments in 2014, with a focus on the human rights and security situation. As the scope of this Annual Report does not allow for an exhaustive coverage of all issues of concern, the following section can only give an indication of potential grounds for international protection<sup>(45)</sup>.

### Syria

The civil war that started in 2011 continued unabated in 2014. The Syrian regime regained some territory during 2014 and Bashar al-Assad was re-elected for a third presidential term after elections that were widely considered illegitimate<sup>(46)</sup>. In 2014, according to the Syrian Observatory for Human Rights, 76 000 were killed, which brings the total to more than 200 000 since the start of the conflict. Human rights and humanitarian conditions have considerably worsened, including 'extrajudicial killings, torture, arbitrary detention, enforced disappearances, denial of access to justice, strict limits on freedom of expression, and persecution of women and minorities'<sup>(47)</sup>.

By the end of 2014, 7.6 million people were internally displaced and almost 3.8 million had become refugees in other countries, more than 1.5 million of whom were registered during 2014<sup>(48)</sup>. The Syrian crisis has had significant social, economic, and security impacts on the neighbouring countries<sup>(49)</sup>.

The presence of the Islamic State in Iraq and Sham (ISIS) played a major role in Syria this year. ISIS and al-Qaeda's affiliate in Syria, Jabhat al-Nusra, were responsible for systematic and widespread violations including targeting civilians, kidnappings, and executions<sup>(50)</sup>. Despite the American-led airstrikes, the area controlled by ISIS has not shifted significantly since last summer when the group took over large parts of Syria and Iraq<sup>(51)</sup>.

In October 2014, EASO organised a Practical Cooperation Conference on Syria and Iraq, in which a number of external experts informed participants on key developments within both countries, including the emergence of Islamic State and other extremist groups, the level of state control, the security situation in different parts of the countries and the situation in Kurdish areas. On the margins of this conference, an additional session was organised for the COI Specialist Network on Syria with 20 Member States experts participating.

<sup>(45)</sup> It should be stressed that this information does not necessarily imply that asylum applicants in EU MS have left their country of origin because of the developments listed below. Apart from the human rights and security issues, many other reasons may exist for applicants to apply for international protection in the EU, for example, in relation to individual circumstances in the applicant's private life.

<sup>(46)</sup> Freedom House, *Freedom in the World 2015 - Syria*, 28 January 2015, (<https://freedomhouse.org/report/freedom-world/2015/syria#VRVbME05CJA>), accessed 27 March 2015.

<sup>(47)</sup> FCO - UK Foreign and Commonwealth Office, *Human Rights and Democracy Report 2014: 'Syria - Countries of Concern'*, 12 March 2015, (<https://www.gov.uk/government/publications/syria-country-of-concern--2/syria-country-of-concern>), accessed 27 March 2015.

<sup>(48)</sup> European Commission Humanitarian Aid department, *Syria - IDPs and refugees*, 18 December 2014, (<http://reliefweb.int/map/syrian-arab-republic/18-december-2014-syria-idps-and-refugees>); USAID - US Agency for International Development, *Syria - Complex Emergency*, Fact Sheet #4, Fiscal Year (FY) 2015, 22 January 2015, ([http://www.usaid.gov/sites/default/files/documents/1866/syria\\_ce\\_fs04\\_01-22-2015.pdf](http://www.usaid.gov/sites/default/files/documents/1866/syria_ce_fs04_01-22-2015.pdf)), accessed 27 March 2015; UNHCR, *Syria Regional Response Plan (RRP6) Annual Report*, n.d., (<https://data.unhcr.org/syrianrefugees/download.php?id=8491>), accessed 6 May 2015. Numbers are regularly updated on the Syria Regional Refugee Response Inter-agency Information Sharing Portal: <http://data.unhcr.org/syrianrefugees/regional.php>.

<sup>(49)</sup> United Nations, Security Council (7394th Meeting) open briefing on the humanitarian situation in Syria. Remarks by Antonio Guterres, United Nations High Commissioner for Refugees, New York, 26 February 2015, (<http://www.unhcr.org/54ef20579.html>), accessed 6 May 2015.

<sup>(50)</sup> HRW - Human Rights Watch, *World Report 2015 - Syria*, 29 January 2015, (<http://www.hrw.org/world-report/2015/country-chapters/syria>), accessed 27 March 2015.

<sup>(51)</sup> The New York Times, *ISIS Territory Remains Larger Than Many Countries*, 6 March 2015, ([http://www.nytimes.com/interactive/2014/06/12/world/middleeast/the-iraq-isis-conflict-in-maps-photos-and-video.html?smid=pl-share&\\_r=0](http://www.nytimes.com/interactive/2014/06/12/world/middleeast/the-iraq-isis-conflict-in-maps-photos-and-video.html?smid=pl-share&_r=0)), accessed 27 March 2015.

## Iraq

In 2014 the security and human rights situation in Iraq deteriorated significantly due to increased sectarian fighting. The extremist group (ISIS or ISIL) conquered parts of Iraq (and Syria) and imposed its harsh interpretation of Sharia law on the population. Suicide attacks, car bombs, and targeted killings left more than 12 000 people dead and injured more than 22 000 in 2014<sup>(52)</sup>. On 29 June 2014, ISIS declared itself a caliphate in Iraq and Syria, calling itself Islamic State (IS)<sup>(53)</sup>. Among the group's main targets were large Yezidi communities, members of which were subjected to killings, serious bodily or mental harm, and forced transfers 'aimed at the destruction of the group'. In addition, international journalists were kidnapped and beheaded<sup>(54)</sup>.

The UN High Commissioner for Human Rights concluded that ISIL members may have 'committed crimes against humanity by perpetrating: murder, enslavement, deportation or forcible transfer of population, severe deprivation of physical liberty, torture, rape, sexual slavery, sexual violence and persecution'<sup>(55)</sup>. Human Rights Watch noted that 'government security forces and pro-government militias carried out attacks on civilians in Sunni and mixed Sunni-Shia areas, including kidnapping and summary executions, and were responsible for arbitrary arrests, disappearances, and torture'<sup>(56)</sup>.

In accordance with a UN Security Council call for action, a US-led coalition launched more than 1 250 airstrikes on IS positions as a military support to the Iraqi and Kurdish forces on the ground in Iraq.<sup>(57)</sup> The number of internally displaced persons (IDP) within Iraq since January 2014 has exceeded 2 million<sup>(58)</sup>, and that of registered Syrian refugees in Iraq reached 233 625<sup>(59)</sup>.

In January 2014 EASO established a COI Specialist Network on Iraq composed of COI experts from 17 Member States. The situation in Iraq was also discussed in the Practical Cooperation Conference on Iraq and Syria (see above on Syria).

## Eritrea

Eritrea has been characterised as one of most closed countries in the world, with a highly centralised and authoritarian regime, no independent judiciary or press, no independent civil society, and no elections since 1993.

According to human rights reports, the country's human rights record remains extremely poor. Human rights violations relate to: open-ended and prolonged national service with forced or bonded labour; arbitrary arrest, incommunicado detention and inhumane prison conditions, and extrajudicial killings and disappearances; and

<sup>(52)</sup> Human Rights Watch, *World Report 2015 – Iraq*, (<http://www.hrw.org/world-report/2015/country-chapters/iraq>), accessed 27 March 2015.

<sup>(53)</sup> Al Jazeera, *Sunni rebels declare new 'Islamic caliphate'*, 30 June 2014, (<http://www.aljazeera.com/news/middleeast/2014/06/isil-declares-new-islamic-caliphate-201462917326669749.html>), accessed 27 March 2015; (The) Independent, *Iraq crisis: Isis declares its territories a new Islamic state with 'restoration of caliphate' in Middle East*, 30 June 2014, (<http://www.independent.co.uk/news/world/middle-east/isis-declares-new-islamic-state-in-middle-east-with-abu-bakr-albaghdadi-as-emir-removing-iraq-and-syria-from-its-name-9571374.html>), accessed 27 March 2015.

<sup>(54)</sup> UN Human Rights Council, Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups, 13 March 2015, A/HRC/28/18, Advanced unedited version, p. 16, ([www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A\\_HRC\\_28\\_18\\_AUV.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_18_AUV.doc)), accessed 27 March 2015.

<sup>(55)</sup> UN Human Rights Council, Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups, 13 March 2015, A/HRC/28/18, Advanced unedited version, p. 16, ([www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A\\_HRC\\_28\\_18\\_AUV.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_18_AUV.doc)), accessed 27 March 2015.

<sup>(56)</sup> Human Rights Watch, *World Report 2015 – Iraq*, (<http://www.hrw.org/world-report/2015/country-chapters/iraq>), accessed 27 March 2015.

<sup>(57)</sup> UN News Service, *Iraq: Security Council urges international support for Government's combat against insurgents*, 19 September 2014, (<http://www.un.org/apps/news/story.asp?NewsID=48755>), accessed 30 March 2015; BBC, *Islamic State: Is the US-led coalition working six months on?*, 6 February 2015, (<http://www.bbc.com/news/world-middle-east-31146715>), accessed 30 March 2015.

<sup>(58)</sup> IOM, *IOM Response to the IDP Crisis in Iraq*, January 2015, ([https://gallery.mailchimp.com/c466fcb02cab6446f78fb0b07/files/ROUND\\_XII\\_DTM\\_Report\\_Jan2015.pdf](https://gallery.mailchimp.com/c466fcb02cab6446f78fb0b07/files/ROUND_XII_DTM_Report_Jan2015.pdf)), accessed 13 April 2015; UNHCR, *Iraq IDP operational update 1-15 December 2014*, ([http://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR\\_Iraq\\_Operational\\_Update\\_IDPs\\_1-15Dec2014.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR_Iraq_Operational_Update_IDPs_1-15Dec2014.pdf)), accessed 13 April 2015.

<sup>(59)</sup> UNHCR, *Information Kit No. 10 2014 end-year report on Syrian Refugees Response-Iraq*, February 2015, ([data.unhcr.org/syrianrefugees/download.php?id=8333](http://data.unhcr.org/syrianrefugees/download.php?id=8333)), accessed 13 April 2015.

severe restrictions on freedoms of expression, religion, and movement<sup>(60)</sup>. In addition, child abuse, female genital mutilation/cutting (FGM/C), human trafficking, and forced child labour occur<sup>(61)</sup>.

The human rights situation in Eritrea, according to the United Nations Special Rapporteur on the situation of human rights in Eritrea, deteriorated in the context of the attempted coup in January 2013 after which an unknown number of people were reportedly ‘arrested and detained, with no information as to their whereabouts’. Human rights violations are committed with impunity. Although legal procedures are in place, victims do not feel confident that perpetrators will be brought to justice<sup>(62)</sup>. The security apparatus and justice system can be characterised by arbitrariness, as noted by many sources<sup>(63)</sup>.

In October 2014, EASO held a Practical Cooperation workshop on Eritrea, focusing on the main protection grounds for Eritrean applicants and challenges related to international protection status determination.

## Ukraine

Ukraine fell into political chaos after former President Yanukovich’s decision to suspend an Association Agreement with the EU in 2013. Yanukovich was ousted and fled Ukraine in February 2014. In March, the Russian Federation annexed Crimea and violent unrest erupted subsequently in parts of eastern Ukraine<sup>(64)</sup>. Early presidential (May) and parliamentary elections (October) brought pro-European parties and politicians back to the power.

In the Donbass region, pro-Russian separatists declared independence in Lugansk and Donetsk after unrecognised referenda in May. As violence escalated between the Kiev government troops and Russia-backed separatists, the UN High Commissioner reported a breakdown of law and order and ‘reign of fear and terror’ in areas held by armed groups in eastern Ukraine, with increasing evidence of abductions, detentions, torture, and killings<sup>(65)</sup>. A ceasefire (Minsk I) was agreed in September between Ukraine and the pro-Russian rebels in the east; however it was violated a few days later.

After a relative lull in December 2014, fighting significantly intensified in the first weeks of 2015. According to the UN High Commissioner for Human Rights in March 2015, more than 6 000 people had been killed in the conflict in eastern Ukraine since it erupted in April 2014<sup>(66)</sup>.

As of 15 January 2015, the Ukrainian authorities reported 642 861 identified IDPs, 97 per cent of whom are from eastern Ukraine<sup>(67)</sup>. The largest number of externally displaced Ukrainian nationals is in the Russian Federation<sup>(68)</sup>.

<sup>(60)</sup> Human Rights Watch, *World Report 2015 – Eritrea*, 29 January 2015, (<http://www.hrw.org/world-report/2015/country-chapters/eritrea>), accessed 17 March 2015; United Nations Human Rights Council, *Report of the Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, A/HRC/26/45*, 13 May 2014, (<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/028/56/PDF/G1402856.pdf>), accessed 17 March 2015.

<sup>(61)</sup> Human Rights Watch, *World Report 2015 – Eritrea*, 29 January 2015, (<http://www.hrw.org/world-report/2015/country-chapters/eritrea>), accessed 17 March 2015; US Department of State, *2014 Trafficking in Persons Report – Eritrea*, 20 June 2014, (<http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226719.htm>), accessed 25 May 2015; UNICEF, *Eritrea – Statistical Profile on Female Genital Mutilation/ Cutting*, updated July 2014, ([http://data.unicef.org/corecode/uploads/document6/uploaded\\_country\\_profiles/corecode/222/Countries/FGMC\\_ERI.pdf](http://data.unicef.org/corecode/uploads/document6/uploaded_country_profiles/corecode/222/Countries/FGMC_ERI.pdf)), accessed 25 May 2015.

<sup>(62)</sup> United Nations Human Rights Council, *Report of the Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, A/HRC/26/45*, 13 May 2014, (<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/028/56/PDF/G1402856.pdf>), accessed 17 March 2015.

<sup>(63)</sup> UK Foreign and Commonwealth Office, *Corporate Report: Eritrea – Country of Concern*, January 2015, (<https://www.gov.uk/government/publications/eritrea-country-of-concern/eritrea-country-of-concern>), accessed 20 May 2015; UK Home Office, *Country Information and Guidance Eritrea: National (incl. Military) Service*, March 2015, ([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/412715/CIG\\_-\\_Eritrea\\_-\\_National\\_incl\\_Military\\_Service\\_-\\_March\\_2015\\_-\\_v1\\_0.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/412715/CIG_-_Eritrea_-_National_incl_Military_Service_-_March_2015_-_v1_0.pdf)), accessed 17 March 2015; Landinfo, *Temanotat Eritrea: Nasjonaltjeneste*, 23 March 2015, ([http://landinfo.no/asset/3097/1/3097\\_1.pdf](http://landinfo.no/asset/3097/1/3097_1.pdf)), accessed 24 March 2015.

<sup>(64)</sup> FCO - UK Foreign and Commonwealth Office, *Human Rights and Democracy Report 2014 - Country Case Study: Crimea and Separatist-Occupied Areas of Ukraine*, 12 March 2015, (available at [ecoi.net](http://www.ecoi.net/local_link/298565/421046_en.html)) ([http://www.ecoi.net/local\\_link/298565/421046\\_en.html](http://www.ecoi.net/local_link/298565/421046_en.html)), accessed 26 March 2015.

<sup>(65)</sup> UN Human Rights Monitoring Mission in Ukraine, *Press Releases*, n.d., (<http://www.un.org.ua/en/information-centre/news/1870>), accessed 16 April 2015.

<sup>(66)</sup> OHCHR- Office of the United Nations High Commissioner for Human Rights, *Report on the human rights situation in Ukraine* (1 December 2014 to 15 February 2015), ([http://www.un.org.ua/images/stories/9thOHCHRReportUkraine\\_1.pdf](http://www.un.org.ua/images/stories/9thOHCHRReportUkraine_1.pdf)), accessed 14 April 2015.

<sup>(67)</sup> Figures received from the State Emergency Service (SES), quoted in UNHCR – Update II, January 2015.

<sup>(68)</sup> UNHCR - UN High Commissioner for Refugees: *International Protection Considerations Related to the Developments in Ukraine – Update II*, January 2015, (<http://www.refworld.org/docid/54c639474.html>), (accessed 26 March 2015).

Given the quickly deteriorating security situation in eastern Ukraine since May 2014, EASO organised a Practical Cooperation workshop on Ukraine in July 2014, in which participants were updated about recent political events, the security situation and the situation of IDPs, and discussions were held on possible consequences in terms of international protection status determination and contingency planning. A follow-up workshop was held in January 2015.

## Afghanistan

In 2014, the insurgency in Afghanistan was characterised by the continuation of developments that started in the previous years. The gradual transition of security responsibilities from International Military Forces (IMF) to Afghan National Security Forces (ANSF) continued and was finalised by 31 December 2014. After 13 years, NATO's International Security Assistance Force (ISAF) ended its mission and was replaced by a new NATO mission (Resolute Support) focusing on training, advice, and assistance<sup>(69)</sup>. This transition initiated a new phase in the conflict, characterised by an increase in fighting between ANSF and the insurgents, who were operating in larger combat groups, which led to some territorial gains for the latter. However, ANSF have been able to repel attacks on administrative (district, and provincial) centres in most regions of the country<sup>(70)</sup>.

These developments culminated in 2014 being the most deadly year for civilians in the recent conflict so far: UNAMA (United Nations Assistance Mission to Afghanistan) documented 3 699 civilian deaths and 6 849 injuries, a 22 % rise compared to the previous year<sup>(71)</sup>. Significantly, there was a 21 % increase in female casualties and 40 % in child casualties<sup>(72)</sup>. Ground engagements, in which both parties use mortars, other explosive weapons, and small arms fire in and around civilian-populated areas, in 2014, became for the first time the primary cause of civilian casualties, superseding the previous cause which was the use of Improvised Explosive Devices (IEDs)<sup>(73)</sup>. UNAMA also reported targeted killings of tribal elders, civilian government officials, mullahs, and civilian justice officials by insurgents; convictions by Taliban courts and beheadings of alleged opponents and 'government spies'; and an increase in human rights violations by pro-government armed groups<sup>(74)</sup>.

These developments combined with increasing security fears among the Afghan population. According to a nationwide survey by The Asia Foundation, security is the main concern, followed by corruption, unemployment, and bad economy<sup>(75)</sup>.

<sup>(69)</sup> NATO, *Inteqal: Transition to Afghan lead*, updated: 7 January 2015, ([http://www.nato.int/cps/en/natolive/topics\\_87183.htm](http://www.nato.int/cps/en/natolive/topics_87183.htm)), accessed 2 April 2015; NATO, *Resolute Support Mission in Afghanistan*, updated: 27 February 2015, ([http://www.nato.int/cps/en/natohq/topics\\_113694.htm](http://www.nato.int/cps/en/natohq/topics_113694.htm)), accessed 2 April 2015; White House (The), *Fact Sheet: Bringing the U.S. War in Afghanistan to a Responsible End*, 27 May 2014, (<https://www.whitehouse.gov/the-press-office/2014/05/27/fact-sheet-bringing-us-war-afghanistan-responsible-end>), accessed 2 April 2015.

<sup>(70)</sup> Münch, P. and Ruttig, T., 'Between Negotiations and Ongoing Resistance. The Situation of the Afghan Insurgency', in: *Orient, 55 (2014) III*, German Institute for International and Security Affairs, 2014, ([http://www.swp-berlin.org/fileadmin/contents/products/fachpublikationen/Muench\\_Ruttig\\_2014\\_Situatio\\_of\\_the\\_AFG\\_INS.pdf](http://www.swp-berlin.org/fileadmin/contents/products/fachpublikationen/Muench_Ruttig_2014_Situatio_of_the_AFG_INS.pdf)), accessed 7 November 2014, p. 29; UN Security Council, *The situation in Afghanistan and its implications for international peace and security, report of the Secretary General, A/69/540-S/2014/656*, 9 September 2014, ([http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2014/656](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/656)), accessed 29 October 2014, p. 6; ICG, *Afghanistan's Insurgency after the Transition*, 12 May 2014, ([http://www.crisisgroup.org/~media/Files/asia/south-asia/afghanistan/256-afghanistan-s-insurgency-after-the-transition.pdf](http://www.crisisgroup.org/~/media/Files/asia/south-asia/afghanistan/256-afghanistan-s-insurgency-after-the-transition.pdf)), accessed 10 November 2014, pp. 1, 11-13, 19-21, 27-28, 36-37.

<sup>(71)</sup> Since UNAMA started recording civilian casualties (2009). Between 1 January 2009 and 31 December 2014, UNAMA has documented 47 745 civilian casualties (17 774 killed and 29 971 injured): UNAMA, *Afghanistan Annual Report 2014 on the Protection of Civilians in armed conflict*, February 2015, (<http://unama.unmissions.org/Portals/UNAMA/human%20rights/2015/2014-Annual-Report-on-Protection-of-Civilians-Final.pdf>), accessed 2 April 2015, p. 1.

<sup>(72)</sup> UNAMA, *Afghanistan Annual Report 2014 on the Protection of Civilians in armed conflict*, February 2015, (<http://unama.unmissions.org/Portals/UNAMA/human%20rights/2015/2014-Annual-Report-on-Protection-of-Civilians-Final.pdf>), accessed 2 April 2015, pp. 3-4.

<sup>(73)</sup> UNAMA, *Afghanistan Annual Report 2014 on the Protection of Civilians in armed conflict*, February 2015, (<http://unama.unmissions.org/Portals/UNAMA/human%20rights/2015/2014-Annual-Report-on-Protection-of-Civilians-Final.pdf>), accessed 2 April 2015, pp. 4-6.

<sup>(74)</sup> UNAMA, *Afghanistan Annual Report 2014 on the Protection of Civilians in armed conflict*, February 2015, (<http://unama.unmissions.org/Portals/UNAMA/human%20rights/2015/2014-Annual-Report-on-Protection-of-Civilians-Final.pdf>), accessed 2 April 2015, pp. 7-8 and 55-65.

<sup>(75)</sup> Asia Foundation (The), *Afghanistan in 2014, A Survey of the Afghan People*, 18 November 2014, (<http://asiafoundation.org/publications/pdf/1425>), accessed 2 April 2014, pp. 6-7; Van Bijlert, M., *Fear, Hope and Determination: Afghanistan and the 2014 Syndrome*, Afghanistan Analysts Network, 10 January 2014, (<https://www.afghanistan-analysts.org/fear-hope-and-determination-afghanistan-and-the-2014-syndrome/>), accessed 2 April 2015; International New York Times, *Afghan Militia Leaders, Empowered by U.S. to Fight Taliban, Inspire Fear in Villages*, 17 March 2015, ([http://www.nytimes.com/2015/03/18/world/asia/afghan-militia-leaders-empowered-by-us-to-fight-taliban-inspire-fear-in-villages.html?\\_r=0](http://www.nytimes.com/2015/03/18/world/asia/afghan-militia-leaders-empowered-by-us-to-fight-taliban-inspire-fear-in-villages.html?_r=0)), accessed 2 April 2015.



An EASO COI Specialist Network on Afghanistan, consisting of COI experts from 18 Member States, had its first meeting in September 2014. In January 2015, EASO issued a Country of Origin Information Report on the Security Situation in Afghanistan, detailing significant developments at country and province level. In March 2015, EASO also held a Practical Cooperation meeting focusing on Member State practice and policy in regard to Afghan applicants.

## Somalia

The security situation in southern and central Somalia improved in recent years but remained volatile. Armed clashes continued around Mogadishu and in areas under Al-Shabaab control. While joint military operations of the Somali National Army (SNA) and the African Union Mission in Somalia (AMISOM) recovered more territory (mainly cities) from Al-Shabaab, the group maintained control of large areas of south-central Somalia. Al-Shabaab imposed a severe interpretation of Sharia law, and administered public executions, amputations, and whipping in the territories under their control<sup>(76)</sup>. Areas under the control of pro-government forces (SNA/AMISOM), including Mogadishu, were often affected by deadly attacks and other forms of violence<sup>(77)</sup>.

Civilians suffered from ‘direct attacks, including inter-clan fighting, revenge, military operations or excessive use of force’. In addition, restrictions on press freedom, violence against journalists, and violation of women’s rights, including the high incidence of sexual violence, particularly in IDP settlements, took place<sup>(78)</sup>.

According to UNHCR, an estimated 1.1 million internally displaced persons live inside Somalia, of whom 893 000 reside in South Central Somalia. It is estimated that nearly 1 million out of a population of approximately 10 million Somali nationals live as refugees outside the country.<sup>(79)</sup>

The UN Secretary General reported that ‘West-Somaliland remained relatively peaceful, while the Sool, Sanaag and Cayn regions experienced intermittent armed clashes between Somaliland forces and militias supporting aspirations for a new state of Khatumo (...). In Puntland, security forces began extensive operations against Al-Shabaab in the Galgala Mountains’<sup>(80)</sup>.

EASO issued a COI report on Central and South Somalia (country overview) in August 2014. In October 2014 a COI seminar, also attended by external experts, was held for members of the EASO COI Specialist Network on Somalia.

## Iran

Last year was President Hassan Rouhani’s first full year in office. Although in his campaign he promised ‘to promote civil rights, free political prisoners and bring back dignity to the nation’<sup>(81)</sup>, Human Rights Watch reported ‘no significant improvement’ of the human rights situation in 2014. The government continued to harass and discriminate against adherents of the Baha’i faith, Iran’s largest non-Muslim religious minority, but also targeted

<sup>(76)</sup> Human Rights Watch, *World Report 2015 - Somalia*, 29 January 2015, (<http://www.hrw.org/world-report/2015>), accessed 18 March 2015; UN Security Council, *Report of the Secretary-General on Somalia January 2015, S/2015/51*, 23 January 2015, p. 3, ([http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2015/51](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/51)), accessed 18 March 2015.

<sup>(77)</sup> UN Security Council, *Report of the Secretary-General on Somalia January 2015, S/2015/51*, 23 January 2015, p. 3, ([http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2015/51](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/51)), accessed 18 March 2015.

<sup>(78)</sup> UN Security Council, *Report of the Secretary-General on Somalia January 2015, S/2015/51*, 23 January 2015, pp. 10-11, ([http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2015/51](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/51)), accessed 25 May 2015; Reporters without Borders, *Somalia*, (<http://en.rsf.org/somalia.html>), accessed 25 May 2015.

<sup>(79)</sup> UN High Commissioner for Refugees (UNHCR), *Somalia Refugees in the Horn of Africa and Yemen - December 2014*, 31 December 2014, (<http://www.refworld.org/docid/54ca417d4.html>) accessed 18 March 2015.

<sup>(80)</sup> UN Security Council, *Report of the Secretary-General on Somalia January 2015, S/2015/51*, 23 January 2015, p. 3, ([http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2015/51](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/51)), accessed 18 March 2015.

<sup>(81)</sup> GateStone Institute, *Deterioration of Human Rights in Iran*, 21 November 2014, (<http://www.gatestoneinstitute.org/4897/human-rights-iran>), accessed 14 April 2015.

Christian converts from Islam, Persian-speaking Protestants and evangelical congregations, and members of home church movements.<sup>(82)</sup>

The high use of the death penalty in the country continues to be a great international concern. According to data from the Iran Human Rights Documentation Centre, 773 people were executed during Rouhani's first year in office compared to 530 people during the last year of the previous president.<sup>(83)</sup>

Other important human rights concerns in Iran relate to freedom of expression, due process, and women's rights.<sup>(84)</sup>

In May 2014, EASO created a COI Specialist Network on Iran, consisting of COI experts from 12 Member States.

## Pakistan

In 2014, Pakistan witnessed militant and sectarian attacks and security operations by the Pakistani armed forces. There was a 25 % increase in militant attacks compared to 2013, most of them taking place in Baluchistan and Khyber-Pakhtunkhwa. Also the provinces of Sindh and Punjab saw an unprecedented increase in militant attacks. The Pakistani Army killed a record number of militant fighters, mainly in security operations in the Federally Administered Tribal Areas (FATA). In total, 5 374 people were killed, including 1 233 civilians, and 6 611 people were injured including 3 941 civilians<sup>(85)</sup>.

There was a decline in civilian casualties compared to 2013. However, no decline in brutality of attacks could be noticed. For example, in December 2014, Pakistani Taliban killed at least 132 school children in an attack on an Army Public School in Peshawar<sup>(86)</sup>. Examples of other prominent attacks include an attack on Karachi airport causing 34 deaths and a suicide attack against a border post, killing 61 and injuring more than 100<sup>(87)</sup>. In reaction to the violence committed by militant groups, the Pakistani government in December 2014 lifted the moratorium on the death penalty for offences related to terrorism<sup>(88)</sup>.

Religious groups (Shia, Christians, Sufi, Hindu, Sikh, Ahmadiyya, etc.) and places of worship continued to be targeted in sectarian violence, and faced discrimination and prosecution under the blasphemy and other federal laws<sup>(89)</sup>. Killings of political activists were reported, along with violent demonstrations, enforced disappearances, killings of journalists, honour killings, and violence against women<sup>(90)</sup>.

For the fourth consecutive year, major floods caused displacement of hundreds of thousands of people and created a serious humanitarian crisis<sup>(91)</sup>.

<sup>(82)</sup> HRW - Human Rights Watch, *World Report 2015 - Iran*, 29 January 2015, (<http://www.hrw.org/world-report/2015/country-chapters/iran>), accessed 27 March 2015.

<sup>(83)</sup> IHRDC (Iran Human Rights Documentation Centre), *Rise Of Execution Rate Under Rouhani*, in IBTimes, 'Iran Execution Rate: Number Of Iran Executions Higher Under President Hassan Rouhani', 30 October 2014, (<http://www.ibtimes.com/iran-execution-rate-number-iran-executions-higher-under-president-hassan-rouhani-1716446>), accessed 14 April 2015.

<sup>(84)</sup> FCO - UK Foreign and Commonwealth Office, *Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Islamic Republic of Iran*, 12 March 2015, (available at [ecoi.net](http://www.ecoi.net)) [http://www.ecoi.net/local\\_link/298544/421025\\_en.html](http://www.ecoi.net/local_link/298544/421025_en.html), accessed 31 March 2015.

<sup>(85)</sup> Conflict Monitoring Centre (The), *2014 was deadliest year for militants in Pakistan*, 6 January 2015, (<http://www.cmcpc.net/2015/01/2014-was-deadliest-year-for-militants-in-pakistan/#more-4123>), accessed 2 April 2015.

<sup>(86)</sup> South Asia Terrorism Portal, *Pakistan Assessment 2015*, n.d., (<http://www.satp.org/satporgtp/countries/pakistan/index.htm>), accessed 2 April 2015.

<sup>(87)</sup> Amnesty International, *Report 2014/15 - Pakistan*, 25 February 2015, available at: <http://www.refworld.org/docid/54f07db215.html>, accessed 2 April 2015; UK Foreign and Commonwealth Office, *Human Rights and Democracy Report - Pakistan*, 12 March 2015, (<http://www.refworld.org/docid/551a52fd9.html>), accessed 2 April 2015.

<sup>(88)</sup> South Asia Terrorism Portal, *Pakistan Assessment 2015*, n.d., (<http://www.satp.org/satporgtp/countries/pakistan/index.htm>), accessed 2 April 2015.

<sup>(89)</sup> Amnesty International, *Report 2014/15 - Pakistan*, 25 February 2015, available at: <http://www.refworld.org/docid/54f07db215.html>, accessed 2 April 2015; UK Foreign and Commonwealth Office, *Human Rights and Democracy Report - Pakistan*, 12 March 2015 (<http://www.refworld.org/docid/551a52fd9.html>), accessed 2 April 2015.

<sup>(90)</sup> Amnesty International, *Report 2014/15 - Pakistan*, 25 February 2015, available at: <http://www.refworld.org/docid/54f07db215.html>, accessed 2 April 2015; UK Foreign and Commonwealth Office, *Human Rights and Democracy Report - Pakistan*, 12 March 2015 (<http://www.refworld.org/docid/551a52fd9.html>), accessed 2 April 2015.

<sup>(91)</sup> Amnesty International, *Report 2014/15 - Pakistan*, 25 February 2015, available at: <http://www.refworld.org/docid/54f07db215.html>, accessed 2 April 2015; UK Foreign and Commonwealth Office, *Human Rights and Democracy Report - Pakistan*, 12 March 2015 (<http://www.refworld.org/docid/551a52fd9.html>), accessed 2 April 2015.

In December 2014, a COI seminar was organised for members of the EASO COI Specialist Network on Pakistan, established in 2013. External experts also attended the event. The publication of an EASO COI report on Pakistan (country overview) is expected by the summer of 2015.

## Russian Federation

The events in Ukraine had a direct impact on the situation in the Russian Federation during the year 2014. In March 2014, after a short military invasion and occupation, Crimea was effectively annexed to the Russian Federation. In reaction to this annexation and the Russian support for separatists in Eastern Ukraine, economic sanctions were imposed by the European Union. <sup>(92)</sup>

In the North Caucasus, the death toll among civilians and militants declined in 2014 due to both decreasing activities of rebels and lower activity of the law enforcement agencies. <sup>(93)</sup> The Caucasian Knot website estimated that 341 people (including 37 civilians) died and 184 people (including 16 civilians) were injured in the conflict in the North Caucasus during 2014 <sup>(94)</sup>. There are indications that the conflict is transitioning from a military phase to a political phase <sup>(95)</sup>. Furthermore the death of militant leader Doku Umarov resulted in a shift of the political centre of the resistance from Chechnya to Dagestan. Despite a noticeable decline in the intensity of violence in the North Caucasus, Russian experts on the region are pessimistic about the future, referring to the excessive reliance by the Russian authorities on crude force, the grievances of the local population resulting from human rights violations, the return of militants from Syria to the Northern Caucasus, and increasing numbers of militants pledging alliance to Islamic State <sup>(96)</sup>.

In June 2014, the EASO COI Specialist Network on the Russian Federation, composed of COI experts from 13 Member States, held its first meeting. EASO published a topical COI Report on Women, Marriage, Divorce and Child Custody in Chechnya in September 2014.

## Nigeria

The security situation in Nigeria deteriorated in 2014, mainly due to intensified violence and escalation of deadly attacks in the north-east by the Islamist militant group Boko Haram. The group 'indiscriminately killed civilians, abducted women and girls, forcefully conscripted young men and boys, and destroyed villages, towns, and schools'. Boko Haram's abduction of nearly 300 schoolgirls in Chibok attracted unprecedented worldwide attention <sup>(97)</sup>. The group seized large territories in the north eastern states of Borno, Yobe, and Adamawa, where it imposed its harsh interpretation of Sharia law <sup>(98)</sup>. In addition, Boko Haram expanded its scope through deadly attacks in the neighbouring countries of Chad, Cameroon, and Niger <sup>(99)</sup>. In August 2014, the group declared an

<sup>(92)</sup> Freedom House, *Freedom in the World 2015 – Russia*, n.d., (<https://freedomhouse.org/report/freedom-world/2015/russia#.VSYq7FBuUk>), accessed 17 April 2015.

<sup>(93)</sup> Jamestown Foundation, *North Caucasus Militants Split Between Caucasus Emirate and Islamic State, as Radical Islam Gains Influence in Region*, Eurasia Daily Monitor Volume: 12 Issue: 19, 30 January 2015, ([http://www.jamestown.org/programs/edm/single/?tx\\_ttnews%5Btt\\_news%5D=43475&cHash=37f7f6ab5a72bfb5b02b545a639f5fc4](http://www.jamestown.org/programs/edm/single/?tx_ttnews%5Btt_news%5D=43475&cHash=37f7f6ab5a72bfb5b02b545a639f5fc4)), accessed 26 March 2015.

<sup>(94)</sup> Caucasian Knot, *Infographics. Statistics of victims in Northern Caucasus for 2014 under the data of the Caucasian Knot*, January 2015 (<http://eng.kavkaz-uzel.ru/articles/30685/>), accessed 25 May 2015.

<sup>(95)</sup> Jamestown Foundation, *North Caucasus Militants Split Between Caucasus Emirate and Islamic State, as Radical Islam Gains Influence in Region*, Eurasia Daily Monitor Volume: 12 Issue: 19, 30 January 2015, ([http://www.jamestown.org/programs/edm/single/?tx\\_ttnews%5Btt\\_news%5D=43475&cHash=37f7f6ab5a72bfb5b02b545a639f5fc4](http://www.jamestown.org/programs/edm/single/?tx_ttnews%5Btt_news%5D=43475&cHash=37f7f6ab5a72bfb5b02b545a639f5fc4)), accessed 26 March 2015.

<sup>(96)</sup> Jamestown Foundation, *Redeployment of Russian Forces to Ukraine Leads to Drop in Violence in North Caucasus*; Eurasia Daily Monitor Volume: 12 Issue: 8, 14 January 2015, ([http://www.jamestown.org/single/?tx\\_ttnews%5Btt\\_news%5D=43399&tx\\_ttnews%5BbackPid%5D=228](http://www.jamestown.org/single/?tx_ttnews%5Btt_news%5D=43399&tx_ttnews%5BbackPid%5D=228)), accessed 26 March 2015.

<sup>(97)</sup> Human Rights Watch, *World Report 2015 – Nigeria*, 29 January 2015, (<http://www.hrw.org/world-report/2015/country-chapters/nigeria>), accessed 20 March 2015.

<sup>(98)</sup> Human Rights Watch, *World Report 2015 – Nigeria*, 29 January 2015, (<http://www.hrw.org/world-report/2015/country-chapters/nigeria>), accessed 20 March 2015.

<sup>(99)</sup> UN News Service, *Security Council condemns Boko Haram attacks as deadly violence spreads to Nigeria's neighbours*, 14 February 2015, (<http://www.refworld.org/docid/5501774c4.html>), accessed 20 March 2015.

Islamic caliphate in areas under its control with Gwozo as its headquarters<sup>(100)</sup>. On 7 March 2015, the group pledged alliance to the Islamic State (IS).<sup>(101)</sup>

Government security forces, in response to the Boko Haram violence, were accused of ‘grave violations of human rights and international humanitarian law in the treatment of Boko Haram suspects’<sup>(102)</sup>. Widespread torture and other ill-treatment by the police and security forces was noted.<sup>(103)</sup> In addition to the large-scale Boko Haram attacks, Nigeria also suffered from violence in the Niger Delta and inter-communal fights in the Middle Belt<sup>(104)</sup>.

The crisis in north-eastern Nigeria has displaced 1.5 million Nigerians within the country<sup>(105)</sup>. The number of Nigerian refugees fleeing to neighbouring countries increased until March 2015 to 100 000 in Niger, 66 000 in Cameroon and 18 000 in Chad<sup>(106)</sup>. In October 2014, UNHCR updated its International Protection Considerations with regard to people fleeing north-eastern Nigeria and the surrounding region<sup>(107)</sup>.

In January 2014, President Jonathan approved the Same Sex Marriage (Prohibition) Bill. According to Amnesty International, ‘days after the law came into force, lesbians, gay, bisexual, transgender and intersex (LGBTI) people and activists faced harassment, blackmail and threats to their lives. (...)’<sup>(108)</sup>. Throughout 2014, 105 violations of human rights of LGBTI persons have been recorded in 14 states: 39 arbitrary arrests and detention, and 79 acts of assaults, blackmail and extortion, mob attacks, and threats to life by non-state actors<sup>(109)</sup>.

## 2.8. Key challenges and responses

### 2.8.1. Syria

In 2014 there were approximately 128 000 Syrian applicants for international protection, a 143 % increase compared to 2013 when Syria became the main country of origin of asylum in EU+ countries. To put this in perspective, UNHCR global figures for 2014 indicated roughly 1.55 million Syrians newly registered in the same period.

<sup>(100)</sup> Washington Times (The), *Boko Haram leader declares Islamic caliphate in Nigeria*, 24 August 2014, (<http://www.washingtontimes.com/news/2014/aug/24/boko-haram-leader-declares-caliphate-nigeria/>), accessed 23 March 2015; Country on Foreign Relations, ‘Boko Haram’, *CFR Backgrounders*, 5 March 2015, (<http://www.cfr.org/nigeria/boko-haram/p25739>), accessed 24 March 2015.

<sup>(101)</sup> CBC News, *Boko Haram pledges allegiance to ISIS*, 7 March 2015, (<http://www.cbc.ca/news/world/boko-haram-pledges-allegiance-to-isis-1.2986041>), accessed 24 March 2015.

<sup>(102)</sup> Human Rights Watch, *World Report 2015 - Nigeria*, 29 January 2015, (<http://www.hrw.org/world-report/2015/country-chapters/nigeria>), accessed 20 March 2015.

<sup>(103)</sup> Amnesty International, *Amnesty International Report 2014/15 - Nigeria*, 25 February 2015, (<https://www.amnesty.org/en/countries/africa/nigeria/report-nigeria>), accessed 20 March 2015.

<sup>(104)</sup> Human Rights Watch, *World Report 2015 - Nigeria*, 29 January 2015, (<http://www.hrw.org/world-report/2015/country-chapters/nigeria>), accessed 20 March 2015.

<sup>(105)</sup> UN News Centre, *UN officials say suffering in Nigeria ‘immense,’ warn of regional humanitarian crisis*, 19 March 2015, (<http://www.un.org/apps/news/story.asp?NewsID=50376#.VRFioeFcrqs>), accessed 24 March 2015.

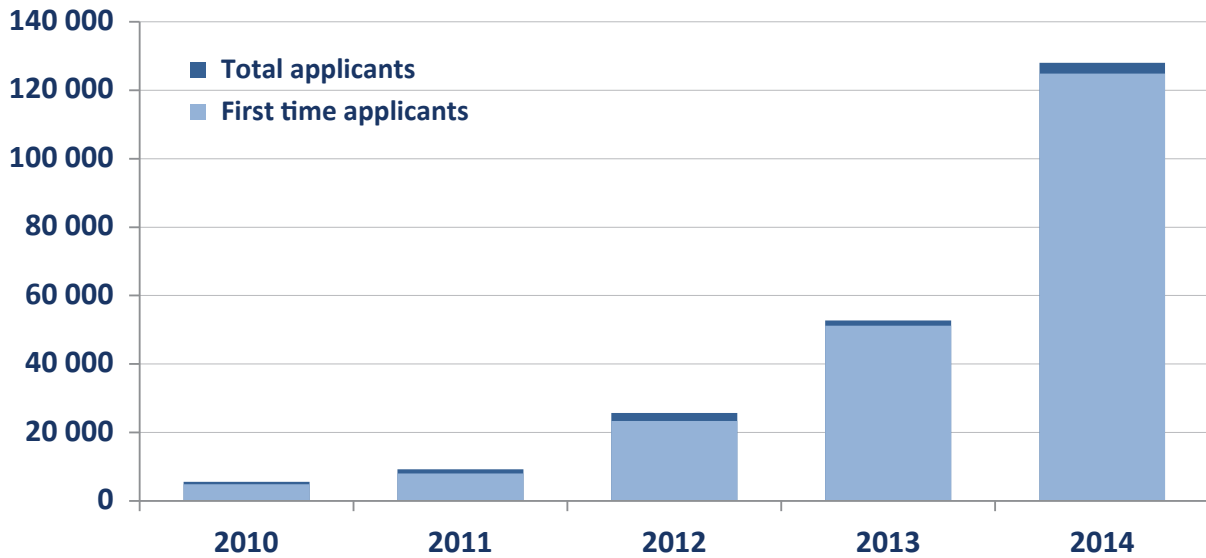
<sup>(106)</sup> UN News Service, *Nigerian refugee crisis continues as Boko Haram fighting spills across region*, 3 March 2015, available at: <http://www.refworld.org/docid/54f96a9e4.html>, accessed 20 March 2015.

<sup>(107)</sup> UNHCR, *International Protection Considerations with regard to people fleeing northeastern Nigeria (the states of Borno, Yobe and Adamawa) and surrounding region – Update I*, October 2014, (<http://www.refworld.org/docid/5448e0ad4.html>), accessed 6 May 2015.

<sup>(108)</sup> Amnesty International, *Amnesty International Report 2014/15 - Nigeria*, 25 February 2015, (<https://www.amnesty.org/en/countries/africa/nigeria/report-nigeria>), accessed 20 March 2015.

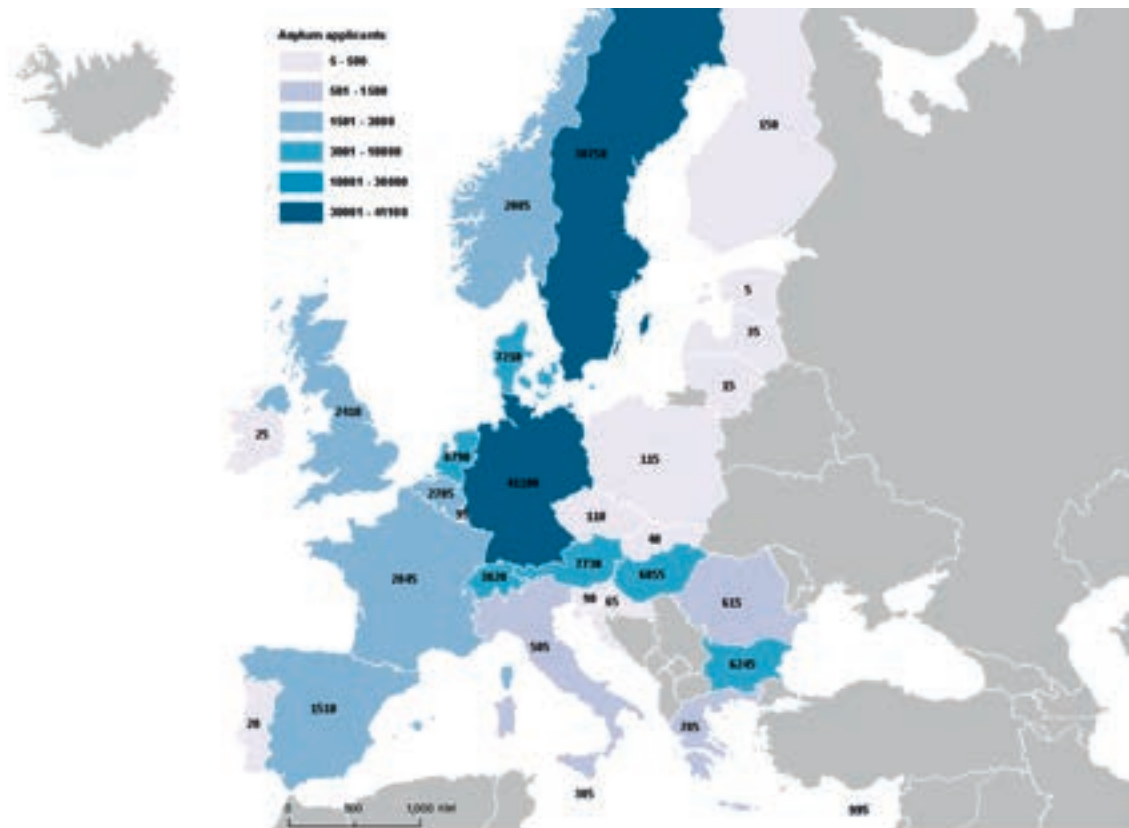
<sup>(109)</sup> Premium Times (Nigeria), *Nigeria recorded 105 cases of rights abuses against gays in 2014 — Group*, 19 May 2015, (<http://www.premiumtimesng.com/news/more-news/183295-nigeria-recorded-105-cases-of-rights-abuses-against-gays-in-2014-group.html>), accessed 25 May 2015.

**Figure 24: Syrian applications for asylum soar.**  
**Syrian applicants in the EU+, 2010-2014**



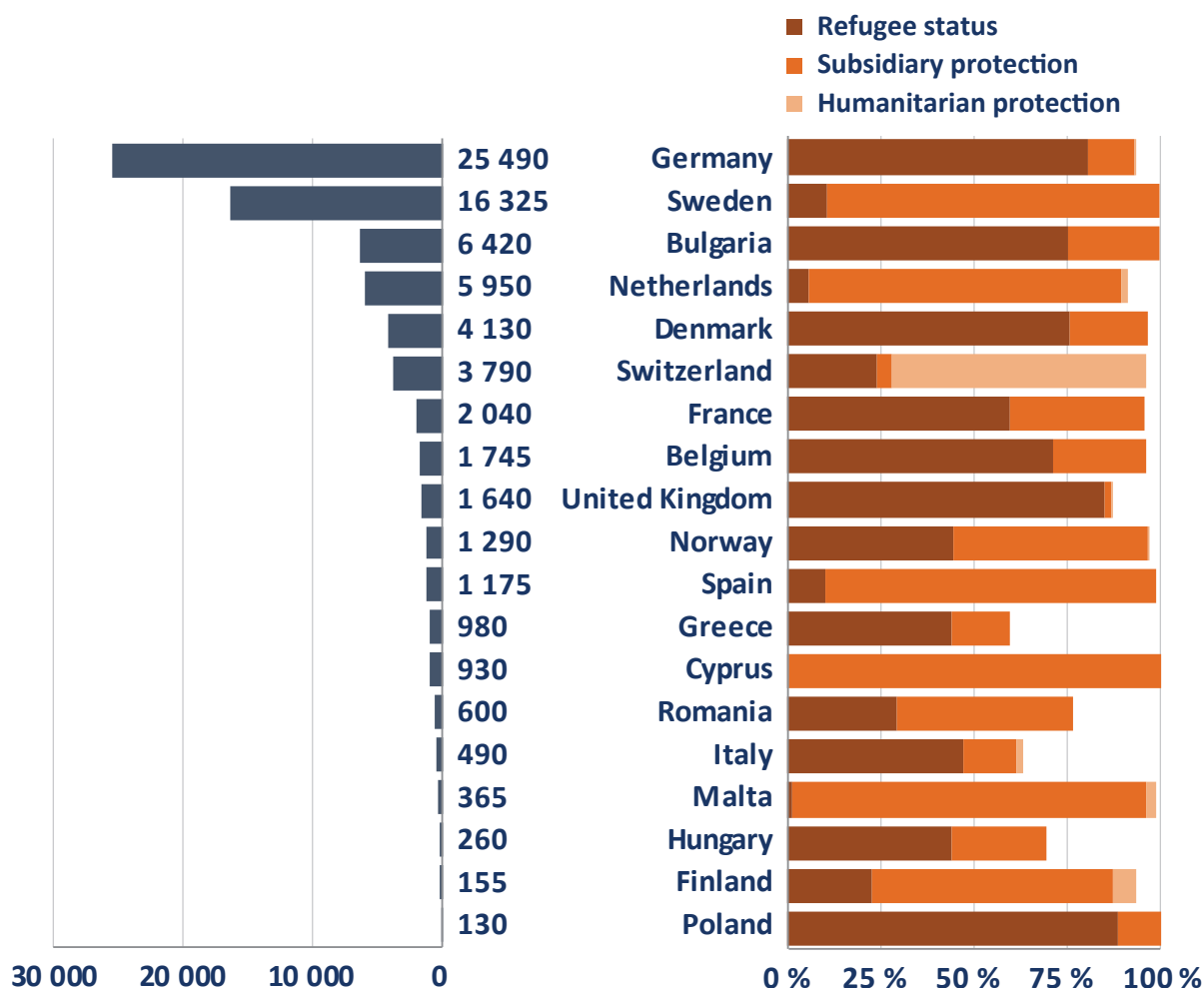
While Syrian applicants were registered in all EU+ countries in 2014, Germany and Sweden were the main receiving countries, taking 56 % of the total. However, significant numbers of Syrians apply across the EU+: Syria was in the top 3 of countries of origin for 20 states in 2014. As in previous years, Syrian applicants consisted primarily of first-time applicants. During 2014, the number of Syrian applicants registered each month in the EU+ rose from 6 265 in February to a high of 17 425 in September before decreasing again in the last quarter. This decrease is most likely related to the lower numbers of arrivals by sea at this time of the year.

**Map 3: German and Sweden were the main receiving countries of Syrian applicants.**  
**Distribution of Syrian asylum applicants in the EU+, 2014**



While almost all first instance decisions issued to Syrian applicants were positive across EU+ countries, there was significant variation in the type of protection granted: in the United Kingdom, Poland, Germany, Denmark, and Bulgaria, for example, Syrians were mainly granted refugee status, while in Cyprus, Malta, the Netherlands, Spain, and Sweden, Syrians were most commonly granted subsidiary protection status. In France, Hungary, and Norway, there was a roughly equal distribution between refugee status and subsidiary protection. Switzerland mainly grants humanitarian protection to Syrians.

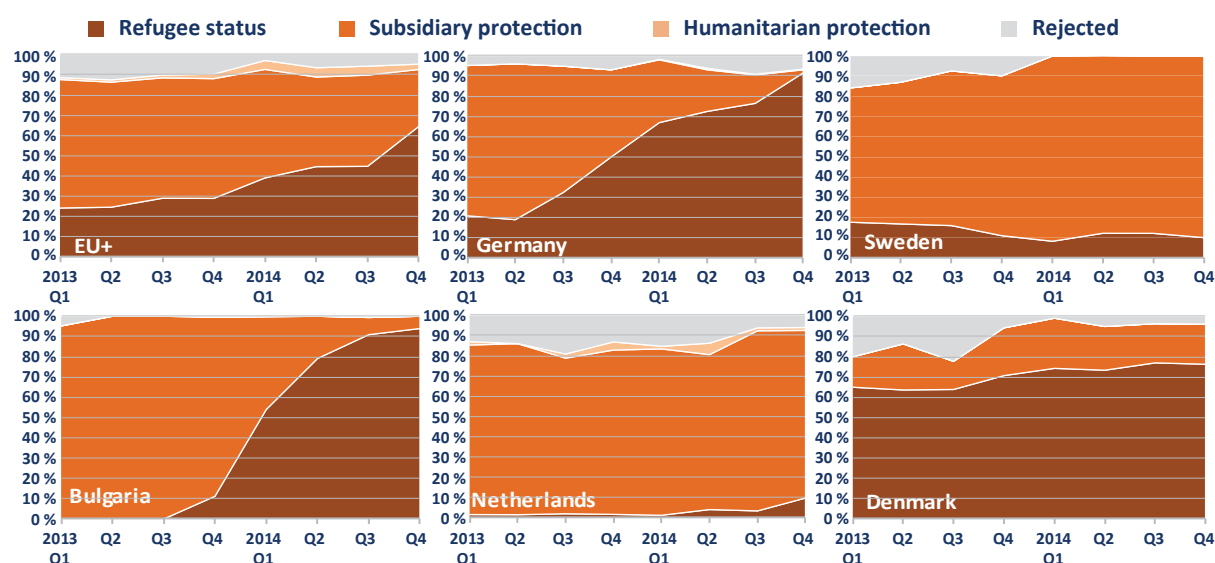
**Figure 25: Syrians mainly granted refugee status in UK, Poland, Germany, Denmark and Bulgaria.**  
**First instance decisions in EU+ countries, 2014** **Type of decisions in EU+ countries, 2014**



As the graphs above illustrate, the use of legal regimes can be different among EU+ countries. The type of protection granted to applicants in each EU+ country can also change over time. In the case of Syrian applicants, the vast majority of whom have obvious protection needs, EU+ countries continue to use different legal regimes when affording protection to applicants. This would indicate that Syrian cases are in need of more harmonised practice in choice of legal regime within the CEAS. Nevertheless, the different applicant profiles for any country of origin mean that aggregate statistics can obscure the measurement of true differences in decision practices, which can only be fully examined through the grouping of individual cases.

In parallel, it raises a more general question on the relationship between refugee status and subsidiary protection as two forms of international protection regulated under EU law. The definition of subsidiary protection in the EU *acquis* implies a sequence: that eligibility for subsidiary protection should be assessed after it has been established that a person does not qualify as a refugee. That aspect is particularly valid in light of a single uniform procedure where the assessment of both forms of protection is done by one authority in one procedure. However, it should be noted that some EU+ countries apply a single status system where content of protection is actually identical for refugee status and subsidiary protection.

**Figure 26: Evolution of protection granted to Syrian applicants.**  
**Syria, evolution in EU+ and 5 selected countries, by type of decision, Q1 2013 – Q4 2014**



Information gathered by EASO during a recent Practical Cooperation conference indicates that individual countries take different approaches toward Syrian cases: some apply a blanket policy for the whole country (whereby upon establishing Syrian citizenship, applicants receive protection, mostly in the form of subsidiary protection), while others will look more into personal circumstances. In some Member States, the assessment of protection needs depends on analysis of specific aspects of COI such as number of fatalities, security incidents, and arbitrariness of violence and how widespread it is. In October 2014 UNHCR issued a third update of its *International Protection Considerations with regard to people fleeing the Syrian Arab Republic*<sup>(110)</sup><sup>[1]</sup>, in which it pleads for a more generous granting of refugee status.<sup>(111)</sup>

Despite the high number of decisions issued to Syrian applicants (74 135) in the EU+ during 2014, the increase in numbers of applicants received led, at the end of December 2014, to a stock of 61 315 pending cases in EU+ countries and Syrians represented the largest single nationality caseload recorded in the EU+ countries since 2008. Compared to the situation as of December 2013, the increase in the stock of Syrian pending cases in EU+ countries mirrored the influx of applicants received during 2014, growing in Germany (+166 %), Sweden (+177 %), Denmark (+3 900 %), France (+ 157 %), Switzerland (+25 %), Hungary (+345 %), and Norway (+241 %).

The situation of Syrian applicants and beneficiaries of international protection was analysed by UNHCR<sup>(112)</sup> who noted issues on access to territory and protection, reception conditions, and type and content of protection granted as some of the key challenges faced by Syrian refugees in the EU+ countries in 2014 despite the positive efforts of many states.

## 2.8.2. Afghanistan

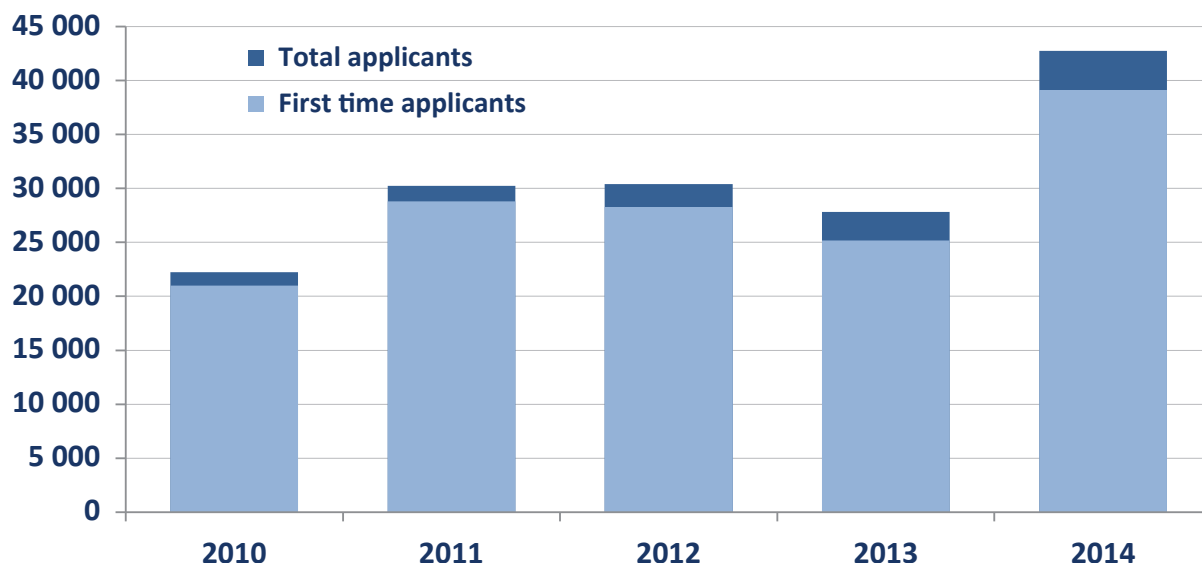
Afghanistan has been a main country of origin of applicants at EU+ level with high numbers of applicants reported since data collection began in 2008. A total of 42 745 Afghan applicants were registered in 2014 which marks a 54 % increase compared to 2013. This inflow was characterised by a large number of Unaccompanied Minors (UAM) applicants (6 155), 14 % of the overall inflow of Afghan applicants. Afghanistan was the largest country of origin of UAMs in the EU+ in 2014.

<sup>(110)</sup> [1] UN High Commissioner for Refugees (UNHCR), *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update III*, 27 October 2014, available at: <http://www.refworld.org/docid/544e446d4.html> [accessed 8 April 2015].

<sup>(111)</sup> UN High Commissioner for Refugees (UNHCR), *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update III*, 27 October 2014, available at: <http://www.refworld.org/docid/544e446d4.html> [accessed 8 April 2015].

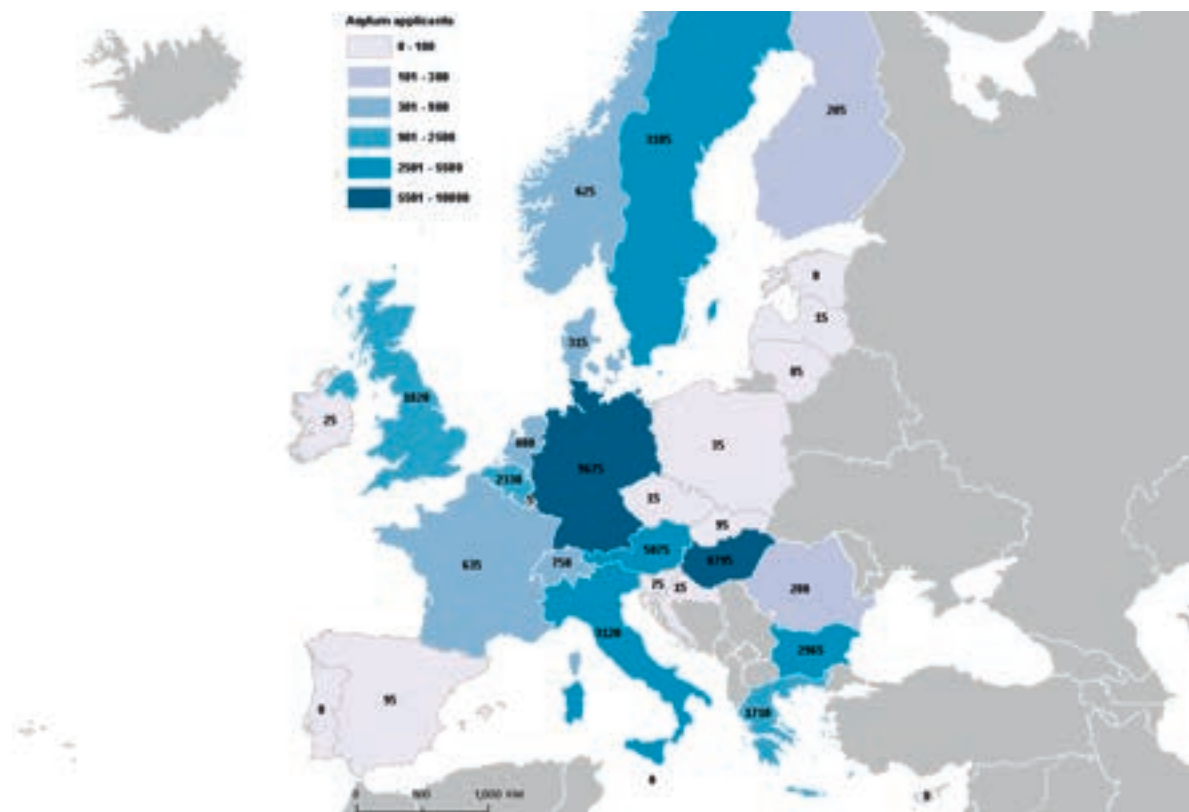
<sup>(112)</sup> UNHCR, *Syrian refugees in Europe: What Europe Can Do to Ensure Protection and Solidarity* (July 2014), available at: <http://www.refworld.org/docid/53b69f574.html>.

**Figure 27: Afghanistan was a main country of origin for applications at EU+ level.  
Afghan asylum applicants in the EU+, 2010-2014**



Compared to the distribution of Afghan applicants across the EU+ in 2013, the main change in 2014 concerns Bulgaria, Hungary, and Austria where the number of Afghan applicants registered has increased by 856 %, 277 % and 96 % respectively. Germany remained the main destination country of Afghan applicants, receiving 23 % of all Afghan applicants in the EU+.

**Map 4: Germany remained the main EU+ destination for Afghan applicants.  
Distribution of Afghan asylum applicants in the EU+, 2014**



First instance decisions issued to Afghans are very different across EU+ countries. At EU+ level, the recognition rate of Afghan applicants in 2014 was 65 %. However there was a large spread in this rate across EU+ countries,

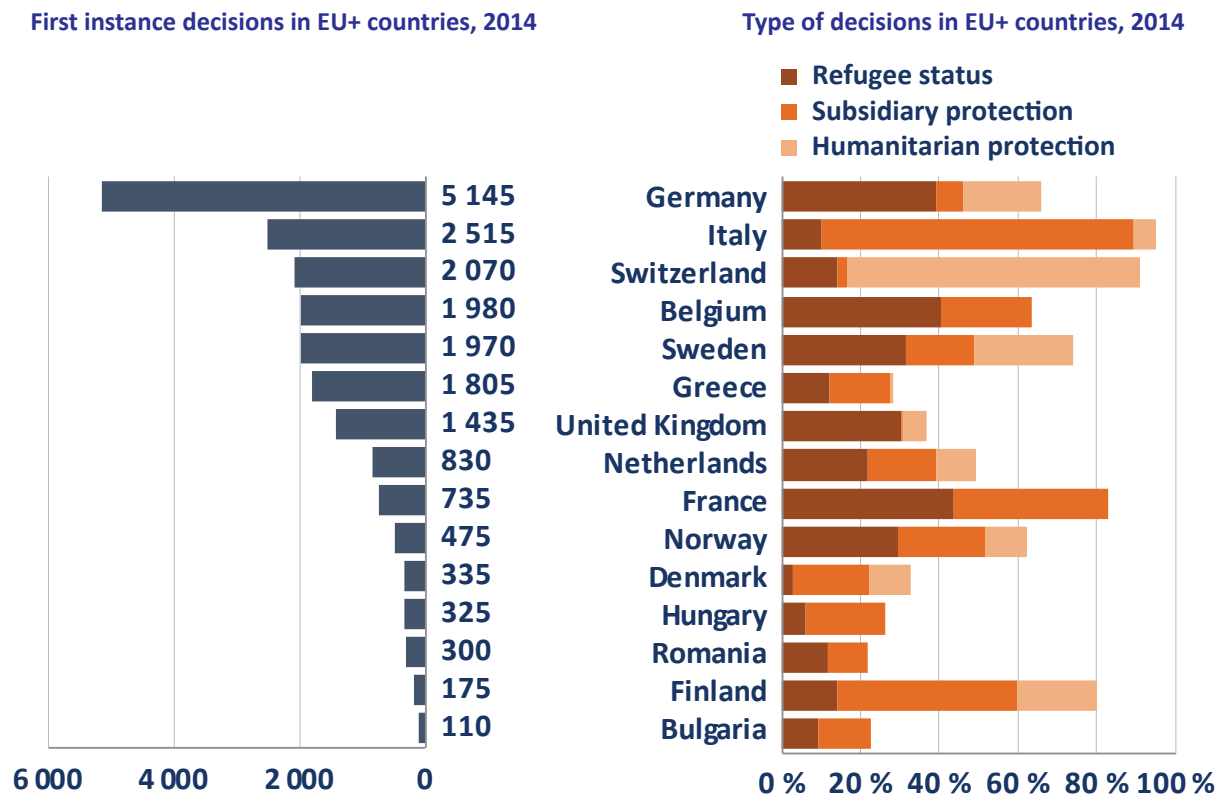


ranging from 22 % to 95 %. Even for reporting countries with a similar recognition rate, large differences can be observed in the type of protection granted. Such variation probably underlines the existence of various profiles of Afghan applicants as well as possible divergences in the interpretation of similar ground across EU+ countries.

When focusing specifically on the granting of subsidiary protection status to Afghan applicants, information gathered by EASO during a Practical Cooperation meeting in March 2015 indicates that there are significant differences in the interpretation of relevant provisions in the EU *acquis*. Some EU+ countries provide subsidiary protection based on the general situation of armed conflict and indiscriminate violence in Afghanistan. Other EU+ countries require individual elements to be established before granting subsidiary protection. A number of countries make a regional differentiation (mostly at provincial level) in their policy while others do not.

A difficulty mentioned by EU+ countries is the establishment of the Afghan citizenship or origin of applicants. Doubt regarding the applicant's statements in this context is an important factor precluding the granting of protection.

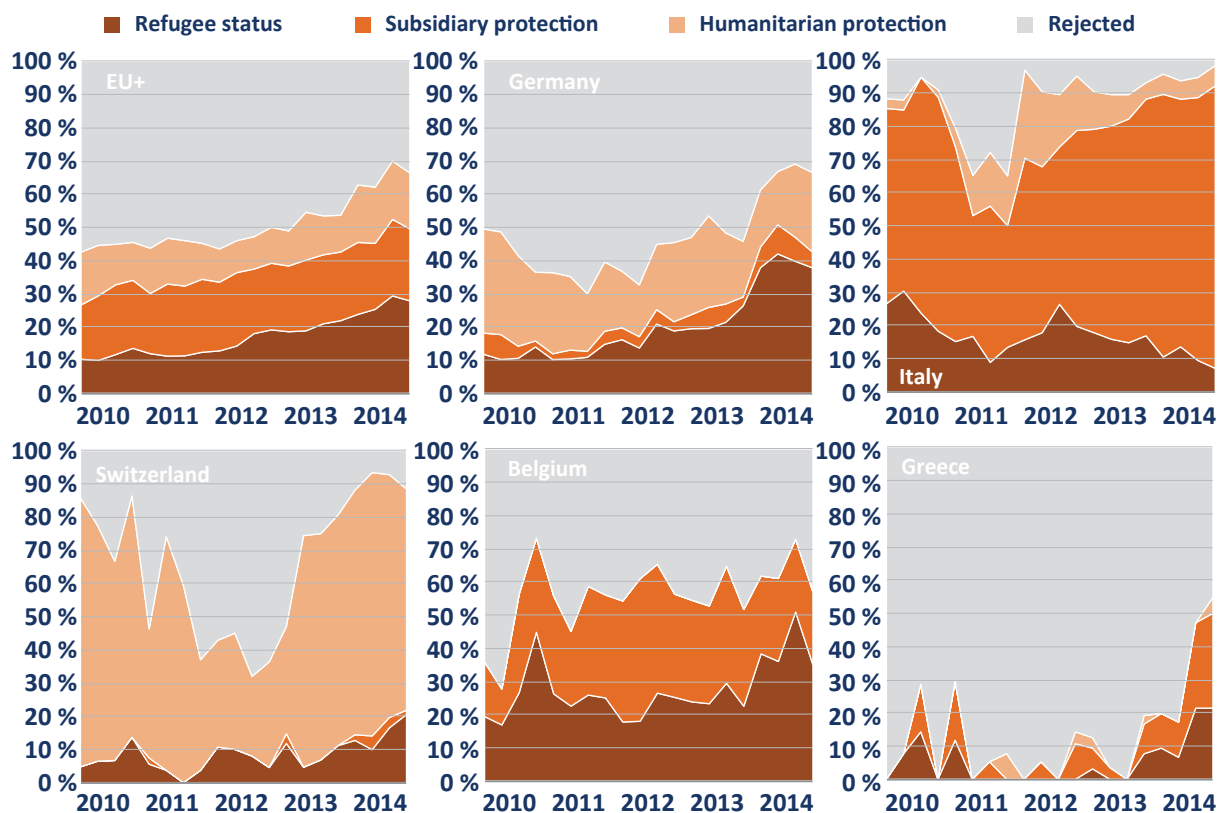
**Figure 28: The recognition rate increased from 44 % in 2010 to 65 % in 2014.**



The chart in Figure 28 focuses on the evolution in the type of legal regime used when granting protection to Afghan applicants since 2010. At EU+ level, there has been a noticeable increase in the recognition rate which went from 44 % in 2010 to 65 % in 2014 and was primarily driven by a larger proportion of refugee status granted. This development is also noticeable at country level in particular in Germany and Belgium. In Italy, a contrary phenomenon occurred with the proportion of refugee status granted falling and subsidiary protection rising. As for Switzerland, although the proportion of refugee statuses granted has been growing, the vast majority of positive decisions issued to Afghan applicants still mainly consist of humanitarian protection. In Greece, the recognition rate rose from 7 % in 2010 to 28 % in 2014 as the new Greek Asylum Service took over (June 2013) from the Asylum Unit of the Hellenic Police as the first instance body and the historical backlog of cases were dealt with.

Due to the developments in Afghanistan throughout 2014 and at the beginning of 2015, several EU+ countries have reconsidered their subsidiary protection policy for different regions of the country. All of these countries broadened their protection policy in a geographical sense, meaning that they assessed the security situation as worsening in more regions of Afghanistan.

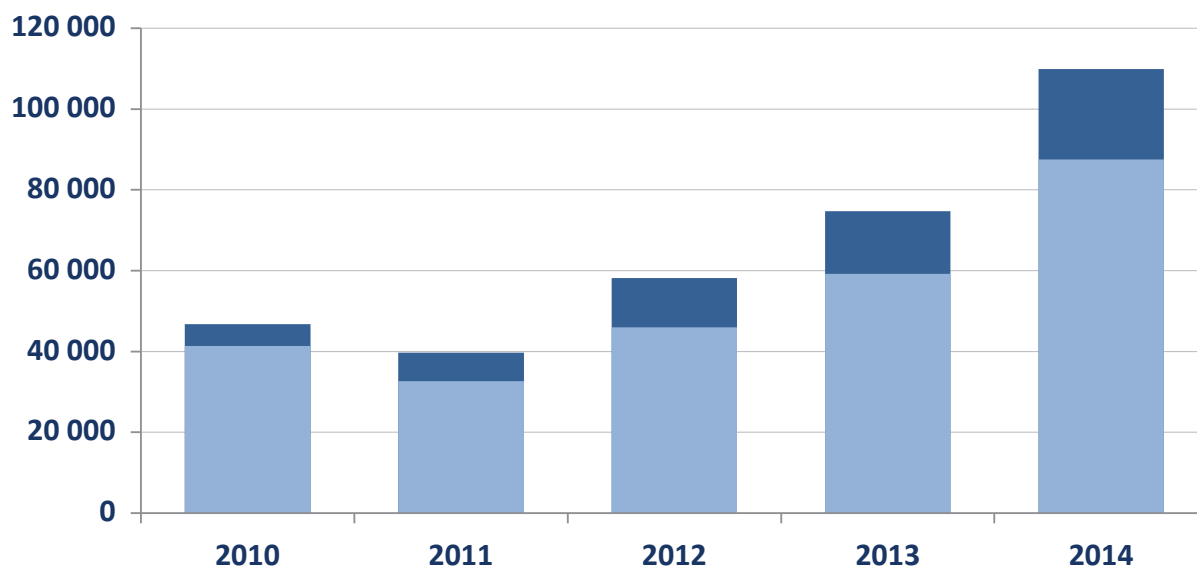
**Figure 29: Evolution of protection granted to Afghan applicants.**  
Afghanistan, evolution in EU+ and 5 selected countries, by type of decision, Q1 2013 – Q4 2014



### 2.8.3. Western Balkans

With the exception of a slight decline in 2011, the overall number of applicants in the EU+ from the Western Balkan countries has been increasing since 2008 and in 2014 rose to about 110 000 applicants, 17 % of all applicants registered in the EU+ over the same period.

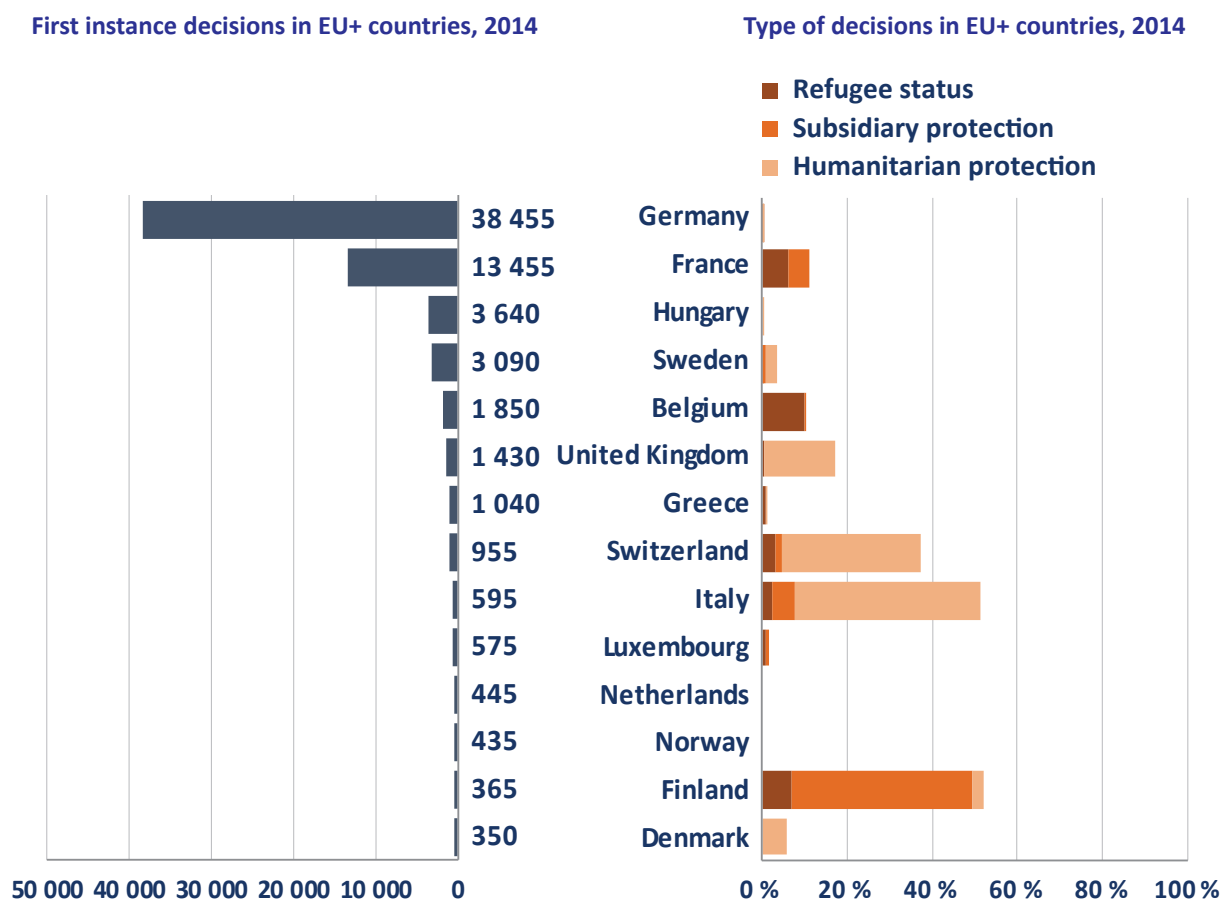
**Figure 30: Western Balkans applications reached a new high in 2014.**  
Western Balkan applicants in the EU+, 2010-2014





Until 2013 there was a strong seasonality of the Western Balkan influx. The number of applications from citizens of Serbia, the former Yugoslav Republic of Macedonia and, to a lesser extent, Bosnia and Herzegovina has changed with a seasonal effect, typically rising towards the latter part of the year but declining again in winter. The increase recorded in the last quarter of 2014 was largely driven by Kosovars, whose flows have historically been less seasonal and more prone to abrupt changes. As the chart in Figure 32 shows, the influx of Kosovar applicants since October 2014 dominated the more regular flow from the other Western Balkan countries.

**Figure 33: Western Balkan applicants have one of the lowest recognition rates in first instance.**



At EU+ level, the recognition rate for Western Balkan applicants was 4.8 % in 2014. Although Western Balkan applicants have one of the lowest recognition rates in first instance of any countries of origin at EU+ level, the rate varied depending on the destination country from 0 % to 52 %. In certain countries a significant number of Western Balkan applicants are granted protection in the form of refugee status, subsidiary protection, or the authorisation to stay for humanitarian reasons.

In Italy, Switzerland, and the United Kingdom, these higher recognition rates can be explained by the use of humanitarian status defined in national law. For Switzerland, this rise relates to efforts made by the authorities to reduce the number of older pending cases, which often resulted in granting a temporary admission (humanitarian status) primarily motivated by the long stay in the country. In Finland's case, however, most of the positive decisions issued related to subsidiary protection granted to Kosovars and to a lesser extent Albanians.

As outlined in EASO's 2013 report *Asylum Applicants from the Western Balkans: comparative analysis of the trends, push-pull factors and responses*<sup>(113)</sup> the basis of most claims for international protection made by Western Balkan nationals were the poor economic situation and the societal problems experienced by particular ethnic groups. Though the recognition rate of Western Balkan applicants in first instance was particularly low, a number of Western Balkan applicants were granted protection in the form of refugee status, subsidiary protection, or

<sup>(113)</sup> Available at: <https://easo.europa.eu/wp-content/uploads/BZ0213708ENC.pdf>.

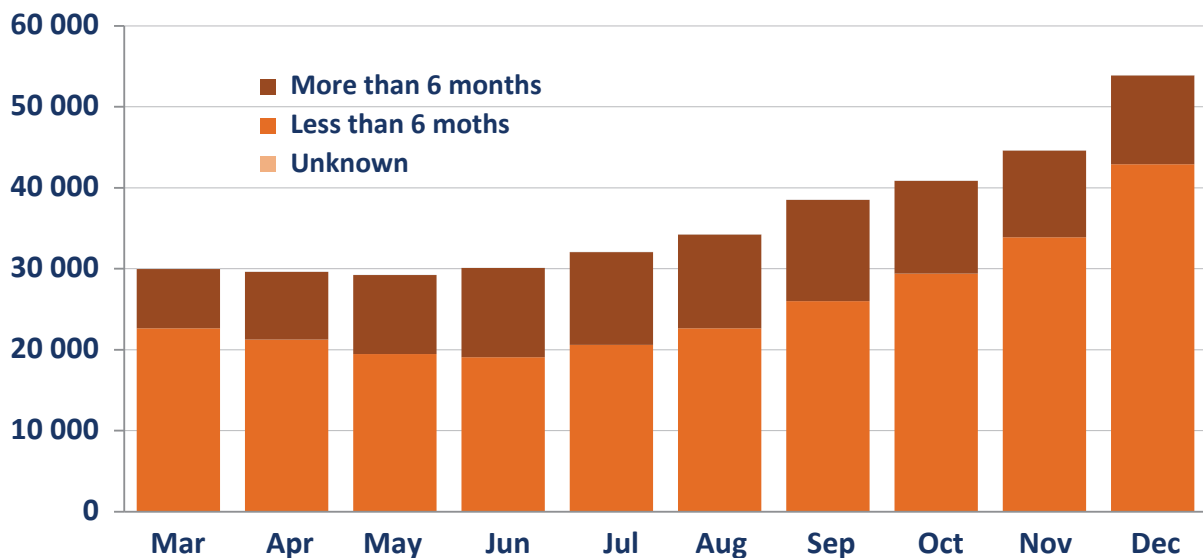
authorisation to stay for humanitarian reasons in the EU+. Input received from the main destination countries in early 2015 indicates that the grounds brought forward by beneficiaries of protection related to issues such as vendettas, family disputes, sexual orientation, or domestic or inter-ethnic violence.

As illustrated in Figure 8 (section 2.2. on Pending Cases) at the end of 2014, the stock of Western Balkan applicants awaiting a final decision formed the largest group of pending cases in the EU+ with 77 065 cases, more than Syrian applicants (61 315 applicants awaiting a final decision). The size of this pending stock highlights the strain that applicants from the Western Balkans represent on the EU+ asylum system.

Despite the measures taken by EU+ countries to reduce the processing time of Western Balkan applicants and diminish benefits related to the asylum or return procedure (according to the possibilities provided by their national law), EPS figures indicate that a large number of Western Balkan cases are still awaiting a first instance decision for more than six months. At the end of December 2014, there were nearly 19 000 such cases.

**Figure 34: Nearly 19 000 Western Balkans cases had been awaiting a decision for more than 6 months in December 2014.**

**Stock of Western Balkan pending cases in first instance by pending duration in the EU+, 2014**



Source: EPS data, March 2014–December 2014.

EASO produced an updated report, *Asylum applicants from the Western Balkans: Comparative analysis of trends, push-pull factors and responses*, in the summer of 2015. <sup>(114)</sup>

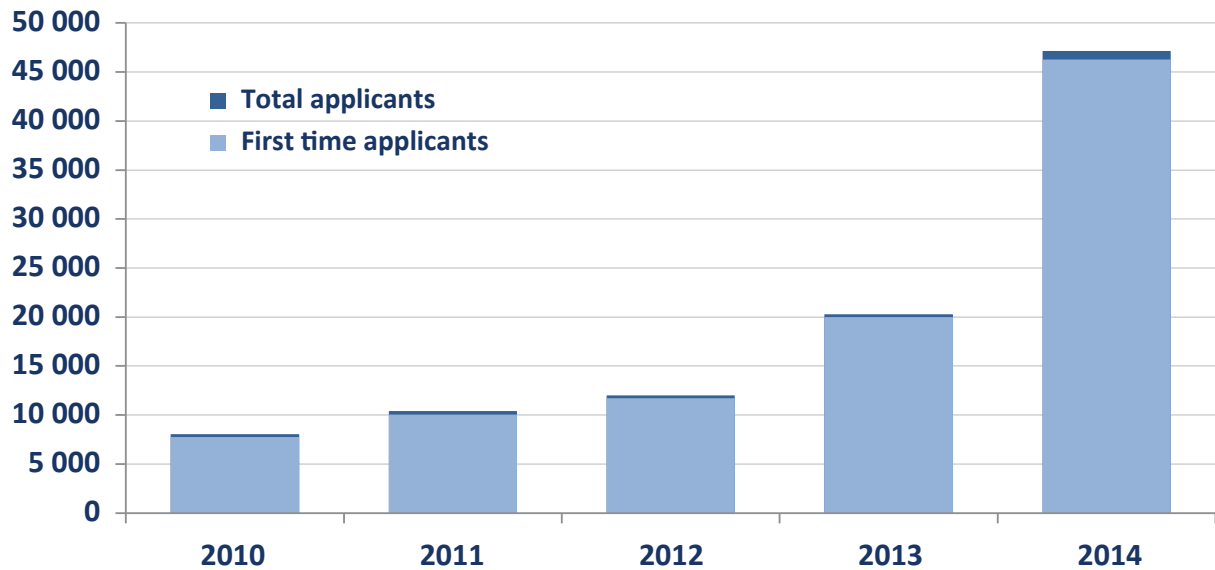
#### 2.8.4. Eritrea

Between 2013 and 2014, the number of Eritrean applicants in the EU+ more than doubled, rising from 20 295 applicants registered in 2013 to about 47 140 in 2014, a 132 % increase.

While in 2013 there was a significant increase of Eritrean applicants arriving in EU+ countries during the second half of the year, 2014 was characterised by a strong rise in applicants throughout the second quarter, reaching a high of 7 875 registered in the month of July. In the latter half of 2014, the inflow of Eritreans diminished each month, falling to about 1 855 applicants in December 2014.

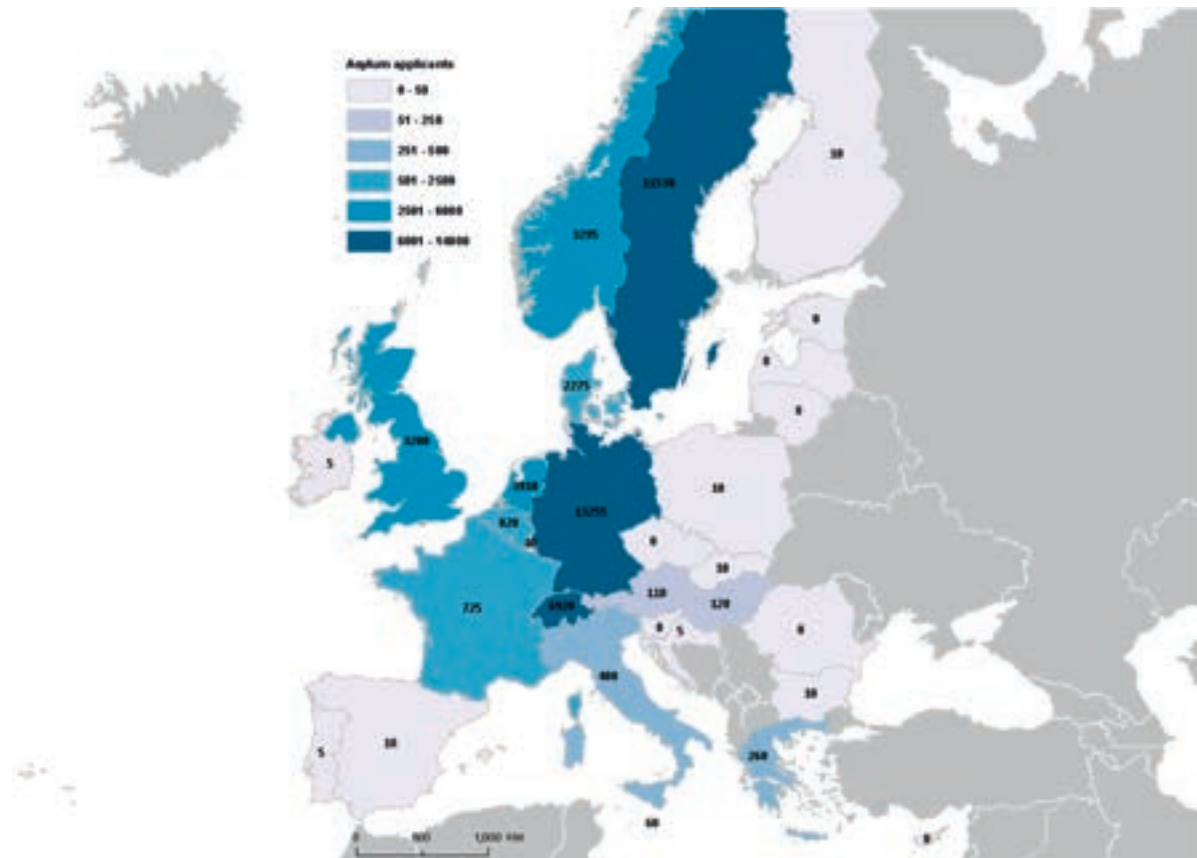
<sup>(114)</sup> [https://easo.europa.eu/wp-content/uploads/Asylum-Applicants-from-the-Western-Balkans\\_Update\\_r\\_May-2015.pdf](https://easo.europa.eu/wp-content/uploads/Asylum-Applicants-from-the-Western-Balkans_Update_r_May-2015.pdf).

**Figure 35: Eritrean applicants more than doubled between 2013 and 2014.**  
Eritrean asylum applicants in the EU+, 2010-2014



Almost all Eritrean applicants registered in 2014 were first-time applicants (98 %). There was also a large number of UAM applicants; 4 475 registered in 2014. This represented the second-largest group of UAM applicants recorded in the EU+ after Afghans (6 155 claimed UAMs registered in 2014).

**Map 5: The highest concentration of Eritrean applicants was in Germany and Sweden.**  
Distribution of Eritrean asylum applicants in the EU+, 2014

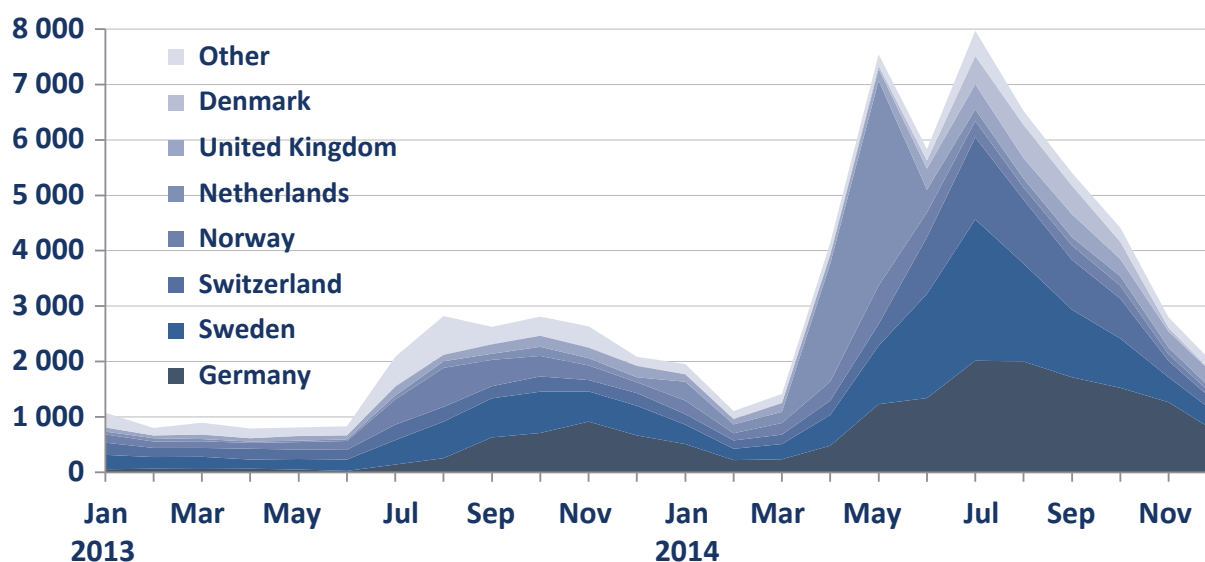


According to information provided by Frontex during the EASO Practical Cooperation meeting, there appeared to be a high correlation between arrivals of Eritrean irregular migrants and applications for international protection. Regarding irregular entry into the EU, the vast majority of Eritreans came via the Central Mediterranean route<sup>(115)</sup>, usually departing from Libya and arriving in Italy. They did not, however, apply for asylum there, usually travelling farther north to lodge their applications. On this route, Eritreans were the second-largest group of irregular migrants detected during 2014 after Syrians.

In the first half of 2014, preliminary findings showed clear indications of substantive involvement of human smugglers in the influx of Eritrean nationals which was also manifested in some sudden shifts in destination countries.

In 2014, the Netherlands and Norway were the first EU+ countries to report significant increases of Eritrean applicants, in April and May, while most EU+ countries recorded the highest number of Eritrean applicants in July. In Denmark, however, the highest level of Eritrean applicants was reached in August.

**Figure 36: The second half of 2014 saw a sharp rise and fall in Eritrean applicants.**  
Eritrean asylum applicants, by EU+ country, January 2013 - December 2014



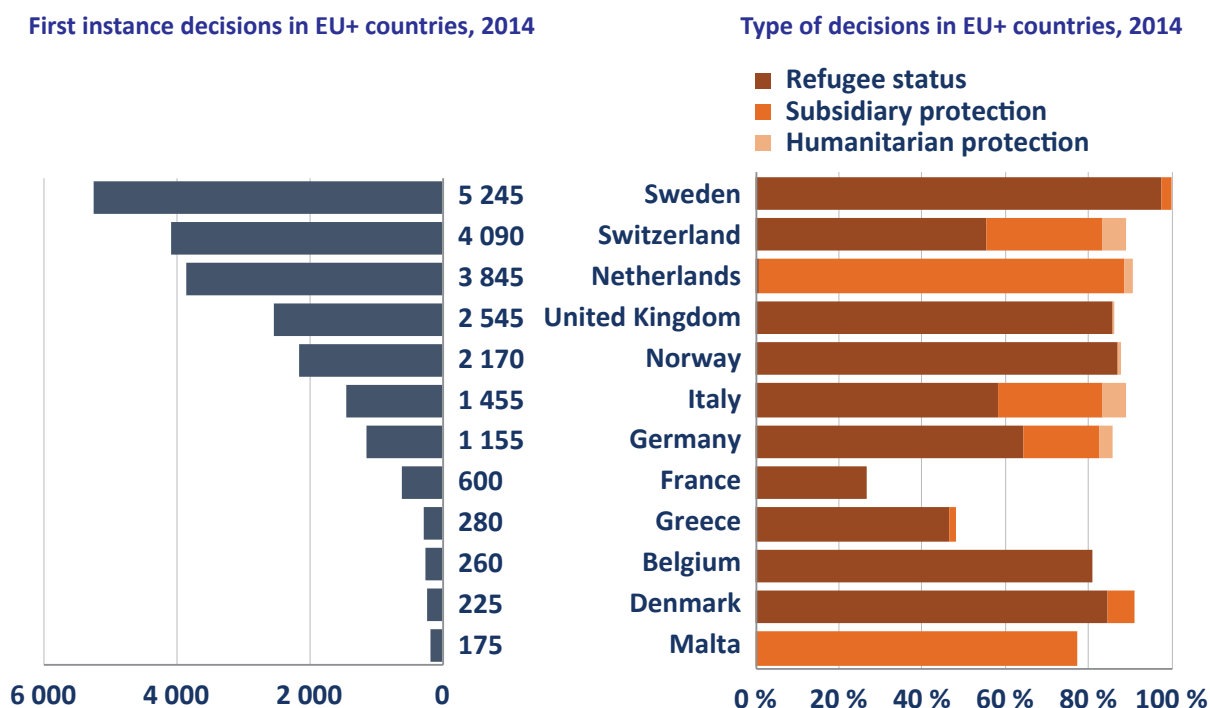
The sharp increase in the flow of Eritrean applicants in the first half of 2014, and the decrease thereafter, seems to be primarily related to the dynamics of travel routes and asylum policy in Europe, rather than changes in the situation within Eritrea, although the available information is inconclusive.

The first-instance recognition rate for Eritrean applicants in the EU+ was 89 % in 2014, with most EU+ countries issuing mainly positive decisions to Eritrean applicants. However, there were notable exceptions, such as France and Greece<sup>(116)</sup>, which reported recognition rates at first instance of 27 % and 48 %, respectively.

From information gathered in the EASO Practical Cooperation meeting, the grounds submitted by Eritrean applicants were similar in most EU+ countries, and included: open-ended national service (deserters, draft evaders, or their family members); fear of persecution on the basis of their religion (e.g. Jehovah's witnesses, Pentecostals, etc.) as well as facing the consequences of illegal departure in case of return. Quite often, several possible grounds were combined in one application.

<sup>(115)</sup> Central Mediterranean route: This route refers to the migratory flow coming from Northern Africa towards Italy and Malta through the Mediterranean Sea. Here, Libya often acts as nexus point where migrants from the Horn of Africa and Western African routes meet before embarking on their journey towards the EU.

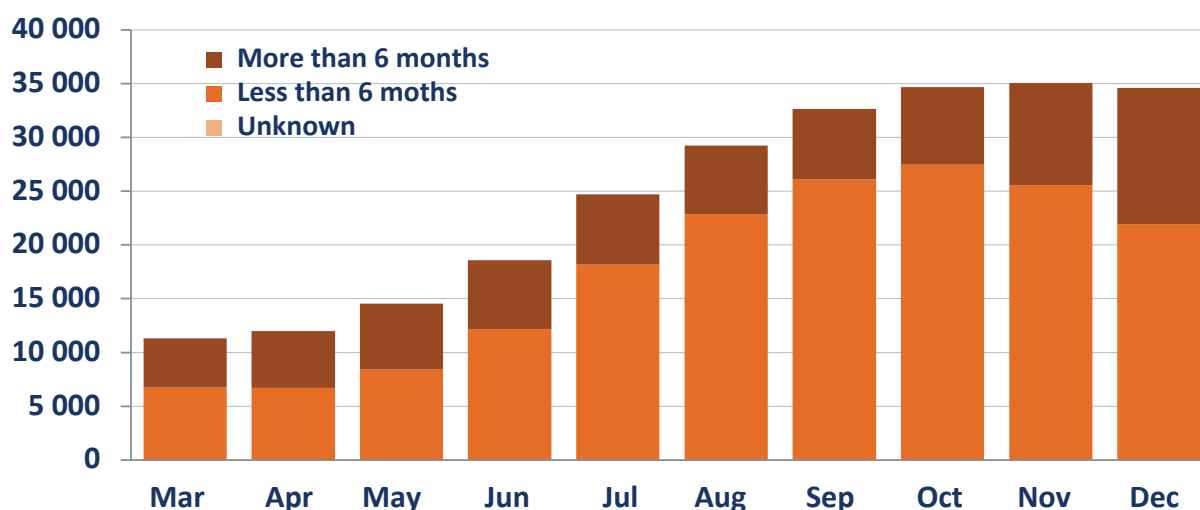
<sup>(116)</sup> In accordance with EUROSTAT guidelines, annual statistics for Greece for 2014 include merged data for the Hellenic Police and the Asylum Service. For the Asylum Service out of a total number of 259 Eritrean applicants, the recognition rate was 76.9 % at first instance; for the Hellenic Police, in 2014, out of a total number of 100 backlog cases of Eritrean applicants examined at first instance, the recognition rate was 0 %. However, 2014 is the last year that such discrepancies occur since the competent authority of the Hellenic Police has cleared its first instance backlog since the end of December 2014.

**Figure 37: Type of protection granted to Eritreans varied across EU+ countries.**

While the recognition rate was generally high, the choice of the type of protection granted differed across EU+ countries. Some primarily used refugee status (e.g. Sweden, United Kingdom, Norway, Denmark, and Belgium), while others granted subsidiary protection (e.g. the Netherlands) or used both refugee status and subsidiary protection (e.g. Switzerland, Germany, and Italy).

Although the inflow of Eritrean applicants in the EU+ has fallen since August 2014, the stock of pending cases increased throughout this year to reach about 36 000 throughout the last quarter of 2014 – possibly indicating difficulties in making decisions on Eritrean applications. At the end of December 2014, 81 % of all pending cases in the EU+ were in Germany, Sweden, and Switzerland.

This interpretation is supported by EPS data which reveals an increase in the duration in the pending caseload. Since August 2014, the number of Eritrean cases pending at first instance for more than 6 months in the EU+ doubled from 6 399 to 12 672 at the end of December 2014 (the darker portion of the bars in Figure 38).

**Figure 38: Rise in duration of pending cases for Eritreans applicants**  
**Stock of Eritrean pending cases in first instance by pending duration in the EU+, 2014**

Source: EPS data, March 2014–December 2014



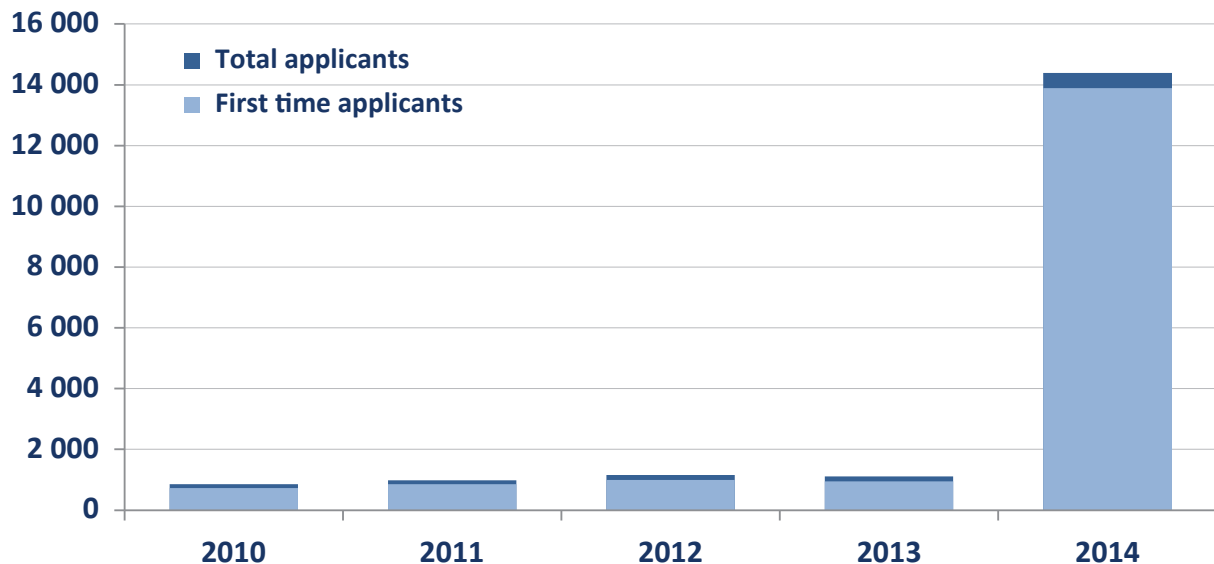
EASO will also publish a joint COI report authored by Switzerland and peer-reviewed by experts in the Eritrea COI Specialist Network in the summer of 2015.

### 2.8.5. Ukraine

In 2014 the number of Ukrainian applicants to EU+ countries rose to 14 390, a 13-fold increase compared 2013 when 1 120 applicants were lodged. The rise was linked to the deterioration of conditions in Ukraine and in particular in Crimea and the Eastern region of Donetsk and Lugansk.

As a result, in 2014 the highest level of Ukrainian applicants was recorded in the EU+ since the beginning of data collection at EU level in 2008. However, the figure should be put in perspective with the 264 777 applications lodged by Ukrainians in the Russian Federation since the beginning of the conflict<sup>(117)</sup>.

**Figure 39: The highest number of Ukrainian applicants was recorded last year.**  
Ukrainian applicants for international protection in the EU+, 2010-2014

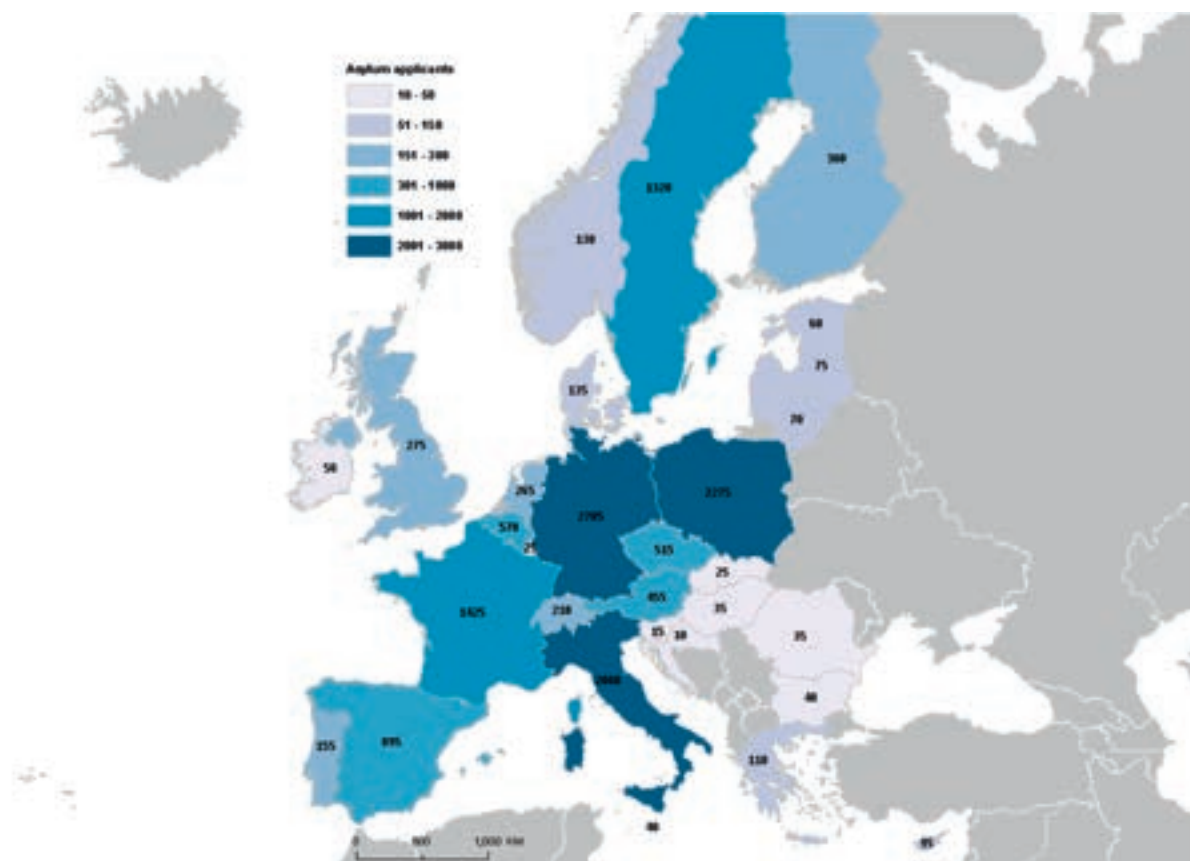


Coinciding with the signature of the Minsk Protocol on 5 September 2014 and the victory of pro-Western parties in the election that took place in October 2014, the flow of applicants subsided from October 2014 until the end of the year.

While applicants from many countries of origin typically seek international protection in only a few EU+ countries, applications from Ukrainians were very widespread and more than 500 were registered in 2014 by Germany, Poland, Italy, France, Sweden, Spain, Belgium, and the Czech Republic.

<sup>(117)</sup> As of 4 February 2015, extracted from UHNCR Operational Update on Ukraine situation 6 February 2015, available at: <http://www.refworld.org/docid/54da0ef04.html>.

**Map 6: Ukrainian applications were widespread across the EU+ countries.  
Distribution of Ukrainian applicants for international protection in the EU+, 2014**

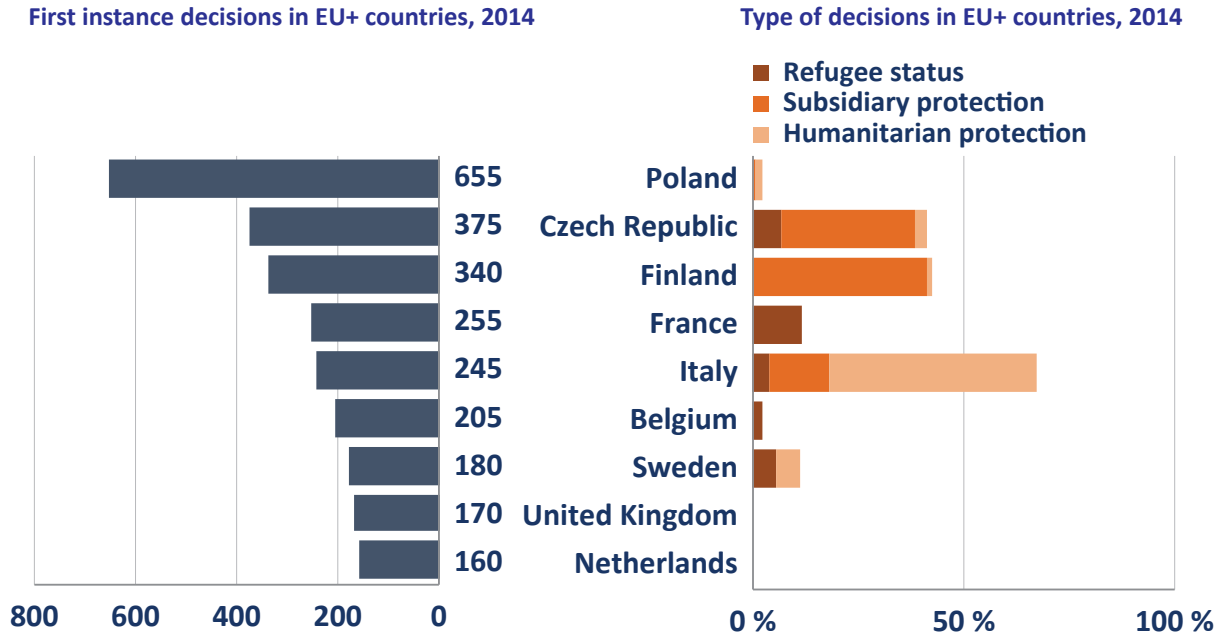


Of these, a large majority were new arrivals in 2014, despite a significant number of ‘sur place’ applications made in certain countries at the start of the conflict. At the dedicated EASO Practical Cooperation meeting held on Ukraine, EU+ countries reported that most Ukrainian applicants arrived legally in the EU with short- or long-term visas. In some cases, their entry into the EU was facilitated by bilateral agreements between Ukraine and a number of neighbouring EU Member States. A large proportion of Ukrainian applicants chose to stay with family and friends and only applied for international protection after their visas expired.

The majority of Ukrainian applicants in the EU+ related directly to the conflict in Donetsk and Lugansk. These were mostly from people originally from non-government controlled areas who fled the violence and claimed to have not been able to settle and sustain themselves in another region in Ukraine. Many cited not only a lack of access to accommodation, health care, work, and education, but also serious forms of discrimination because of their perceived association with pro-Russian rebels. A second important profile was that of draft-evaders, deserters, and those avoiding general mobilisation into the Ukrainian army. In July 2014, UNHCR issued an update of their *International Protection Considerations Related to the Developments in Ukraine* <sup>(118)</sup>.

<sup>(118)</sup> UN High Commissioner for Refugees (UNHCR), *International Protection Considerations Related to the Developments in Ukraine – Update I*, 1 July 2014, available at: <http://www.refworld.org/docid/53b29ad44.html>, [accessed 8 April 2015].

**Figure 40: The recognition rate for Ukrainians in the EU+ was 21 %.**

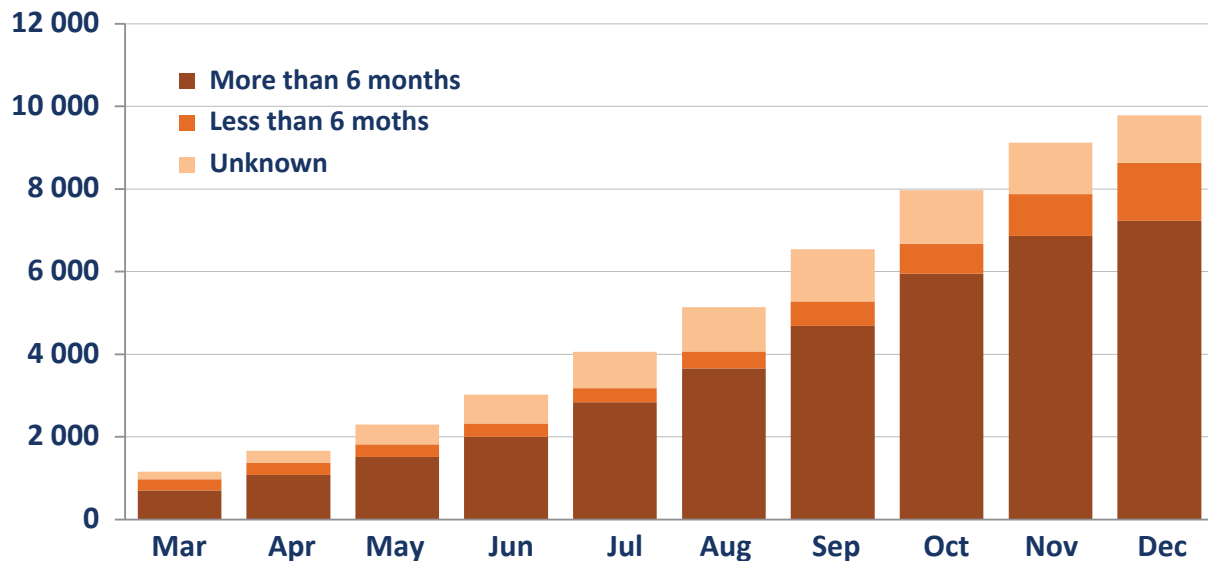


Based on first instance decisions issued in 2014, the recognition rate of Ukrainian applicants in the EU+ was 21 %. However, there was a large disparity in the recognition rates across EU+ countries having issued more than 100 decisions in 2014, which ranged between 0 % and 67 %. These differences might be related to the practice of certain Member States to prioritise and only treat part of the Ukrainian caseload. Some EU+ countries treated Ukrainians cases with the lowest priority, or only processed non-conflict related applications, which may explain why the number of decisions issued to Ukrainians remained low relative to the number of applicants.

According to Eurostat data, at the end of December 2013, there were only 885 Ukrainian applicants awaiting a final decision on their case in the EU+. By the end of December 2014, this figure had risen to 10 095 cases. In other words, at least 64 % of the Ukrainian applicants who had lodged an application for international protection in the EU+ were still awaiting a decision on their case at the end of December 2014.

Information collected in the framework of the EPS showed also an increase in the number of cases of Ukrainian applicants awaiting a first instance decision for more than 6 months: 1 403 cases at the end of December 2014.

**Figure 41: Rise in Ukrainian applicants awaiting a decision for more than 6 months. Stock of Ukrainian pending cases in first instance in the EU+, by duration pending, 2014**



Source: EPS data, March 2014–December 2014.

Throughout 2014, UNHCR reported regular increases in the number of internally displaced persons. Based on the update as of 10 April 2015, there were an estimated 1 123 000 internally displaced Ukrainians, suggesting that the situation in the country of origin remains difficult.

## 3. Major developments in 2014

### 3.1. Important developments at EU level in the field of asylum

#### 3.1.1. Legislative: transposition and entry into force of recast instruments

The 2013 Annual Report (in particular section 3.1.1. *Legislative: completion of CEAS*) elaborated in detail on changes brought to the asylum package by the recast instruments adopted in 2013 – recast Reception Conditions Directive<sup>(119)</sup>, recast Asylum Procedures Directive<sup>(120)</sup>, recast Dublin Regulation<sup>(121)</sup>, and the recast Eurodac Regulation<sup>(122)</sup>.

The two recast regulations entered into force on 19 July 2013 and are directly applicable in the countries bound by them<sup>(123)</sup> without any transposition needed into the national legal frameworks of the Member States. The recast Dublin Regulation is applicable to applications for international protection lodged as of 1 January 2014 and to all requests to take back or take charge from 1 January 2014, whereas the recast Eurodac Regulation will be applicable from 20 July 2015. An amended Dublin Implementing Regulation<sup>(124)</sup> was adopted by the Commission on 30 January 2014 and is applicable from 9 February 2014. In May 2014 the Commission published a proposal for Article 8 of the Dublin Regulation.<sup>(125)</sup>

The Member States who are bound by the recast directives<sup>(126)</sup> must transpose them into their national law by the general deadline of 20 July 2015.<sup>(127)</sup> Some provisions of the recast Asylum Procedures Directive<sup>(128)</sup> have a later deadline for transposition of 20 July 2018.

<sup>(119)</sup> 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 (recast).

<sup>(120)</sup> 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 (recast).

<sup>(121)</sup> 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 (recast).

<sup>(122)</sup> Regulation (EU) No 603/2013 of the European Parliament and of The Council of 26 June 2013 on the establishment of ‘Eurodac’ for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 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 and on requests for the comparison with Eurodac data by Member States’ law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (recast).

<sup>(123)</sup> The recast Dublin Regulation will be applied by all Member States, as well as Norway, Iceland, Liechtenstein and Switzerland. Ireland has not opted into the recast Eurodac Regulation and Denmark is not bound by it.

<sup>(124)</sup> Commission Implementing Regulation (EU) No 118/2014 of 30 January 2014 amending Regulation (EC) No 1560/2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national.

<sup>(125)</sup> Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 604/2013 as regards determining the Member State responsible for examining the application for international protection of unaccompanied minors with no family member, sibling or relative legally present in a Member State Brussels, 26.6.2014 COM(2014) 382 final 2014/0202 (COD) <http://ec.europa.eu/transparency/regdoc/rep/1/2014/EN/1-2014-382-EN-F1-1.Pdf>

<sup>(126)</sup> Denmark is not bound by the Directives. UK has opted out of both recast Directives and thus continues to be bound by the Asylum Procedures Directive (Directive 2005/85/EC) and the Reception Conditions Directive (Directive 2003/9/EC). Ireland has not opted into either recast Directive or into the Reception Conditions Directive (Directive 2003/9/EC) and thus continues to be bound only by the Asylum Procedures Directive (Directive 2005/85/EC).

<sup>(127)</sup> Nonetheless, as some of the provisions such as the ones on detention (e.g. ‘based on objective criteria defined by law’ - Art. 2 lit. n), or on an effective remedy (e.g. ‘For the purposes of appeals against, or reviews of, transfer decisions, Member States shall provide in their national law’ - Art. 27(3)) make a reference to national legislation of the MS, which leaves the Ms an option to regulate this specific issue at the national level.

<sup>(128)</sup> Article 31 (3)-(5) of the recast Asylum Procedures Directive concerning time limits for conclusion of the examination procedure at first instance.

## Recast Asylum Acquis in EU-28

- Recast Asylum Procedures Directive (2013) and recast Reception Conditions Directive (2013)
- Asylum Procedures Directive (2005) and Reception Conditions Directive (2003)
- Asylum Procedures Directive (2005)
- None



### 3.1.2. Jurisprudence

The changes in the asylum *acquis* and the challenges experienced with their practical implementation led to significant developments in the field of jurisprudence at EU level. This was reflected in the case law of the European courts – the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECtHR) – interpreting and applying legal instruments of the CEAS and other related instruments. <sup>(129)</sup>

The CJEU has a primary role in interpreting EU law to ensure it is correct and uniform. Specifically in the field of asylum, the CJEU fulfils its role by ensuring the consistent and harmonised application of the asylum *acquis* in all EU Member States (through preliminary rulings), as well as in the context of proceedings for failure by Member States to fulfil an obligation laid down in EU law (through infringement procedures) or even regarding cases where the legality of a piece of EU legislation is reviewed (through actions for annulment). In particular, the CJEU must safeguard the application of the Charter of Fundamental Rights of the EU, which establishes the right to asylum (Article 18) and provides for the prohibition of torture and inhuman or degrading treatment or punishment (Article 4), the protection in the event of removal, expulsion or extradition (Article 19), rights of the child (Article 24), right to good administration (Article 41), and the right to an effective remedy and to a fair trial (Article 47).

Article 6 (3) of the Treaty of the European Union (TEU) provides that ‘*Fundamental rights, as guaranteed by the ECHR and as they result from the constitutional traditions common to the Member States, shall constitute general principles of the Union’s law*’. To that end, the ECHR is considered by the CJEU as a Treaty of special significance.

The ECtHR bases its judgments on its competence to ensure the observance of the State Parties of the provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), including specific provisions such as prohibition of inhuman or degrading treatment (Article 3), prohibition of collective expulsions (Article 4 of Protocol 4), right to liberty and security (Article 5), right to respect of family and private life (Article 8), and right to effective remedy (Article 13). Those aspects remain closely related to asylum, in particular as regards the principle of *non-refoulement* and reception/detention conditions.

In addition to other cases mentioned in various thematic sections of this Report, in three distinct cases CJEU ruled on different aspects relevant for subsidiary protection as a form of international protection native to EU law.

In the case of *Diakite* the Court of Justice of the European Union stated that the interpretation to be given to the concept of ‘internal armed conflict’ in EU law must be independent of the definition used in international humanitarian law. An internal armed conflict must be found to exist where a State’s armed forces confront one or more armed groups or where two or more armed groups confront each other, regardless of the intensity of the confrontations, the level of organisation of the armed forces involved or the duration of the conflict.

The court found that the concept of ‘internal armed conflict’ as used in the Qualification Directive is unique to that directive and is not directly reflected in international humanitarian law, which acknowledges only ‘armed conflict not of an international character’. Since international humanitarian law makes no provision for a subsidiary protection regime, it does not identify situations in which such protection is necessary and the protection mechanisms that it establishes are quite distinct from those provided for under the Qualification Directive. In addition, international humanitarian law is very closely linked to international criminal law, whereas no such relationship exists in the case of the protection mechanism provided for under the Directive. Therefore, the concept of ‘internal armed conflict’ must be given an autonomous interpretation.

<sup>(129)</sup> For the selection of jurisprudence throughout the report, EASO has referred, among other sources, to the Newsletter on European Asylum Issues for Judges (NEAIS) published by the Centre for Migration Law (CMR) of Radboud University Nijmegen in close co-operation with the University of Essex, Aarhus University and the Refugee Law Reader, available at: <http://cmr.jur.ru.nl/neais/>, and the Annual Report of the European Court of Human Rights for 2013, available at: [http://www.echr.coe.int/Pages/home.aspx?p=echrpublications&c=#newComponent\\_1345118680892\\_pointer](http://www.echr.coe.int/Pages/home.aspx?p=echrpublications&c=#newComponent_1345118680892_pointer), and the respective judgments quoted in the text.

The phrase ‘internal armed conflict’ refers to a situation in which a State’s armed forces confront one or more armed groups or in which two or more armed groups confront each other. The existence of an armed conflict can be a cause for granting subsidiary protection only where the degree of indiscriminate violence reaches such a high level that an applicant for subsidiary protection would face a real risk of suffering serious and individual threat to his life or person solely on account of his presence in the territory concerned. A finding that there is an armed conflict must not be made conditional upon the intensity of the armed confrontations, the level of organisation of the armed forces involved or the duration of the conflict.

Two further cases concerned applicability of subsidiary protection in cases of serious medical conditions and unavailability of medical treatment.

In the case of **M’Bodj** (C-542/13) the CJEU was called upon to rule on the scope of protection that third-country nationals must be afforded in a situation where that individual suffers from a serious illness and a removal would amount to inhuman or degrading treatment. The applicant suffered from a serious visual impairment and was granted leave to reside. However, his applications for income allowance and income support were not granted.

The first question answered by the CJEU turned on whether Member States were required to provide social benefits to third country nationals with leave to reside on the territory of the Member State such as the applicant. The Court, in examining the term ‘serious harm’ as it appears in Article 15QD, held that a third country national with a disability, which is not itself caused by intentionally depriving access to health care, is not covered by lit. (a) and (c) of the relevant Directive. This, the court reasoned, was due to the fact that the standard of ‘serious harm’ was not met (death penalty or executions; serious and individual threat to a civilian’s life of person by reason of indiscriminate violence in situations of international or internal armed conflict. Article 15(b)QD was also found not to be applicable as the definition of serious harm in terms of ‘torture, inhuman or degrading treatment’ did not encompass situations where appropriate treatment was not available in the country of origin, with the exception of intentional deprivation of healthcare.

The court went on to note the prerogative of Member States to introduce standards more favourable than those in the Directive with regard to qualification for subsidiary protection. It further stated that Member States may not grant subsidiary protection to third country nationals with a serious illness due to a lack of available adequate treatment in the country of origin as to do so would be contrary to the general scheme and objectives and hence incompatible with the Qualification Directive. The court relied on the rationale for international protection and confirmed that subsidiary protection cannot be granted save in situations where the treatment for the condition in question exists and is being wilfully denied. The possibility of protection being provided on a discretionary basis on compassionate or humanitarian grounds remains.

In a case with a broadly similar factual constellation - **Abdida** (C-562/13), the CJEU was called upon to determine the scope of protection available to third country nationals with a serious medical condition whose removal would amount to inhuman or degrading treatment. The applicant in this present case was diagnosed with AIDS, yet his application to remain on medical reasons was refused and an order to leave issued. During the legal proceedings seeking to have this order quashed, the applicant’s social benefit payments were withdrawn, including medical care. The relevant Belgian legislation was the norm transposing the Qualification Directive.

The CJEU, referencing the decision in **M’Bodj**, confirmed that an application for leave to remain on grounds relating to a lack of suitable treatment for a serious illness cannot amount to a claim for international protection. The court went on to extend the scope of its assessment of the situation to include the Returns Directive. It was held that a removal of an individual in the situation of the applicant could be a breach of the Charter of Fundamental Rights and that any removal must be suspended under the terms of the Returns Directive. This Directive requires that medical care be provided during the period prior to removal in which the Member State is required to postpone the removal. Any national provision that fails to provide for suspensive effect and which may expose the applicant to a serious risk in relation to his health is to be precluded. Notwithstanding this decision, the Member States retain a wide discretion to determine the form which any provision for basic needs of the third country national may take.



### 3.1.3. Practical cooperation: translating legislation into action

In 2014 EASO continued its role as a catalyst of practical cooperation in the field of international protection. Specific activities in 2014 included, inter alia, the organisation of meetings and workshops on asylum policy and COI, the publication of reports, training, quality-related activities (incl. on unaccompanied minors and vulnerable persons), data analysis, operational support to countries under pressure, and activities relating to the external dimension of the CEAS. Throughout this Annual Report, in the relevant thematic sections, references are made to concrete EASO activities undertaken in 2014. More details will be found in EASO's Annual Activity Report 2014.

#### EASO Consultative Forum 2014

Set up in October 2011, the EASO Consultative Forum allows for the exchange of information and pooling of knowledge between EASO, civil-society organisations, and relevant bodies operating in the field of asylum policy. Civil society operating in the field of asylum is characterised by a considerable number of active and diverse organisations at local, regional, national, European, and international level. These organisations play a key role in the debate on and implementation of asylum policy and practices at national and EU level, and have been instrumental in supporting the fairness and accuracy of asylum procedures, particularly by bringing certain cases to the CJEU and EctHR.

During 2014, EASO strengthened its relationship with civil society and the Consultative Forum membership base grew to 60 organisations. Throughout the year, EASO consulted and involved registered civil society organisations on various areas of its work, including members of the reference group that participates in the drafting and updating of the EASO training modules. EASO welcomed comments by civil society on the 2015 EASO Work Programme and the EASO Annual Report on the situation of asylum in the EU and Annual Activity Report.

Consultative Forum members were requested by the Executive Director, via an open call for input published on the EASO website in 2014, to provide information about work that they carried out throughout the year which in their view contributed to the implementation of the CEAS. EASO took into consideration all relevant input received from civil society and reflected it in the reports.

Experts from civil society have been invited to participate in EASO events throughout the year. In 2014, more than 30 organisations were directly involved in the work of EASO. A dedicated area for the Consultative Forum facilitates consultations. A quarterly consultation calendar is published on the EASO website. EASO published 9 newsletters in 2014, containing also reports of EASO meetings, and workshops to ensure that civil society has access to the information.

On 11/12 December 2014 EASO held the fourth EASO Consultative Forum plenary meeting in Brussels at which more than 80 representatives from 45 organisations participated.

#### EASO's activities relevant to Early Warning and Preparedness

In March 2014, EASO launched Stage II of its Early warning and Preparedness System (EPS). The EPS data collection focuses on the first instance in the asylum process and collects data under four indicators (applicants, withdrawn applications, decisions, and pending cases). Countries contribute by providing data on the previous month within two weeks, with all 30 EU+ countries contributing.

According to the agreed process, the development of EPS is envisaged to proceed step-by-step in stages. In November 2014, EASO thus conducted a survey with GPS Members on possible further indicators and break-downs to include in a new data collection - Stage III - drawn from discussions that took place in the April and June 2014 Meetings of the GPS, the Dublin Advisory Group meeting that took place in February 2014 and discussions with DG Home, Eurostat, Frontex and eu-LISA. On the basis of the survey, potential indicators on access to procedure, reception, Dublin and return were proposed. A detailed proposal for EPS Stage III will be made in June 2015. Upon approval of the final scope of the indicators, an additional meeting of the GPS will address practical issues for implementation. The EPS stage III data collection is expected to start in late summer 2015, once the provisions of the new *acquis* relating to access to procedure and return have entered into force and been put into effect by Member States.

### EASO Information and Documentation System (IDS)

Understanding how the asylum systems of Member States and Associate Countries function can be complex. While there is a huge amount of information available on aspects of many national systems in the form of reports and analyses by various bodies, easily accessing relevant information that is reliable, comprehensive and up to date on the key stages of the CEAS in all EU+ countries is currently not possible; documenting and comparing different national solutions is also highly challenging given the complexity of the system. For this reason, and within the framework of its regulation, EASO plans to set up a combined content management system and database – the Information and Documentation System (IDS) – in the form of an IT tool which provides a detailed and up-to-date overview of the practical functioning of the CEAS.

IDS is planned to be a searchable library that provides comprehensive overviews of how each key stage of the asylum process is carried out in individual EU+ countries. These key elements include: access to procedure, application for international protection, Dublin procedures, determination at first instance, determination at second instance, reception and detention, return, and content of protection/integration. It is planned to form an IDS network of EU+ countries to validate the information in the IDS and to update it on a regular basis so that users can consult, compare, and analyse asylum practices across the EU.

In 2014 EASO set up a pilot version of IDS, and presented the concept to the EASO Management Board and to civil society in the Consultative Forum. In 2015, the network will be set up and the first overviews written for validation by experts.

### 3.1.4. European Refugee Fund and Asylum, Migration and Integration Fund

The European Refugee Fund (ERF), which operated from 2008 to 2013, was an essential instrument in addressing needs in Member States' asylum systems. National ERF projects were implemented to improve, for example, reception conditions; legal assistance and counselling; resettlement and intra-EU location; integration of beneficiaries for international protection; COI; and efficiency of administrative practices and structures.<sup>(130)</sup>

The Asylum, Migration and Integration Fund (AMIF)<sup>(131)</sup>, adopted on 16 April 2014 runs until 2020 and replaces three funds - the ERF, the European Fund for the Integration of third-country nationals, and the European Return Fund. It purports to create an even more coherent system for channelling EU funds by focusing on people flows and the integrated management of migration, with the key aims being: to bolster the CEAS, support the legal migration to EU Member States and integration of non-EU nationals, enhance fair and effective return practices, and ensure that Member States most affected by migration and asylum flows can rely on solidarity from other EU Member States.

With a budget of 3.137 billion EUR, AMIF will specifically provide support such as: material aid, education, training<sup>(132)</sup>, special assistance for vulnerable persons, health and psychological care, and assistance with judicial matters and national resettlement programmes. It will also help to establish, develop and improve accommodation and implement integration strategies and voluntary return measures. The seven-year programming cycle (as opposed to ERF's annual programming) should contribute to strategic use of the Fund.

Already in 2014, AMIF was a source of funding for several projects across Member States, including consolidating reception conditions in **Italy**, emergency support in **Cyprus**, providing emergency accommodation in **France**, and improving reception facilities and human resources in **Hungary**.<sup>(133)</sup> Additional funding was awarded to Hungary to launch in January 2015 activities aiming at capacity-building in the field of reception and human resources.

<sup>(130)</sup> Examples of projects co-financed under the ERF are available at: [http://ec.europa.eu/dgs/home-affairs/financing/fundings/example-of-projects/index\\_en.html](http://ec.europa.eu/dgs/home-affairs/financing/fundings/example-of-projects/index_en.html).

<sup>(131)</sup> For detailed information on AMIF and legal regulations related to the Fund, see: [http://ec.europa.eu/dgs/home-affairs/financing/fundings/migration-asylum-borders/asylum-migration-integration-fund/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/financing/fundings/migration-asylum-borders/asylum-migration-integration-fund/index_en.htm).

<sup>(132)</sup> Austria provides an annual training programme, which was co-funded by the ERF and will continue to be funded under the AMIF. In 2014, 104 training sessions with 1.416 participants were organised (basic on advanced modules for case officers and specialised training for different target groups as well as ad-hoc training and specialised training). The main topics were asylum, measures terminating residence, procedural law, residence titles for exceptional circumstances, interview methods and preparation decision, standby duty etc.

<sup>(133)</sup> For a list of list of awarded proposals under AMIF Emergency Assistance 2014, see: [http://ec.europa.eu/dgs/home-affairs/financing/fundings/migration-asylum-borders/asylum-migration-integration-fund/docs/award\\_decision\\_amif\\_2014\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/financing/fundings/migration-asylum-borders/asylum-migration-integration-fund/docs/award_decision_amif_2014_en.pdf).

## 3.2. Important developments at the national level

### 3.2.1. Pressures on national asylum systems

Information provided in this section concerns Member States where operational support was provided by EASO in the course of 2014. It should be noted however that other Member States have also faced significant pressure on their asylum system, in terms of both absolute and relative numbers, as illustrated by data presented in Chapter 2 of the report.

#### 3.2.1.1. Bulgaria

EASO provided operational support to Bulgaria from October 2013 to September 2014<sup>(134)</sup>. A midterm stocktaking report<sup>(135)</sup> was published in February 2014.

As a result of the support provided by EASO under the Operating Plan, Bulgaria managed to cope with the initial challenges and addressed its urgent needs related to the sudden increase of the pressure caused by mixed migration flows. The State Agency for Refugees was able to significantly increase its capacity in terms of reception and registration of applicants for international protection, as well as its preparedness and reaction capabilities.

Between the end of 2013 and beginning of 2014, the number of employees at the State Agency for Refugees increased from 133 to 293. Presently, 77 staff members, including caseworkers, registration officers, legal advisers, and COI experts are employed in the asylum procedure. Staff members were trained through in induction trainings and with the EASO Training Curriculum, which allowed them to acquire knowledge and skills laying the basis for further professional development and enhanced quality of the asylum procedure.

The evaluation of the Operating Plan to Bulgaria suggested complementary and/or follow-up actions, included, e.g. improvements in the provision of specialised care to vulnerable groups, including children and unaccompanied minors (UAMs), throughout the registration, asylum, reception, and integration processes; a national training plan for sustainable staff development; and additional measures for quality assurance and increased absorption of EU funding.

To further improve and enhance Bulgaria's asylum and reception system, an EASO Special Support Plan was signed between EASO and the Minister of Interior of Bulgaria on 5 December 2014. The plan will operate until the end of June 2016.

#### 3.2.1.2. Cyprus

EASO and Cyprus signed a Special Support Plan<sup>(136)</sup> on 5 June 2014, providing for EASO support until 1 July 2015. The implementation of the first measure of the plan, aiming at the provision of support in the field of reception and open accommodation, started in July 2014, with a needs assessment on the operation and management of the expanded Reception Centre for Asylum Seekers in Kofinou. In December 2014, the measure was continued with the draft of Standard Operating Procedures as well as the provision of practical on the job advice. In addition, training was provided in the field of age assessment.

<sup>(134)</sup> EASO Operating Plan to Bulgaria, available at: <http://easo.europa.eu/wp-content/uploads/Operating-Plan-Bulgaria-SIGNED.pdf> and its amendment available at: <http://easo.europa.eu/wp-content/uploads/EASO-OP-BG-Amendment-No-1.pdf>.

<sup>(135)</sup> Stock taking report on the asylum situation in Bulgaria, available at: <http://easo.europa.eu/wp-content/uploads/EASO-Report-stock-taking-mission-to-Bulgaria-final-.pdf>.

<sup>(136)</sup> EASO Special Support Plan to Cyprus, available at: <http://easo.europa.eu/wp-content/uploads/EASO-CY-OP.pdf>.

### 3.2.1.3. Greece

EASO agreed to provide Emergency Support to Greece in early 2011. Support focused on the establishment of the new Asylum Service, First Reception Service, the Appeals' Authority, improving reception for vulnerable persons, reducing the number of pending applications for international protection ('backlog' cases) at second instance, and providing capacity building in EU funding. After an additional request in early 2013, EASO extended its support<sup>(137)</sup> until December 2014.

In July 2014 EASO published the interim assessment of the implementation of the EASO Operating Plan for Greece<sup>(138)</sup>, providing an overview of developments since the support was first provided in 2011. Although Greece's asylum and reception system remains under considerable pressure, a number of key improvements have been achieved as a result.

The Asylum Service, which began operations in June 2013, is functioning independently, staffed with civil servants mainly trained in the EASO Training Curriculum. Five regional asylum offices and four mobile asylum units are equipped and interpretation services are in place.

Greece has substantially reformed, while under austerity measures, the asylum procedure at first and second instance. A unit on Quality Assurance, Training and Documentation was established in the Asylum Service and EASO supported the capacity of providing up-to-date and relevant Country of Origin (COI) information.

Following EASO's proposal for a system of recording and transcribing asylum interviews at first and second instance, the Asylum Service started recording interviews in all these cases.

The Appeals' Authority is close to full complement, its offices are equipped and interpretation services are all in place. Legal aid for applicants of international protection who ask for a judicial review is provided.

As of June 2014, the backlog of cases under the Hellenic Police<sup>(139)</sup> was about 35 000. Twenty backlog committees deal with an average of 18 cases each on a weekly basis (excluding 6 085 cases on first instance). In line with EASO recommendations, the Hellenic Police has implemented a number of statistical tools to monitor the Hellenic Police Backlog Committees' weekly activities, which is a key instrument for the coordinator of the committees to manage the reduction of cases effectively. Based on current assignment of tasks, the backlog is expected to be cleared by May 2016.

Two First Reception Service (FRS) mobile units have been set up and, depending on the influx, more units may be required. The preparation, launch and operational experience of the First Reception Centre in the north of Greece has been crucial to the FRS for the establishment of new open accommodation centres. Most of the staff of the new service has been trained. However, sufficient and adequate open accommodation capacity for applicants of international protection, in line with the provisions of the Reception Conditions Directive, is lacking.

EASO also offered operational support via the deployment of two experts with specific knowledge and experience in the areas of solidarity funds. The management capacity of all funds has been improved through hands-on assistance in financial, procurement, programming, monitoring, evaluation and reporting, training, and coaching of staff.

EASO recommends that capacity building should remain a priority in the field of asylum, reception and clearance of the 'backlog' cases to ensure the sustainability of the new procedures and improve the standards in accordance with Greece's legal obligations under the EU law.

<sup>(137)</sup> EASO Operating Plan Phase II for the deployment of Asylum Support Teams in Greece, available at: <http://easo.europa.eu/wp-content/uploads/EASO-OP-II-Greece.pdf> and Amendment to EASO Operating Plan Phase II for the deployment of Asylum Support Teams in Greece Ref. 1, available at: <http://easo.europa.eu/wp-content/uploads/20110926-EASO-OPI-Greece-Amendment-no-1.pdf>.

<sup>(138)</sup> EASO Emergency Support Plan to Greece, available at: <http://easo.europa.eu/wp-content/uploads/Interim-Assessment-Greece.pdf>.

<sup>(139)</sup> The Hellenic Police remains responsible for asylum cases filed prior to the establishment of the Asylum Service.

### 3.2.1.4. Italy

EASO and Italy took stock of the implementation of the EASO Special Support Plan to Italy<sup>(140)</sup> and signed two subsequent amendments<sup>(141)</sup> to this in September 2013. This was aimed at increasing the capacity of Italian stakeholders in managing asylum and further professional development of the National Asylum Commission.

The plan provided for EASO special support to Italy until the end of 2014 in a number of prioritised areas, such as data collection and analysis, Country of Origin Information (COI), the Dublin system, reception system and emergency capacity, and training of independent judiciary. Under the Special Support Plan, EASO provided technical and operational assistance to assist in enhancing Italy's implementation of the instruments of the CEAS. In particular, EASO conducted with national experts a mapping of the Italian asylum data system and made a gap analysis in which possible areas for development were identified so as to ensure the collection, sharing and use of data. EASO offered support to the Italian Ministry of Interior on an ad hoc basis for the preparation of the asylum and migration policy plans or initiatives in the context of the Italian EU Presidency, building on the support measures already undertaken in the areas of training (also for second instance), data collection and information management, as well as COI. With regard to the latter, EASO supported the National Asylum Commission in developing and further professionalising the recently established COI Unit by jointly analysing the workflow and proposing standard operating procedures to maximise the efficiency of COI research.

## 3.2.2. Institutional changes

In 2014 several institutional changes were introduced in the Member States' asylum administrations, often as a result of changing numbers of applicants or upcoming changes due to the recast asylum *acquis* instruments.

A major restructuring was planned in **Sweden**, where - as of 1 January 2015 - the Swedish Migration Board (renamed the Swedish Migration Agency) moved away from a division between departments based on specific operations (i.e. asylum, reception, residence permits) and towards a more process-oriented approach based on the migrant's process – 'applying for international protection'. Consequently, several departments changed names, tasks, and responsibilities. In **Switzerland**, as of January 2015, the Swiss Federal Office for Migration (FOM) has been renamed the Secretariat of State for Migration (SEM).

Systems that faced increasing numbers of applicants for international protection usually responded by increasing the number of staff. In order to speed up proceedings, the **German** Federal Office for Migration and Refugees (BAMF) added 300 new employees in 2014 and expects to create 750 new posts for 2015.<sup>(142)</sup> The **Bulgarian** State Agency for Refugees (SAR) increased its staff to 303 employees to ensure it had sufficient resources to examine applications (in parallel, a Social Activities and Adaptation Directorate was set up within SAR). Italy doubled the number of Territorial Committees (responsible for conducting procedures and issuing decisions on applications for international protection) from 10 to 20. In **Malta**, the Office of the Refugee Commissioner recruited 12 additional case workers, who will also be responsible for additional duties due to amendments brought by the recast EU asylum *acquis*.

Due to changes brought by the recast Asylum Procedures Directive on making and lodging applications for international protection, some Member States reflected on that stage of the process and in particular on the role of the police. In **Finland**, a working group explored the possibilities of transferring some tasks regarding applicants from the police to the Finnish Immigration Service (FIS). These tasks include the first phase of the asylum process, receiving applications for international protection, as well as clarifying an applicant's identity, itinerary, and entry into Finland. The group submitted its findings in August 2014 and a legislative process will begin in 2015. In **Estonia**, the structure of the Police and Border Guard Board changed as of 1 October 2014 to improve operations and minimise costs. As a result, the board's citizenship and migration department no longer exists; instead all migration-related proceedings take place at the Migration Bureau of the Intelligence Management and Investigation Department of the Police and Border Guard Board. Legislative and information technology developments,

<sup>(140)</sup> EASO Special Support Plan to Italy, available at: <http://easo.europa.eu/wp-content/uploads/EASO-SPP-Italy-ELECTR-SIGNED.pdf>.

<sup>(141)</sup> Amendment of the EASO Special Support Plan to Italy Ref. 1, available at: <http://easo.europa.eu/wp-content/uploads/EASO-SPP-Italy-ELECTR-SIGNED.pdf>; Amendment of the EASO Special Support Plan to Italy Ref. 2, available at: <http://easo.europa.eu/wp-content/uploads/2nd-amendment-SPP-Italy-ELECTR-SIGNED.pdf>.

<sup>(142)</sup> An additional 1250 posts will be created for 2016. These posts will be temporary. Additionally, the Federal Office for Migration and Refugees is establishing more branch offices.

as well as issues of international cooperation in the field of migration, are the responsibility of the Development Department of the Police and Border Guard Board.

Other changes concerned **Belgium** where the Federal Agency for the Reception of Asylum Seekers (Fedasil) – responsible for the reception of asylum seekers and coordinator of voluntary return programmes – was placed under the remit of the Federal Public Service (Ministry) of Interior. This is also the case for the other asylum institutions: the Immigration Office, the Office of the Commissioner General for Refugees and Stateless Persons (CGRS) and the Council of Aliens Law Litigation (CALL). All these institutions are under the political authority of the State Secretary responsible for Asylum Policy and Migration. The **Irish** Human Rights and Equality Commission Bill was enacted during 2014, with the new Commission established from 1 November 2014. Some 14 members of the new commission were initially selected in April 2013 and appointed formally on 31 October 2014. The Irish government made provision in 2014 for a 45 % increase in State funding for the Commission to €6.299 million.

### 3.2.3. Important national jurisprudence

#### Qualification

As is to be expected, a number of decisions of national courts in 2014 dealt with various aspects related to the application of the national transpositions of the Qualification Directive and, in particular, to determinations granting or rejecting international protection. A noticeable trend in this respect was the consistent volume of applications relying on religious persecution as the relevant Convention ground. This was particularly the case with regard to Christian applicants for protection where Islam was the predominant religion in the relevant country of origin. Several decisions of the First Instance Administrative Court of **Luxembourg** granted refugee status to Christian Iraqi nationals on the ground of a justified fear of being persecuted and the absence of a valid internal flight alternative. In addition, the **Dutch** courts confirmed (AbRS 11 June 2014, JV 2014/237 (201304298/1)) that Christians in Egypt encounter problems and that the safety of Christians has deteriorated since 11 February 2011. This determination was made on the face of the documents handed over by the third-country national in this particular case. However, the Court went on to hold that this does not lead to the assumption that every Christian from Egypt ought to fear prosecution or inhuman treatment on return, regardless of whether s/he openly fulfils his/her religious beliefs.

In addition, several persons of Iranian nationality were granted refugee status by courts in **Luxembourg** because there was a risk of persecution in case they were returned to their country of origin. In one of these cases refugee status was granted to a singer due to his fear of being persecuted because of his musical activities and the punishment that he would be susceptible to face in case of a return. In other cases, refugee status was granted to persons who had converted to Christianity and where the First Instance Administrative Tribunal held that the applicant was at risk of being persecuted and sentenced to death on the sole ground of his conversion to the Protestant religion. This relatively wide reading of this particular persecution ground would appear to be in line with the decision of the CJEU in *Federal Republic of German v Y & Z* (Joined Cases C-71/11 and C-99/11).

Notwithstanding this approach, the courts in certain Member States have exhibited a certain reluctance to accept any declaration of conversion to Christianity simply at face value and a certain degree of substantiation is required. The **Dutch** Council of State (AbRS 6 March 2014, JV 2014/153 (201311217/1)) found in respect of the credibility of conversion and the impact of a personal declaration versus a declaration from an ecclesiastical institution or person may be submitted in support of a religious conversion, but it remains the responsibility of the third-country national to provide convincing statements regarding his/her conversion and the process that has led to such conversion. It is then up to the State Secretary of Security and Justice to make an assessment on the basis of declarations by the third-country national concerned and possible declarations from third parties, about the credibility of the stated conversion. As derived from the ruling by the Administrative Law Division of the Council of State dated 24 May 2013 («JV» 2013/264), the credibility viewpoint of the State Secretary must be then judged with a certain restraint by the administrative courts. The Dutch policy in respect of the assessment of the credibility of a conversion was thereby approved.

With regard to other protection grounds, the Dutch courts dealt with the question of whether Gadaffi supporters could be said to belong to a group that is systematically prosecuted or subjected to practices of inhuman

treatment. The Administrative Law Division of the Council of State held that the answer to this question should be negative (AbRS 19 February 2014 (201307257/1)).

In relation to the persecution of homosexuals and claims based on the membership of a particular social group, the **Slovene** Administrative Court (case I U 1627/2013-17, 19 September 2014) rejected an application for refugee status for an applicant X, because he was a citizen of a country A, where he would not be persecuted, while his application for subsidiary protection was rejected based on explanation of standards (threshold) concerning inhuman treatment from the case-law of the ECtHR and particularly by reference to judgment of the ECtHR in case of *F v. the United Kingdom*. However, in the same procedure, the Court granted refugee status to his sexual partner Y, who was a citizen of a country B, because it was established that the applicant Y would be persecuted based on his sexual orientation and his high-profile personality and that he had already been the victim of persecution in the past in country B (Article 4(4) Recast Qualification Directive). The Slovene Court relied on the judgment of the CJEU in case of *X, Y, and Z (C-199/12)* and the scheme developed by the Supreme Court of the United Kingdom in the case of *HJ and HT* from 2010. By referring to the judgment of the ECtHR in case of *M.E v. Sweden*, the Court stated that the decision to grant protection only to one applicant does not interfere disproportionately with the applicants' right to private and family life, since applicant Y can file an application for family reunification with applicant X and applicant X does not need to leave Slovenia for that purpose. During the further appellate procedure, the Supreme Court (I Up 361/2014) rejected that view of the Administrative Court, since, according to the national statutory law, same sex partners cannot be considered family members. Nevertheless, the decision of the lower court to reject the application for international protection was upheld.

In an **Irish** decision concerning Chinese applicants who submitted that they would be at risk of persecution due to their infringement of China's one-child policy (*LRC v Refugee Appeals Tribunal [2014] IEHC 500*), the High Court found that the applicant and her husband could constitute a particular social group within the meaning of the relevant international and European legislation. The Court found that the applicants had a defined, shared characteristic, which could not be changed by them and that they arguably faced persecution in the form of forced sterilisation, fines, loss of employment, imprisonment, and various other discriminatory acts. This decision may be subject to further appeal.

In a case related to draft evaders of Kurdish nationality from Syria, the **Slovene** Administrative Court (I U 1807/2013, 24 February 2014) decided that Syrian refugees of Kurdish nationality who are eligible for compulsory military service may claim that they would be persecuted for reasons stated in the national provision which corresponds to Article 9(2)(e) of the Recast Qualification Directive, because COI for Syria submitted by the applicant demonstrated that government forces conduct such crimes. The Court linked this issue also to the right to conscientious objection in relation to Article 8 of the ECHR, Article 10 of the Charter of Fundamental Rights, and it made a relevant comparison to the judgment of the CJEU in case of *X, Y, and Z (C-199/12 – C-201/12)*. The critical issue of that decision was the statement that it is not necessary that an asylum seeker has already received an official and individualised call to compulsory military service. In the appeal procedure the Supreme Court (I Up 170/2014, 14 May 2014) rejected that interpretation as being incorrect and stated that the asylum seeker (of Kurdish nationality) must show that he actually received an official (individualised) call to compulsory military service. The Supreme Court quashed the judgment of the lower court and sent the case back down for further adjudication. However, the Administrative Court in a subsequent procedure did not follow the interpretation of the Supreme Court on the basis of persuasive authority consisting of:

- the UNHCR Guidelines of the International Protection No. 10 – Claims to refugee Status related to military Service within the context of Article 1A(2) of the 1951 Convention and/or the 1967 relating to Status of Refugees,
- UN General Assembly, Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 5 February 2013,
- UNHCR International Considerations with regard to people fleeing the Syrian Arab Republic, Update III, October 2014,
- Opinion of Advocate General Sharpston in case of *Shepherd (C-472/13)*, paras. 27 and 35),
- judgment of the CJEU in case of *ABC* (para. 62).

Thus, the lower court decided that the applicant need not show that he actually received an official (individualised) call to military service in Syria (I U 923/2014-34 from 23 January 2015). The case is currently pending before the Supreme Court on appeal from the Ministry of Interior.

Regarding the issue of exclusion from international protection, the seminal case of the CJEU in the area of asylum law in 2014 was arguably *Diakite*. However, the **Irish** High Court also tackled the issue of exclusion in *HO v Refugee Appeal Tribunal* [2014] IEHC 494, where it was held that an applicant who has committed and been convicted of serious non-political crimes in his country of origin may still be excluded from protection under the relevant national provisions. This was found to still be the case in situations where the applicant has already served a sentence of imprisonment in respect of the crimes for which he was convicted.

## Subsidiary protection

In addition to refugee protection, the EU asylum regime envisages that Member States may grant a form of subsidiary protection. Several thorny issues were raised in judicial proceedings throughout the course of 2014 in both European and national courts and tribunals. In **Luxembourg**, there were several decisions which concerned the subsidiary protection of Afghan nationals. In one such case, the Administrative Court overruled the decision of the First Instance Court to grant subsidiary protection to an Afghan national considering that there is no general right to subsidiary protection for Afghan nationals, and that in this particular case, it was not established that there was a real risk of him suffering serious harm, as required under Article 15(c) QD. There were also some decisions of the First Instance Administrative Court which held that subsidiary protection should be granted to Turkish nationals of Kurdish origin who refused to undergo military service on the grounds of them being conscientious objectors where they do not otherwise qualify for refugee status.

With regard to Article 15(c) QD, the **Slovene** Administrative Court in several important judgments (I U 498/2013-17, 25 September 2013) for the first time selected certain criteria for the assessment of level of violence from Article 15c of the QD. Those criteria for the assessment of the level of violence from Article 15c of the QD were confirmed and in more detailed manner further developed (by reference to the judgment of the CJEU in case of *Diakite*) in the subsequent judgment of the Administrative Court in case I U 1327/2013-10 from 29. 1. 2014. In a judgment from 29 January 2014 the Administrative Court also reaffirmed the need to using several criteria for the assessment of COI. In this respect, reference was made to the Check-list of the Criteria for the Assessment of COI developed by the IARLJ (2006) and the judgment of the ECtHR in case of *N.A. v the United Kingdom*. Furthermore, the judgment of the Administrative Court from 29 January 2014 is important also because it stressed the importance of active participation of the applicant in the so called first stage of collection and assessment of relevant facts. In this respect, a reference was made to the general principle of the right to defence and to the right to good administration from Article 41 of the EU Charter of Fundamental Rights and the judgment of the CJEU in the case of *M.M.* (C-277/11, 22 November 2012). This judgment of the Administrative Court was upheld by the Supreme Court (I Up 117/2014, 10 April 2014), since the appeal of the Ministry of Interior was rejected as unfounded.

The difference between Article 15b and Article 15c of the QD in the context of the difference between the concept of internal protection under the QD and internal flight alternative under the case law of the ECtHR and interpretation of the protected value of the 'person' of a civilian from Article 15c of the QD was also the subject of a decision in **Slovenia**. In the judgment I U 925/2014-26, 17 December 2014, the Administrative Court pointed out that the EU legislator had linked acts of persecution to protection of absolute human rights, while serious harm from 15(c) QD is legally speaking (based on the conclusions from the interpretation of the CJEU in case of *Elgafaji*) not limited to the protection of absolute human rights. In practice, this difference is visible in international jurisprudence in case of use of the concept of internal protection or IFA. The Administrative Court pointed out that from the standpoint of the case-law of the ECtHR it does not matter who provides protection against inhuman treatment in case of generalized violence (*Salah Sheekh v the Netherlands; k. A. B. v Sweden; R. H. H. v Sweden; A.A. and Others v. Sweden*), while this is not the case with EU law (Article 7 of the QD).



## Asylum procedures

In respect of the procedures applied by Member States, the **Austrian** Administrative High Court has developed a line of cases clarifying when an oral hearing before the Federal Administrative Court can be dispensed with in proceedings against the written decisions of the first instance decision makers (see Ra 2014/20/0017 and subsequent rulings). In situations where the circumstances are fully clarified by means of records or assertions or there is absolute certainty that an assertion does not correspond to the facts, the oral hearing requirement may be omitted.

In what was an important decision domestically, the **Irish** Supreme Court rejected a challenge by an asylum applicant to the 'direct provision' system of providing for the material conditions of applicants for international protection while a determination remained outstanding. The court rejected any breach of human rights provisions and denied the application of the EU Charter of Fundamental Rights as the matter was said not to be an implementation of Union law and hence outside the scope of the Charter. An issue that led to the rejection of the applicant's claim was the fact that the proceedings were taken by way of judicial review. This year, **Malta** also confirmed that judicial review applies to decisions given by the Refugee Appeals Board.

Regarding the designation of certain States as safe countries of origin, the First Instance Administrative Court in **Luxembourg** passed judgment (13 March 2014) in a case brought by a Kosovar family seeking to have Kosovo removed from the list of safe countries. It was found that the criteria of safe country of origin only play a minor role when a decision is made in respect of an application for international protection. In any case, there is a requirement that there will be a global analysis of all the elements put forward in the application. The **Belgian** Council of State (C.E. 288.902, 23 October 2014) ordered the removal of Albania from Belgium's list of safe countries of origin, mainly due to a relatively high recognition rate of Albanian applicants in previous years. It also confirmed the inclusion of Kosovo on this list.

The issue of the admissibility of language analysis reports and the admissibility of such reports as evidence was the subject of a decision by the Supreme Court of the **United Kingdom** in *SSHD v KY and MN* [2014] UKSC 30. The Supreme Court found such reports to be admissible notwithstanding that the analysts remained anonymous. The reports were not to be afforded weight automatically but only in limited terms in accordance with the issues raised and reasoned in the report.

The standard of proof came before the courts in **Slovenia**. In case I Up 145/2014, 8 May 2014 the Supreme Court established that the 'mere probability' that an asylum seeker would be subject to serious harm in case of return to his/her country of origin does not satisfy the necessary threshold of 'conviction'/'being persuaded'. The 'conviction' in the opinion of the Supreme Court means a realistic chance in the sense that 'no reasonable person would doubt' about the fact that asylum seeker would be subject to serious harm if returned to his country of origin. Under the influence of this standard, the Administrative Court in judgment I U 923/2014-34, 23 January 2015 developed a (lower) standard of 'reasonable probability' as the standard of proof. The Administrative Court relied on positions or recommendations published by the UNHCR from 1998 onwards (for example: UNHCR Note on the Burden and Standard of Proof).

The **German** Federal Administrative Court was also tasked with deciding questions related to the procedures to be applied during applications for international protection. In its ruling dated 17/06/2014 (10 C 7.13 <5442186-273>) it not only reaffirmed once again that the identification of changes in the fingertips of an asylum seeker can justify doubts to be raised about the seriousness of his or her application; in fact it can also justify, on the basis of the asylum seeker's obligation to co-operate, a demand for the asylum seeker to provide written details of how he or she got to the country, and the proceedings are to be justifiably discontinued in accordance with sections 32, 33 (1) of the Asylum Procedure Act if the required details are not provided within the set deadline.

In a second important ruling from 17 June 2014 (10 C 7.13 <5442186-273>) the Court confirmed that if a person is granted international protection by another country, a further application for a declaration of international protection by the Federal Office for Migration and Refugees is not permitted. This is because a foreigner who has already been granted international protection by another country is not entitled to claim refugee protection again in Germany or claim subsidiary protection status there either. A request for national protection against removal

is also to be rejected because the foreigner is already entitled to protection against removal with respect to his or her country of origin on the basis of the foreign recognition of his or her refugee status (section 60 (1) 2 of the German Residence Act).

Finally, **Czech** courts found that there was a duty to notify the applicant in due time of evidence taken out of the personal hearing to give the applicant the possibility to be present during the interview with a witness. This was held by the Supreme Administrative Court on 29 May 2014 (No. 5 Azs 2/2013 – 26).

## Reception

In a judgment of the **Czech** Supreme Administrative Court (No. 7 Azs 19/2013 – 38, published No. 2971/2014), it was held that a decision requiring an applicant for international protection to remain at a reception centre until his/her departure amounts to a deprivation of liberty in terms of Article 5(1) ECHR and not only a restriction of freedom of movement in terms of Article 2 of Protocol 4 to the ECHR. The court in the judgment stated that the concept of a decision requiring an applicant to remain in a reception centre was use of an option laid down in Article 5 (1) ECHR in a constitutional manner.

## Detention

Questions relating to the detention of applicants for international protection generated a relatively significant volume of jurisprudence in 2014. The **Austrian** Constitutional Court importantly reviewed the provision of the relevant asylum legislation relating to the provision of legal protection in cases of arrest, detention, and detention pending removal.

In the case of *Detention Action vs SSHD* ([2014] EWHC 2245 (Admin)), the High Court of **England and Wales** found against the Home Office in a number of areas. However, crucially, the effect of the case was that the underlying policy regarding the detention of asylum applicants for the purpose of expedited consideration was found to be lawful. This was the first substantive review of the policy as a whole since the case of *Saadi* (which concluded litigation in the Grand Chamber only in 2008, with the fast track process as operated at Oakington in 2000-2001 being found lawful).

In case I U 553/2014-13, 4 April 2014 the **Slovene** Administrative Court reaffirmed its previous position (based on case-law of the ECtHR: *Cyprus v. Turkey*; *Djavit An v. Turkey*; *Hajibeyli v. Azerbaijan*; *Streletz Kessler and Krenz v. Germany*) that detention of asylum seekers in the Centre for Aliens constitutes deprivation of personal liberty and not a restriction of freedom of movement. In this case the Administrative Court also assessed the material conditions in detention in the Centre for Aliens in the light of protection against inhuman treatment (Article 3 of the ECHR) against the standards from the case-law of the ECtHR (*Aden Ahmed v. Malta*).

The Administrative Court decided that a necessity test is applicable in detention cases in Slovenia. The Court also reiterated its previous position in some judgments (for example: I U 1333/2013-20, 30 January 2013) that if it decides the applicant is illegally detained, he/she must be immediately released despite the fact that national statutory law does not make judgment of the Administrative Court effective, since the Ministry of Interior may appeal against a judgment of the Administrative Court to the Supreme Court and only at that stage does the judgment of the lower court become final. In **Sweden**, three decisions (MIG 2014:2, MIG 2014:15 and MIG 2014:17) related to detention and returns clarified that when a person has been sentenced to prison, the detention decision in accordance with the Return Directive shall be annulled; a detention decision requires that it is reasonably possible to return to the alien to the country of origin in the near future. Detention is possible when a person's behaviour on the airplane has delayed the enforcement of the expulsion order.

The **Czech** courts have decided in relation to an applicant for international protection who is under an obligation to remain in detention that it is permissible to consider imposing further periods of detention in cases where the applicant represents a genuine, present and sufficiently serious threat affecting a fundamental interest of society. So interpreted, there is no contravention of Article 5(1) ECHR, Article 5 CFR or Article 7 of the reception conditions Directive and Article 18 of the procedures Directive respectively.

## Return

The **Dutch** Council of State ruled (AbRS, 24 April 2014, no 2013038844/1, JV 2014/197) that the consequences of the expiry of an Eritrean exit visa are unclear in case of a voluntary return to Eritrea after a prolonged stay outside that country. The State could not consider such a return to be safe. As a result of this ruling, if the third-country national lawfully exited Eritrea, the infringement of Article 3 ECHR (European Court of Human Rights) is assumed on return if the term of the exit visa has been allowed to expire. The Court also deemed to be relevant that the executive decision maker neglected to consider that the mere fact that the applicant had been away from Eritrea would put him under suspicion as such of having made a claim for asylum.

## Vulnerable applicants

In MIG 2014:1, the **Swedish** Migration Court of Appeal handed down a ruling that stipulates that an asylum seeker who claims to be underage bears the burden of proof to make his or her stated age likely. He or she can be offered the possibility to use a medical examination as a means to fulfil this burden of proof. The Swedish Migration Agency is not obliged to offer a medical examination but must inform the applicant of the possibility. In this context it should be noted that a medical examination is one of many means the applicant can use in order to fulfil the burden of proof.

On 4<sup>th</sup> July 2014, the Administrative Court of Helsinki gave a ruling in a case related to returning an unaccompanied minor asylum seeker to the State responsible for examining the application. In its decision, the **Finnish** Immigration Service (FIS) considered that the best interest of the child does not require that the applicant could re-access the asylum procedure in another State in a situation where a minor's application has already been examined in one State and refused with regard to factual content, as referred to in the Dublin Regulation. Consequently, the FIS decided to return the minor applicant to the State which is responsible on the basis of the Regulation. The Administrative Court dismissed the appeal. After this, the Finnish Immigration Service has adhered to the same practice in other similar cases (two cases in 2014).

## Family reunification

In **Slovenia** in early 2014, the Administrative Court decided that in Article 16b of the International Protection Act (the IPA) there were several administrative disputes on the issue of exactly who can be considered as a family member of a refugee for the purpose of family reunification. This unsettled case law was resolved in January 2015 when the Constitutional Court, in its consideration of a constitutional complaint, decided to abrogate Article 16.b of the IPA as being in contradiction with the Constitution and Article 8 of the ECHR (U-I-309/13-23, Up-981/13-20, 14 January 2015).

In an **Irish** case related to family reunification (*AMS v Minister for Justice and Equality* [2014] IESC 65), the Supreme Court held that the executive is entitled to have regard to the financial impact upon the State of granting family reunification applications. A lack of adequate financial support was a matter to be taken into account when making a decision. In the case at bar, the Supreme Court did not in fact consider the refusal to permit the reunification to be proportionate, as an adequate analysis of the financial burden on the State was not carried out.

### 3.2.4. Major legislative changes in Member States

On 15 April 2014 the recast Qualification Directive was transposed into the **Cypriot** national legislation by two legislative amendments to the Refugee Law (N.58(I)/2014 and N.59(I)/2014). Also **Spain** transposed the recast Qualification Directive by amending Law 12/2009 with Law 2/2014 on 25 March 2014. **Portugal** transposed the provisions of the recast Qualification Directive, as well as recast Asylum Procedures Directive and recast Reception Conditions Directive with Law Act 26/2014 as of 5 May 2014.

In **France**, steps towards a comprehensive reform of the asylum system continued in 2014. A bill to reform the asylum system was adopted by the National Assembly on 16 December 2014.<sup>(143)</sup> The bill concerns four main areas: amendments of determination procedures by the French Office for the protection of refugees and stateless persons (Office français de Protection des Réfugiés et Apatrides - OFPRA) and the National Court of Asylum (Cour Nationale du Droit d'asile - CNDA) in order to increase their quality and efficiency, including via new procedural safeguards, in conformity with recast APD and RCD; a reform of the reception procedure and the right of asylum seekers to remain in the territory; a clarification of material reception conditions available to asylum seekers and their implementation; and strengthening the rights of those beneficiaries of protection.

In terms of eligibility for certain forms of protection, in **Sweden**, as of 1 August 2014, an application for asylum may be dismissed if the applicant has been declared eligible for subsidiary protection in another Member State. Prior to this, such applicants could be transferred to the Member State in accordance with the Dublin Regulation.

Regarding the rights of applicants during the procedure, in **Germany**, the 'Law on the improvement of the status of asylum seekers and tolerated foreign nationals' was adopted, allowing applicants who have stayed in Germany for three months to move freely within the country. At the same time, rules regarding payment of cash benefits were revised.<sup>(144)</sup> In terms of access to the labour market, the waiting time for asylum applicants in **Germany** to be granted permission to work was reduced from 9 months to 3 months. Additionally, the priority check<sup>(145)</sup> for access to the labour market for asylum applicants was abolished for skilled workers and those with 'tolerated' residence status after a lawful stay of 15 months in Germany.

With the 'Law on the designation of additional states as safe countries of origin and improvements in access to labour market for asylum seekers and tolerated foreigners', the Western Balkan states of Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, and Serbia have been designated as safe countries of origin pursuant to section 29a of the Asylum Procedure Act, in order to enable manifestly unfounded applications for asylum from nationals of these states to be dealt with more quickly. The applicable law came into force in **Germany** on 6 November 2014. The designation of these three states as countries of safe origin is intended to speed up the procedures for handling applications from nationals of these countries and enable their stay in Germany to be terminated more quickly. In addition, the law has reduced to three months the waiting time before asylum seekers and foreigners who have exceptional leave to remain in Germany are generally permitted to take up employment. The objective is to allow them the opportunity to become self-supporting earlier by taking up employment.

Regarding detention in asylum cases, as of 1 May 2014, **Poland** amended the Act on Granting Protection to Foreigners in the Republic of Poland (see section 4.7 on Detention). In the **Czech Republic**, the law was amended in 2014 so that once a court decides that an administrative decision on detention of an applicant is unlawful, he/she must be released without delay. This change codified an existing practice, resulting from the *Buishvili* case<sup>(146)</sup>.

Regarding rights of beneficiaries of international protection, since 1 August 2014, in **Sweden** persons eligible for subsidiary protection and those otherwise in need of protection may be granted an alien's passport under the same conditions that give refugees a right to a travel document. Also from 1 January 2015, changes were made

<sup>(143)</sup> The bill's entry into force is expected in July 2015.

<sup>(144)</sup> Under a change to the Asylum Seekers' Benefits Act, benefits in kind will now only be paid during a stay in a reception facility. Subsequent benefits are mainly paid in cash to promote self-sufficiency among recipients, though benefits in kind may still be awarded under certain circumstances – for example if there is a bottleneck created in the asylum system by a surge in applicants.

<sup>(145)</sup> The priority check ensures that work permits are issued under certain circumstances. Firstly, the employer must prove that for the vacancy in question no suitable German, EU citizen or foreigner with the same legal status is available. Secondly, employing the foreigner must not negatively impact on the labour market.

<sup>(146)</sup> Case no. 30241/11 [http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-114051#{%22itemid%22:\[%22001-114051%22\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-114051#{%22itemid%22:[%22001-114051%22]})

to the duration of residence permits after the renewal of temporary residence permits for persons in need of protection and their families. Since 1 May 2014, refugees and those eligible for subsidiary protection may be granted long-term resident status.

Many legislative changes concerned granting residence permits. In July 2014, the Aliens Act in **Sweden** was amended so that children may be granted a residence permit in cases of particularly distressing circumstances (instead of cases of ‘exceptionally’ distressing circumstances).<sup>(147)</sup> Also from 1 January 2015, the parents of an unmarried child who is in need of protection, and who do not qualify for protection themselves, are entitled to a residence permit if they are in Sweden and their decision on their application is taken in connection with the application of the child. The same applies to another adult responsible for the child in the absence of the parents. On 1 January 2014 the Aliens Act 2000 in the **Netherlands** was amended, reorganising the grounds for granting residence permits to applicants for international protection, abolishing residence permits on the grounds of a pressing humanitarian nature and the categorical protection policy. In **France** the scope for applying for long-term residency status was extended to include beneficiaries of international protection (refugees and beneficiaries of subsidiary protection)<sup>(148)</sup>.

In terms of family reunification, the **Netherlands** revised its policy as of 1 January 2014. Family members who travel later to join the principle migrant and who apply for a provisional residence permit (MVV) abroad prior to arriving in the Netherlands, can, if the provisional residence permit is granted, be given a temporary asylum residence permit upon arrival in the Netherlands, unless there are contradictory indications noted by the IND. The holder of the provisional residence permit is not required to submit an application for asylum. The verification of the grounds for granting a permit is done in the framework of the provisional residence permit procedure, the result of which is awaited abroad. The conditions for granting a permit remain unaltered. The same rights apply to the asylum seekers’ permit granted *ex officio* as to an asylum seekers’ permit granted as a result of an independent application for asylum. In **Slovenia** an amendment to the Aliens Act provides a clearer and wider definition of the concept of family reunification for a person who has been granted international protection.

As regards appeal procedures, in **Belgium** the appeal procedure against CGRS decisions ‘not to take into consideration asylum applications from safe countries of origin’ was judged not to be an effective remedy in certain situations by the Constitutional Court judgment. As a result, as of 1 June 2014, a full judicial review was allowed against inadmissibility decisions on subsequent applications and applications from safe countries of origin.

Member States also revised their provisions on vulnerable applicants. In **Finland**, efforts to reunite unaccompanied minors with their parents or guardians residing outside Finland were strengthened after legislative amendments to the Aliens Act. In 2014 the Ministry of the Interior also prepared amendments to the Aliens Act and to the Act on Reception of Persons Applying for International Protection with regard to provisions related to trafficking in human beings. The most important changes in this area related to a new provision for identifying victims, defining the starting point for helping them, and when this assistance could end.

In **Austria**, as of 1 January 2014, the legal provisions concerning the asylum procedure were – in the context of the Aliens Authorities Restructuring Act – divided between the Asylum Act and the newly legislated Federal Office for Immigration and Asylum Procedures Act. While the Asylum Act mainly contains substantive law, the Federal Office for Immigration and Asylum Procedures Act includes adjective and procedural law, though it is not limited to asylum procedures.

In **Romania**, changes to the Law on asylum, as of 29 August, 2014, introduced new conditions for Dublin interviews, appeals against Dublin decisions with/without suspensive effect, and new provisions for alternatives to detention. The amendments also enhanced the Early Warning and Preparedness System and cooperation with EASO.

<sup>(147)</sup> Under this provision, the state of health, the level of integration, and the situation in the country of origin of the child are taken into consideration. The new wording (‘particularly’ instead of ‘exceptionally’) widens the scope of the provision.

<sup>(148)</sup> Provided by the new Article L. 314-8-2 resulting from Law No 2013-1005 of 12 November 2013.

In **Denmark** as of 26 May 2014, integration criteria such as education level and labour skills were removed from the evaluation process for resettlement of refugees. The selection of refugees for resettlement is now based on whether resettlement in Denmark is likely to result in a sustainable improvement in a refugee's situation.

### 3.2.5. Key policy changes, relating to integrity, efficiency and quality

#### 3.2.5.1. Integrity

Integrity measures concern activities and initiatives taken by MS in order to prevent and combat unfounded claims for international protection, which may seek to fraudulently take advantage of legal guarantees in the national asylum systems. Such claims, unless detected, consume resources and means available to the national asylum authorities, taking up time and funds that could otherwise be used toward ensuring protection for those in genuine need.

A key aspect of integrity of procedures is the credibility assessment performed in order to establish if the applicant's statements substantiating the claim are truthful in the light of other circumstances of the case and other evidence means.

**In case *A, B, C*<sup>(149)</sup> the Court of Justice of the European Union (CJEU) clarified the methods by which national authorities may assess the credibility of the declared sexual orientation of applicants for asylum.**

The Court of Justice stated that the declarations by an applicant for asylum as to his sexual orientation are merely the starting point in the process of assessment of the application and may require confirmation. However, the methods used by the competent authorities to assess the statements and the evidence submitted in support of applications for asylum must be consistent with EU law and, in particular, the fundamental rights guaranteed by the Charter, such as the right to respect for human dignity and the right to respect for private and family life. Furthermore, the assessment must be made on an individual basis and must take account of the individual situation and personal circumstances of the applicant (including factors such as background, gender, and age) in order for it to be determined whether the acts to which the applicant has been or could be exposed would amount to persecution or serious harm.

Firstly, assessment of applications for asylum on the basis solely of stereotyped notions associated with homosexuals does not allow the authorities to take account of the individual situation and personal circumstances of the applicant concerned. The inability of the applicant for asylum to answer such questions is not therefore a sufficient reason for concluding that the applicant lacks credibility.

Secondly, while the national authorities are entitled to carry out, where appropriate, interviews in order to determine the facts and circumstances as regards the declared sexual orientation of an applicant for asylum, questions concerning the details of the applicant's sexual practices are contrary to the fundamental rights guaranteed by the Charter and, in particular, to the right to respect of private and family life.

Thirdly, as regards the option for the national authorities for allowing, as certain applicants for asylum proposed, homosexual acts to be conducted, the submission to possible 'tests' in order to demonstrate their homosexuality or even the production by those applicants of evidence such as films of their intimate acts, the Court makes clear that, besides the fact that such evidence does not necessarily have probative value, such evidence would infringe human dignity, the respect of which is guaranteed by the Charter. Furthermore, the effect of authorising or allowing such types of evidence would incite other applicants to offer the same and would lead, de facto, to requiring applicants to provide such evidence.

Fourthly, having regard to the sensitive nature of information that relates to a person's personal identity and, in particular, his sexuality, the conclusion of a lack of credibility cannot be reached on the sole basis that, due to his reticence in revealing intimate aspects of his life, that person did not declare his homosexuality at the outset.

<sup>(149)</sup> Court of Justice of the European Union, judgment in joined cases C-148/13, C-149/13 and C-150/13 of 2 December 2014. The summary of the points made by the Court is based on the Court's Release 162/14, available at: <http://curia.europa.eu/jcms/upload/docs/application/pdf/2014-12/cp140162en.pdf>.

Another important aspect is the nationality assessment, to ensure that, firstly, any potential risk for the applicant (giving rise to granting a form of protection) is analysed with regard to the correct country and, secondly, nationality fraud is prevented.

In the **UK** a ‘quick scan’ procedure was introduced in 2014 to help establish the origin of an applicant for international protection in case they do not submit or possess an identity document. It is a method of rapid examination, via a questionnaire, on the geographical origin of the applicant. This procedure is done after the applicant has lodged his/her application.

Age assessment issues aimed at verifying (where no evidence is available or the situation is disputable) whether an applicant is a minor are covered in section 4.11 on vulnerable applicants.

### 3.2.5.2. Efficiency

Various initiatives were taken by Member States in 2014 to improve the efficiency of the asylum process, i.e. to conduct procedures for international protection while using the available time and resources in the optimum way, so that decisions can be taken without undue delay and cost-effectively, by omitting steps and actions that are not needed in a specific case. Efficiency is relevant both for well-founded applications (where applicants should be granted protection as soon as possible and without overly lengthy procedures) and for applications that are not justified (where they should be swiftly detected and processed to avoid, *inter alia*, a pull effect).

The length of the procedure for international protection is also directly linked to costs of reception provided to an applicant while their case is processed. The same principle of efficiency applies to reception conditions: provision of extensive resources over a prolonged period of time to persons with unfounded claims comes at the expense of those in need of protection. Short procedures are also in the best interest of persons who have justified grounds for applying, so that they can be sooner provided with a more stable legal status in the country of asylum and gain access to all the rights connected to the status that was recognised.

In **Sweden**, due to the increasing number of applicants predicted for 2014, the Swedish Migration Board (renamed the Swedish Migration Agency) revised its contingency plan adopted in 2013. The plan sets out organisational measures in case of increasing and fluctuating numbers of applicants in order to manage such a situation in a timely and effective manner. Measures are defined for five different levels of workload/number of asylum applicants.<sup>(150)</sup> The overall purpose of the contingency plan is to enhance preparedness, to define responsibilities, to ensure co-ordination, capacity and burden-sharing within the organisation. Measures include weekly co-ordination meetings, increased capacity at application units (e.g. by distributing applicants more evenly among them), the use of mobile solutions for the examination of asylum applications, and simplified procedures at application units.<sup>(151)</sup> The Agency has also strived towards a higher level of flexibility within the whole system, e.g. by developing steering principles for allocation of resources and increase staff competence to handle a broader variety of applications. Efforts have also been made to continuously improve the Agency’s IT system, enabling the processing of application regardless of geographical location. Interdisciplinary teams were set up to find new ways of working with, for example, applications deemed manifestly unfounded. The teams were based on an ‘end-to-end’ process whereby team members would work exclusively with a case from application to return, saving significant amount of processing time by avoiding the need to pass the case between units and/or case officers. The **Norwegian** Directorate of Immigration (UDI) activated some parts of its contingency plan in the summer of 2014 (and before that in the autumn of 2013) due to a sudden and unexpected rise in the asylum applications.<sup>(152)</sup>

<sup>(150)</sup> Up to 1 200 applicants per week is considered to be a level that could be handled without major changes; 1 200 to 1 600 applicants is considered level 2; 1 600 to 2 000 level 3; 2 000 to 2 500 level 4; and 2 500 to 3 000 level 5.

<sup>(151)</sup> The intention is to achieve a higher level of flexibility within the whole asylum system, for example by developing steering principles for resource allocation, and raising the competences among its staff so they can handle a broader variety of applications. Efforts have also been made to continuously improve the Board’s IT system, which makes the processing of applications possible regardless of geographical location.

<sup>(152)</sup> The plan outlines clearly the decision-making bodies and the processes that should take place in a situation of influx. It describes the responsibilities of the different departments in the UDI and means of cooperation among them. It provides for establishment of a crisis management team consisting of the chiefs of the different departments in the Directorate and headed by the Director General of the Directorate. However the detailed operation plans for the different departments in the Directorate are not yet in place.

The UDI worked with the Police Immigration Service and Immigration Appeals Board on a project, entitled Dublin A-Z, where the goal was to achieve a more effective case flow from start to finish. The project focused on how the three administrations could work to reduce the time and resources used internally processing a case according to the Dublin Regulation and how their work could save time and resources at the other administrations. As a result the Dublin procedure (from registration until the asylum seeker was transferred to another State) was reduced from 6 to 2 months. As a consequence, 500 places in reception centres were made available for other applicants. In **France**, the CNDA introduced video recordings of hearings with overseas departments in order to reduce processing times.<sup>(153)</sup>

The intensified influx of applicants, particularly from Eritrea and Syria, led to major pressure on the asylum process in the **Netherlands**. Various actions were taken to deal with this, including employing about 150 extra temporary personnel at the IND and extending opening hours at the reception desks. To address a sharp rise in the number of applicants from Western Balkans in **France**, particularly in certain areas, OFPRA organised missions to Grenoble, Strasbourg and Lyon to support decision-making processes and ease the saturation of accommodation capacity.

Responding to pressure faced by the reception system, **Italy** established a parliamentary inquiry commission<sup>(154)</sup> to examine the system of reception and identification and the conditions of detention in the Centres for Identification and Removal (CIE), Reception Centres (CDA) and reception centres for asylum seekers (CARA). Through guidelines issued on May 5, 2014, the National Asylum Commission also provided the territorial commissions with further clarifications on their competences in an effort to better distribute workloads and reduce the time needed to evaluate applications.

Another measure of efficiency relates to priority procedures, where certain types of cases (caseloads) are processed as a first priority before others. This can concern unfounded cases that (when they display elements described in the current Asylum Procedures Directive as giving grounds to believe they are unfounded) can be processed in an accelerated manner; all procedural guarantees are maintained but the case is processed within a shorter timeframe. Similarly, where certain types of cases are considered urgent in terms of protection needs, they can be processed in a simplified way so that protection can be granted as soon as feasible.

In 2014, **Germany** introduced simplified and streamlined procedures for Syrian applicants and for Christians, Yazidis, and Mandaeans from Iraq. Also, regarding applications from the Western Balkan states (safe countries of origin), priority processing was introduced. **Croatia** prioritised vulnerable groups and detained applicants, as well as applicants from particular countries of origin (Algeria, Tunisia, Morocco, and Syria). **Greece** and **Spain** also prioritised Syrian cases. On 19 March 2014 the Refugee Applications Commissioner in **Ireland** accorded priority to certain classes of applications for subsidiary protection under two parallel processing streams that will run concurrently: applications will be prioritised for interview scheduling mainly on the basis of oldest applications first and, within that, the following categories will be prioritised also on the basis of oldest cases first: unaccompanied minors in the care of the Health Service Executive; applicants who applied as unaccompanied minors, but who have now aged out; applicants over 70 years of age, who are not part of a family group; applications that include a Medico-Legal report indicating likely well-foundedness; applications from Afghanistan, Chad, Eritrea, Iraq, Mali, Somalia, South Sudan, Sudan, and Syria.<sup>(155)</sup> In **Austria**, due to the increasing number of applicants, the possibility of accelerated procedures was used to effectively deal with the large number of applications.

Member States employ screening measures at the initial stage of the process to identify unfounded applicants and cases involving possible fraud. In the **Netherlands** since 1 September 2014 an additional screening has been conducted by the Royal Military Constabulary and the IND of families with minor children who apply for asylum at

<sup>(153)</sup> Advanced draft of *EMN Annual Policy Report 2014 Synthesis*.

<sup>(154)</sup> Resolution of 17 November 2014, Establishment of a Parliamentary Commission of Inquiry into the system of reception and identification as well as on the treatment of migrants in Reception Centres, reception centres for asylum seekers and centres for identification and deportation, Official Gazette no 275, 26 November 2014, [www.gazzettaufficiale.it/eli/id/2014/11/26/14A09159/sg;jsessionid=c8YNYkPldMWZ5yVFB+Sw\\_\\_ntc-as5-guri2a](http://www.gazzettaufficiale.it/eli/id/2014/11/26/14A09159/sg;jsessionid=c8YNYkPldMWZ5yVFB+Sw__ntc-as5-guri2a). The Commission will operate for one year and should - with a view to making legislative solutions if required - establish the conditions for migrants, analyse the efficiency of facilities and their financial sustainability, inspect any harmful conduct against migrants and infringement of rules (including verification of past or present criminal proceedings against management), verify management procedures, evaluate the work of inspecting authorities, and document management.

<sup>(155)</sup> Selection of countries of origin for prioritisation was made on the basis of country of origin information, protection determination rates in EU member states and UNHCR position papers indicating the likely well-foundedness of applications from such countries.



an external border (the airport). The family relationship between adult(s) and children is checked, as well as possible well-founded reasons to refuse the family further entry (e.g. suspicion of war crimes).<sup>(156)</sup> **Cyprus** continued with an initial screening process on new applications for international protection submitted before the Asylum Service. The aim was to identify unfounded applications and prioritise their examination, thus reducing the time needed to examine these applications to a minimum (less than 3 months for first instance).

Other streaming measures consisted of introducing new technologies. **Ireland** implemented the Private Key Infrastructure (PKI) and Single Point of Contact (SPOC) system during 2014. Cards issued to third-country nationals required to register in Ireland – a Certificate of Registration – now incorporate a contactless chip. New e-Document readers were purchased for Dublin Airport, other ports of entry and for registration offices during 2014. A trial of document verification technology took place during the year at Dublin Airport. During 2014, the use of four automated border e-gates at the airport was extended to a 24/7 basis and it is planned to extend this during 2015. Future activities include the greater use of automatic border controls and advance passenger information systems at the airport. The **Estonian** Academy of Security Sciences continued to develop an interactive virtual environment and e-solution based learning environment for Police and Border Guard officials who are in direct contact with applicants for international protection and for the students of the Police and Border Guards College. To simplify procedures, Estonia also shortened its application form from 15 to 2 pages as of 1 April 2014.

Following developments in 2014 in the framework of Task Force Mediterranean in 2015 EASO started the development of a second generation of more complex joint processing pilots and testing activities that can be supported by the EASO Processing Support Teams (PST), comprised of experts from Member States and EASO. Three pilots were implemented with regard to: asylum application<sup>(157)</sup>, asylum determination<sup>(158)</sup> and vulnerability assessment.<sup>(159)</sup>

The intermediate results of the first pilot project conducted by EASO in Poland in early 2015 have shown that PSTs were able to successfully perform most registration and identification activities, (with the exception of filling the reasons of claiming for asylum in the application) with similar efficiency as the hosting authorities. Given the high level of harmonised workflow in the Dublin procedure and the use of English language, PSTs were able to integrate in the host Dublin Unit within a few days. PSTs could then operate within the existing framework of internal monitoring mechanisms, eliminating additional resources allocated by hosting authorities to supervise the PSTs' operational activities.

### 3.2.5.3. Quality

In 2014 EU+ countries continued implementing internal measures aimed at achieving higher quality in their decision-making processes and the content of issued decisions. Often quality mechanisms were aimed at specific caseloads and categories of cases.

In **Belgium**, CGRS current guidelines and instructions were screened and the most relevant topics were identified. An editing committee updated and elaborated the content, applied uniform drafting rules, used standardised templates and developed a validation matrix. This resulted in different categories: general guidelines, guidelines for case workers (eligibility: subsidiary protection, *sur place* cases, internal flight alternative, exclusion, FGM, etc.) and service specific guidelines (case handling, interviews, administrative procedures, public order, deontology, HRM), which are made available on the new documentary e-platform (InSite).

<sup>(156)</sup> If the outcome of the screening shows that there is no cause for further investigation, then the family may travel to a reception centre to proceed with the asylum procedure. If further investigation into the family is required, then the family is placed in the new closed family care facility, where they remain for the asylum procedure. If it is suspected that the adult(s) and children are not related, then the adult will be placed in border detention and the child will be placed under supervision of the guardianship organisation Nidos.

<sup>(157)</sup> Conducted in Poland between January and February 2015, focusing on registration and identification of applicants for international protection and processing of Dublin cases.

<sup>(158)</sup> Conducted in Netherlands between February and March 2015, focusing on processing of asylum interviews and case preparation.

<sup>(159)</sup> Conducted in the UK between April and June 2015, focusing on assessment of vulnerability in the screening procedure and assessment of vulnerability in the asylum status determination procedure.

In cooperation with UNHCR audits for unaccompanied minors from Afghanistan were developed (catalogue of criteria) and conducted in **Germany**. Furthermore an audit concerning conversion was launched in 2014. In addition to that the decisions regarding Syria and the top ten countries of origin and Ukraine were quality assured.

**France** conducted its first quality assessment (under a quality control scheme set up with the help of UNHCR in 2013).<sup>(160)</sup> In connection to this, a guide reiterated the basic procedures required when conducting a personal interview. Additionally, a new format to improve transparency in relation to case decisions, specifically for rejection in negative decisions, was developed by OFPRA. This procedure was implemented in 2015.

In **Austria** the implementation of the STARQ II project to ensure the high quality and efficiency of the Austrian Asylum system continued in 2014. The project is carried out in cooperation with UNCHR and aims to consolidate and enhance the authorities' internal measures and systems for nationwide quality assurance in the organisational units of the BFA. Specific training (funded under the ERF) as well as quality projects in the context of interpretation in the asylum procedure was carried out.

### EASO Quality Matrix

EASO's quality activities help EU+ countries to continually improve their asylum systems and achieve common quality standards within the CEAS. With this objective, the EASO Quality Matrix process was launched in 2012 and continued in 2014. Through the Quality Matrix, EASO aims to comprehensively map the practices of EU+ countries in implementing the common legal framework and identify examples of good practice, quality tools and mechanisms and relevant projects and initiatives. The Quality Matrix also enables EASO to analyse support needs and identify challenges and potential common solutions.

In 2014, the Quality Matrix mapping focused on key procedural aspects and covered the following topics in light of the provisions of the recast Asylum Procedures Directive: *Access to Procedure; Identification of Persons with Special Needs; and Special Procedures (prioritisation, accelerated procedures, border procedures, safe countries, admissibility procedures, subsequent applications and withdrawals)*.

Since the beginning of 2014, and building on the mapping, EASO is also developing practical tools within the EASO Practical Guides Series. The tools are developed with expertise from the EU+ countries and with valuable input from the European Commission, UNHCR, ECRE and, depending on the topic and scope of the tool, from ad hoc civil society representatives. The development of practical tools in the Quality Matrix process began with the '*EASO Practical Guide: Personal Interview*'<sup>(161)</sup> and the '*EASO Practical Guide: Evidence Assessment*'<sup>(162)</sup>. Those tools aim at supporting case officers in the core aspects of their daily work. They consist of practical checklists and brief guidance, which suggest structured approaches to personal interviews and to the evidence assessment process.

In 2014, in response to common needs expressed by EU+ countries, EASO started the development of a practical tool for identification of persons with special needs, covering procedural and reception aspects. The tool would be an interactive web-based solution for individual identification and assessment of special needs in relation to categories of persons with potential special needs according to the recast Asylum Procedures Directive and the recast Reception Conditions Directive.

As part of the Quality Matrix process, EASO also maintains a List of Quality Projects and Initiatives, implemented in EU Member States since 2004. The list is intended as a comprehensive and regularly updated database of projects and initiatives that aim quality. It covers different aspects of the CEAS and is organised by themes including, for example, (general) quality of the procedure, minors, country of origin information, and reception conditions.

<sup>(160)</sup> The ex post audit of a representative sample of files was largely positive and identified areas for improvement will be addressed by instructions, training and support tools.

<sup>(161)</sup> Available at: <https://easo.europa.eu/latest-news/easo-practical-guide-personal-interview/>.

<sup>(162)</sup> Available at: <https://easo.europa.eu/latest-news/easo-practical-guide-evidence-assessment/>.

### 3.2.6. External dimension and third-country support

The activities of EASO on the External Dimension of the CEAS are undertaken in the framework of the broader EU external relations policy and in agreement with the European Commission.

The EASO Regulation gives it the mandate to coordinate the exchange of information and other actions taken on issues arising from the implementation of instruments and mechanisms relating to the external dimension of the CEAS. Pursuant to its mandate, and in accordance with Article 49 of the Regulation, EASO sought cooperation with competent authorities of third countries in technical matters, in particular with a view to promoting and assisting capacity building in the third countries' asylum and reception systems and to support the implementation of regional protection programmes, and other actions relevant to durable solutions.

#### EASO ENPI Project

Following the adoption of the EASO External Action Strategy<sup>(163)</sup> by the EASO Management Board in November 2013, EASO engaged in a project financed by the European Neighbourhood Policy Instrument (ENPI) related to the participation of Jordan in work by EASO and the participation of Tunisia and Morocco in work by EASO and Frontex. The project started on 1 March 2014 and will run for 18 months. It aims to contribute to a better understanding of the function, operations, and activities of EASO and Frontex and the role EU Member States play. It will assess and identify the technical assistance needs of Jordan, Morocco, and Tunisia and the suitability of EASO and Frontex tools for their possible adaptation. Activities foreseen include: field visits; training; workshops; thematic seminars; as well as translations of selected EASO training modules and other necessary documents and publications into Arabic and French. The target groups are asylum and border management authorities, both having operational responsibilities (including the Ministries of Foreign Affairs, the Ministries of Interior and the Ministries of Justice) and those performing supporting activities (such as the exchange of information, capacity building, international cooperation, and legal activities). Among the target groups are representatives of Jordan, Morocco, and Tunisia.

The ENPI project is the first initiative whereby EASO is engaging within the External Dimension of the Common European Asylum System. This is being undertaken with countries with which the EU has concluded (Tunisia and Morocco) or is negotiating (Jordan) an EU Mobility Partnership. The project started with a meeting in Malta on 13 May 2014 bringing together representatives of Jordan, Morocco, and Tunisia as well as EU Member States experts, the European Parliament, and the European Commission. Field visits to Jordan, Morocco, and Tunisia were carried out in March, April and June 2014, where EASO representatives met the relevant stakeholders and authorities.

### 3.2.7. Resettlement and relocation

Based on Eurostat data, EU+ countries resettled 7 670 persons in 2014. There are now 16 European countries (16 EU Member States plus Iceland, Norway, and Switzerland) who have established resettlement quota, either on an annual basis or on an ad hoc basis.

2014 was marked by the Austrian 'Save Lives' initiative, which seeks to advance European solidarity and burden-sharing in response to escalating refugee protection needs. On the request of Member States, this project was developed further by the European Commission.

As reflected under the Central Mediterranean Sea Initiative (CMSI), UNHCR is urging European States to consider the increased use of legal alternatives so that persons in need of international protection do not have to resort to dangerous irregular movements and the use of smugglers. Such programmes could include a strategic use of resettlement along mixed migration routes as proposed by Austria's 'Save lives' initiative, humanitarian visa schemes, extended and facilitated family reunification, private sponsorship programmes, as well as study and labour migration schemes. Some alternative forms of solutions are already being explored by a number of European States in response to the Syrian situation, as detailed below.

<sup>(163)</sup> Available at: <http://easo.europa.eu/wp-content/uploads/EASO-External-Action-Strategy.pdf>.

The European Resettlement Network (ERN), which is jointly coordinated by the International Organisation for Migration (IOM), International Catholic Migration Commission (ICMC) and UNHCR, continued its activities in 2014 under the EC-funded project, *Strengthening the response to emergency resettlement needs*, and drew to a close on 31 December 2014. The project supported the existing ERN through further promotion of cooperation among different stakeholders, and building their capacity to increase and improve resettlement efforts. It also raised awareness of emergency resettlement, conducted outreach, and facilitated mutual learning, and the exchange of good practice amongst ERN members and stakeholders through its primary tool, the ERN website: [www.resettlement.eu](http://www.resettlement.eu). The activities of the ERN under this project culminated in a final conference in Brussels on 'European Resettlement – Consolidation and New Protection Opportunities', which saw the participation of 90 representatives from International Organisations, European Institutions, national, regional and local governments, NGOs, previously resettled refugees and other civil society representatives. The activities of the ERN were further assisted by National Network Focal Points in 14 European countries, including Austria, Belgium, the Czech Republic, Denmark, Finland, France, Germany, the Netherlands, Poland, Portugal, Romania, Spain, Sweden, and the United Kingdom.

Syria remained the country of first priority in 2014. The Core Group on the Resettlement of Syrian Refugees led by Sweden through the Swedish Migration Agency undertook a number of activities in 2014: streamlining procedures for Syrian refugee cases; procedures to assist the effective counselling of refugees; a mapping exercise led by Australia; the search for innovative solutions for Syrians; contribution towards two high-level conferences on resettlement of Syrian refugees; and engagement and dialogue with host States, in particular Jordan, Lebanon, Iraq, Egypt, and Turkey.

A number of European States have undertaken other initiatives outside their regular streams in response to the Syrian refugee situation, including: Austria (HAP); France (HAP/resettlement plus asylum visa); Germany (HAP and individual sponsorship programme); Ireland (Syrian Humanitarian Admission Programme (plus resettlement)); Portugal (emergency scholarships for higher education (plus resettlement)); Switzerland (temporary extended family reunification programme and humanitarian visas (plus resettlement)); and the UK (Vulnerable Persons Relocation scheme).

There were no relocation programmes in EU+ countries in 2014. On 27 May 2015 the Commission issued a proposal for a Council decision establishing provisional measures in the area of international protection for the benefit of Italy and Greece, including relocation of applicants who are, *prima facie*, in clear need of international protection from those two Member States.

## 4. The Functioning of the CEAS

### 4.1. Access to procedure

The initial stage of the procedure is of crucial importance in swiftly managing mixed migration flows and ensuring that third-country nationals who may be in need of international protection have an effective opportunity to present their applications for international protection and have their protection needs assessed in a fair and efficient procedure.

Third-country nationals who are present on the territory of the EU and who wish to apply for international protection must be treated in accordance with the EU asylum *acquis*. In particular, Member States must guarantee the right to make a claim for international protection effectively (without obstacles), including in a timely manner (without undue delay) therefore safeguarding the right to asylum under Article 18 of the Charter of Fundamental Rights of the European Union. However, access to procedure in the EU continues to effectively presuppose access to the territory (which includes Member States' borders, territorial waters, or transit zones).

According to the Fundamental Rights Agency annual report 2014<sup>(164)</sup>, the volume of irregular arrivals rose, especially by sea, and the International Organization for Migration estimated that 3 000 people lost their lives while trying to reach Europe. On 30 June 2014 the Parliamentary Assembly of the Council of Europe issued a report on deaths in the Mediterranean. Greece witnessed several shipwrecks, in particular in the Aegean Sea between Greece and Turkey where 2014 was marked by the tragedies in Farmakonisi and Samos which caused the deaths of mainly women and children.

Italy was faced with the arrival of more than 170 000 persons, many from Syria or Eritrea. The rescue operation of *Mare Nostrum* continued throughout 2014, while in November 2014 Operation Triton started under the coordination of Frontex. The Task Force Mediterranean initiative, set up in late 2013 in response to the tragic sinking of a boat near Lampedusa continued throughout last year and its work was the subject of communications issued by the European Commission<sup>(165)</sup>.

As foreseen in the Action Plan of the Commission Communication on the **Task Force Mediterranean**<sup>(166)</sup>, EASO together with Frontex, Europol, and Eurojust engaged in a joint pilot project to learn more about the phenomenon of facilitation of persons seeking international protection and the assumption that the majority of irregular migrants arriving by boat have almost certainly been facilitated in their journey by persons charging money or receiving other material benefit for the service. The project focused on gathering information from persons seeking international protection, specifically relating to routes and *modi operandi* that facilitators of irregular migrants use. This information was obtained from persons who arrived by boat in the two Southern Mediterranean Member States: Italy and Malta.

This was done at an appropriate stage during the asylum process, and in line with current practice in the host Member State, to achieve greater comprehensiveness than through voluntary debriefings after arrival.

Aggregated and anonymised data collected by the respective competent national authorities from persons seeking international protection, arriving on two boats in Italy and Malta in September and October 2014 respectively, was provided to EASO.

<sup>(164)</sup> Fundamental Rights Agency report, *Fundamental rights: challenges and achievements in 2014*, page 85, based on national police data.

<sup>(165)</sup> Brussels, 4.12.2013 COM(2013) 869 final COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the work of the Task Force Mediterranean.

<sup>(166)</sup> COM(2013) 869 of 4 December 2013.

The main interim conclusion was that more comprehensive information was obtained in this way than through other means, in terms of the scope of the information coverage and the number of persons from whom it was collected. If such information were collected systematically by all Member States and analysed regularly, it could yield important information about facilitation to and within the EU, creating a systematic data collection that can be used for long-term strategic analysis. As a next step, EASO proposed to repeat the project in two Member States that are not at the EU external borders.

The Action Plan also highlighted EASO's role in joint processing. Based on discussions held in the Strategic Committee on Immigration, Frontier and Asylum (SCIFA) of the Council of the EU, EASO conducted several preliminary joint processing pilot projects to test practical-level cooperation between participating Member States in the pre-interview stage of the asylum procedure within the parameters of the EU asylum *acquis*.

During 2014 cases were noted where irregular migrants and applicants for international protection from certain countries of origin (notably Eritreans and Syrians) refused to be fingerprinted by Member State authorities. As a result, although the applicant had entered the EU via another Member State (often after being rescued at sea) and had been in contact with the authorities of that Member State, an actual application was only made later in another Member State. In 2014, **Italy's** Department of Public Security underlined the necessity of fingerprinting every migrant arriving in the country.<sup>(167)</sup> On 27 May 2015 the Commission published a Commission Staff Working Document on the Implementation of the Eurodac Regulation as regards the obligation to take fingerprints<sup>(168)</sup> presenting possible best practices for Member States to follow. This was to ensure that their obligations under the Eurodac Regulation were fulfilled and to provide guidance to facilitate systematic fingerprinting, in full respect of fundamental rights.

Relevant developments in Member States as regards access to procedure include:

In **Spain** two facilities were set up at border posts in the autonomous cities of Ceuta and Melilla in 2014 where applications for international protection can be submitted. Applications are submitted to the Border Police and the Refugee Office determines the cases. Since September until the end of 2014 more than 400 applications were submitted. UNHCR reported that this is reversing the trend of Syrians accessing Spanish territory irregularly and enabled them to avoid resorting to smugglers, which reduced the risk of being trafficked. However, overcrowding and inadequate reception facilities at these points still raised concerns about access to procedure.<sup>(169)</sup> **Bulgaria** constructed a 30-km fence along the border with Turkey (with further 131 km planned to be added in 2015) which raised concerns in UNHCR and civil society<sup>(170)</sup> that people prevented from entering irregularly included those in need of international protection. **Greece** continued applying tighter border control measures launched since 2010, resulting in lower numbers of third country nationals who were apprehended while trying to enter irregularly through the Greek–Turkish land border, with a parallel shift of irregular migration routes to sea borders. UNHCR assesses access to procedures in Greece as challenging due to informal returns ('pushbacks') at the Greek-Turkish land and sea borders<sup>(171)</sup>, six Regional Asylum Offices (out of intended 11) still remaining unopened, and staffing of the Asylum Service remaining at only 75 %.<sup>(172)</sup>

Other relevant changes in 2014 concerning initial stages of the procedure were also made. The initial phase of the procedure in first instance in the **Netherlands** was amended as of 1 January 2014. Until 31 December 2013 the submission of an asylum application took place on the first day of the general asylum procedure, after the 'period of rest and preparation' (taking, in principle, a minimum of 6 days after registration). Now the submission of the application for asylum and verification of the identity of the applicant takes place during the 'identification

<sup>(167)</sup> Due to the large number of arrivals, the identification and the fingerprinting can be done in the reception/identification centres instead of places of arrival. Cases were noted where persons arriving, in particular from Eritrea and Syria refused to cooperate not allowing the authorities to identify them as applicants for international protection. A multi-language information leaflet on the obligation to be fingerprinted is delivered to all arriving persons on military marine vessels or at the landing points, indicating that the refusal to give personal information and biometric data is a crime.

<sup>(168)</sup> Available at: <http://data.consilium.europa.eu/doc/document/ST-9346-2015-INIT/en/pdf>.

<sup>(169)</sup> UNHCR input. For further information on reception conditions in Ceuta and Melilla, see also Council of Europe 'HR commissioner on his visit to Spain January 2015' (16 January 2015), available at: [http://www.coe.int/en/web/commissioner/-/spain-legislation-and-practice-on-immigration-and-asylum-must-adhere-to-human-rights-standards; 2014 Ombudsman's Report, 'Informe anual 2014 y debates en las Cortes Generales' \(2015\), pp 201-02, 212-14, available at: http://www.defensordelpueblo.es/es/Documentacion/Publicaciones/ anual/Documentos/Informe2014.pdf](http://www.coe.int/en/web/commissioner/-/spain-legislation-and-practice-on-immigration-and-asylum-must-adhere-to-human-rights-standards; 2014 Ombudsman's Report, 'Informe anual 2014 y debates en las Cortes Generales' (2015), pp 201-02, 212-14, available at: http://www.defensordelpueblo.es/es/Documentacion/Publicaciones/ anual/Documentos/Informe2014.pdf).

<sup>(170)</sup> Human Rights Watch *Containment Plan Bulgaria's Pushbacks and Detention of Syrian and Other Asylum Seekers and Migrants* 29 April 2014, available at: <http://www.hrw.org/reports/2014/04/28/containment-plan>.

<sup>(171)</sup> UNHCR Observations on the Current Situation of Asylum in Greece (Dec 2014), available at: <http://www.refworld.org/docid/54cb3af34.html>, pp. 7-8.

<sup>(172)</sup> UNHCR Observations on the Current Situation of Asylum in Greece (Dec 2014), available at: <http://www.refworld.org/docid/54cb3af34.html>.

and registration' phase prior to the 'period of rest and preparation'. The assessment as to which Member State is responsible for the handling of the application commences immediately after the submission of the application.

In **France**, the submission of an application by a third-country national who is detained for the purpose of removal will no longer automatically result in continued detention and priority procedure. This change results from an amended instruction issued on 23 December 2014, aimed at ensuring compliance with standards concerning asylum procedure in detention. <sup>(173)</sup>

In **Estonia** the number of Police and Border Guard Board officials who can receive and perform initial processing of applications for international protection at the Aliens Unit of the Migration Bureau was increased as of 1 April 2014, with extensive training on international protection proceedings provided. UNHCR still expressed concerns in particular with regard to situation at the Narva border-crossing point. <sup>(174)</sup>

A study, *New approaches, alternative avenues and means of access to asylum procedures for persons seeking international protection* <sup>(175)</sup> commissioned by the European Parliament explored the need and potential for innovative approaches, including joint processing and distribution mechanisms. The study proposes a focus on front-line reception and streamlined refugee status determination in order to mitigate the asylum challenges facing Member States, and guarantee the rights of applicants and refugees according to the EU *acquis* and international legal standards.

Highlighting the dangers associated with irregular arrivals by sea, UNHCR launched its Global Initiative on 'Protection at Sea'. <sup>(176)</sup> The Fundamental Rights Agency examined the situation at external borders of the EU, including in terms of safeguarding access to procedures for international protection, both as regards airports <sup>(177)</sup> and land borders <sup>(178)</sup>.

The first half of 2015 saw further developments relevant to access to procedure. As a result of a further tragedy off the coast of Libya in which up to 900 migrants are believed to have drowned, a special meeting of the European Council was convened on 23 April 2015 in which a strong statement <sup>(179)</sup> on the need to prevent such tragedies in the future was made. The European Commission on 13 May 2015, released the European Agenda on Migration <sup>(180)</sup> which contains a number of policy recommendations for strengthening the Common European Asylum System and in particular for dealing with the challenge of irregular arrivals by sea.

## 4.2. Access to information and legal assistance

Access to information and legal assistance is a key element in safeguarding that applicants for international protection are aware of their rights and obligations and can fully participate in the procedure.

Member States use various means of communication to disseminate information to applicants for international protection and third-country nationals who may be in need of protection. To assure access to information at the

<sup>(173)</sup> Resulting from the judgment of the ECtHR in case *IM v France* (9152/09) of 2 February 2012, available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-108935>, and the judgment of CJEU in case *Arslan* (C-534/11) of 30 May 2013, available at: <http://curia.europa.eu/juris/liste.jsf?language=en&num=C-534/11#>.

<sup>(174)</sup> The internal policy of the Estonian Police and Border Guard Board requires that a person explicitly express his or her wish to apply for asylum. There are also reports that some asylum-seekers are still denied the right to seek asylum in Estonia and are instead being returned to the Russian Federation (UNHCR input).

<sup>(175)</sup> European Parliament Directorate General for Internal Policies Policy Department C: Citizens' Rights and Constitutional Affairs Justice, Freedom and Security *New approaches, alternative avenues and means of access to asylum procedures for persons seeking international protection. Study* (PE509.989) (October 2014), available at: [http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL\\_STU%282014%29509989](http://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL_STU%282014%29509989).

<sup>(176)</sup> UN High Commissioner for Refugees (UNHCR), *Global Initiative on Protection at Sea*, 1 May 2014, available at: <http://www.refworld.org/docid/53abd14d4.html> [accessed 27 April 2015].

<sup>(177)</sup> Fundamental Rights Agency *Fundamental rights at airports: border checks at five international airports in the European Union* (October 2014), available at: <http://fra.europa.eu/en/publication/2014/fundamental-rights-airports-border-checks-five-international-airports-european>.

<sup>(178)</sup> Fundamental Rights Agency *Fundamental rights at land borders: findings from selected EU border crossing points* (November 2014), available at: <http://fra.europa.eu/en/publication/2014/fundamental-rights-land-borders-findings-selected-european-union-border-crossing>.

<sup>(179)</sup> <http://www.consilium.europa.eu/en/press/press-releases/2015/04/23-special-euco-statement/>.

<sup>(180)</sup> European Commission Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A European Agenda on Migration Brussels, 13.5.2015 COM(2015) 240 final [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication\\_on\\_the\\_european\\_agenda\\_on\\_migration\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf).

border or police administrations in the territory of **Croatia**, the Croatian Law Centre, in cooperation with UNHCR and Ministry of Interior, released a leaflet for third-country nationals who wish to apply for international protection. The Federal Office in **Germany** has produced a film that explains the German asylum procedure.<sup>(181)</sup> In April 2014, the **UK's** Migrant Helpline took over provision of advisory services nationwide. In **Italy** an Information Point for asylum seekers was set up at the National Asylum Commission offices to provide asylum seekers with information on procedures, the status of the application, the issuance of residence permits, reception, and ways to access public offices.

In 2014 Member States revised their practices concerning the provision of legal aid. As of 11 July 2014, the law on legal aid in **Cyprus** was amended to extend free legal assistance (which was already provided to persons whose application for asylum or refugee status was rejected or withdrawn) to applicants who were granted only subsidiary protection but sought refugee status. These applicants could now receive free legal aid to seek a review of such a decision before the Supreme Court.<sup>(182)</sup> In the **Netherlands**, since the beginning of 2014, the financial compensation for legal aid representation provided to an asylum seeker during a repeated asylum procedure has been reduced on the basis of a 'no cure, less fee' principle (meaning that lawyers are paid lower fees in case of a negative decision).<sup>(183)</sup> In **Austria** as of January 2014, rules regarding provision of free legal advice and legal representation have been amended, which was of concern to civil society.<sup>(184)</sup> A new legal-aid scheme created by the Refugee Legal Service for subsidiary protection applicants was rolled out throughout 2014 in **Ireland**.<sup>(185)</sup> Discussions continued in **Belgium** on the issue of asylum seekers' access to quality free legal assistance as the plans for reform (which were suspended after the Council of State's negative advice in June 2013 on the draft proposals then under discussion) were reiterated in the Federal government's agreement in late 2014. UNHCR stressed the significance of providing such aid in view of the appeal procedure being rather formal in Belgium and the lack of investigative power of the Council for Aliens Law Litigation (CALL, the appeal body in asylum cases).<sup>(186)</sup>

Under a pilot procedure in **Switzerland**<sup>(187)</sup>, every applicant assigned to it has the right to free legal counselling and representation by NGOs from the beginning of the first instance procedure until a final decision. In **Hungary**, access to quality legal assistance remained limited and is mainly – but not exclusively – provided by an NGO with a total capacity of 12 lawyers.<sup>(188)</sup>

As in previous years, the ERF remained a key source of funding for both provision of information and legal assistance in procedures for international protection.

### 4.3. Providing interpretation services

Interpretation needs to be provided in the procedure for international protection to ensure proper communication between the applicant and the authorities at every step of the process, including application, examination, and appeal stage.

The lack of interpreters for certain languages and the need for specialised training for interpreters dealing with cases of international protection presented a challenge for Member States in 2014. The influx of asylum applicants

<sup>(181)</sup> This film describes the procedure from the perspective of an applicant beginning with the arrival at the first reception facility until the decision on the application is reached. It is available in the German, English, French, Albanian, Arabic, Dari, Farsi, Pashtu, Russian, and Serbian language and can be viewed on the website [www.bamf.de](http://www.bamf.de). To complement the film, a leaflet, available in the same languages as the film, and which presents some additional information, was also produced.

<sup>(182)</sup> An additional information leaflet is provided to the applicants during the submission of the application. The "means and merits" test is applied for all the categories of cases in which legal aid is granted according to the law. To be granted legal aid, applicants should not only demonstrate a lack of resources but they have to also prove legal flaws in their refugee status determination procedure.

<sup>(183)</sup> <http://www.asylumineurope.org/reports/country/netherlands/subsequent-applications>.

<sup>(184)</sup> ECRE Asylum Information Database (AIDA) Report on Austria – Highlights, [http://www.asylumineurope.org/sites/default/files/resources/one-pager\\_at.pdf](http://www.asylumineurope.org/sites/default/files/resources/one-pager_at.pdf).

<sup>(185)</sup> Following the enactment of new determination procedures under the European Union (Subsidiary Protection) Regulations S.I. No. 426 of 2013. The new scheme for the first time introduced a focus on early legal advice (ELA). A further pilot scheme on ELA in the refugee status determination procedure was commenced in the latter half of 2014.

<sup>(186)</sup> UN High Commissioner for Refugees (UNHCR), *Mémoire en matière de protection des réfugiés, des bénéficiaires de la protection subsidiaire et des apatrides en Belgique*, June 2014, available at: <http://www.refworld.org/docid/541fc8c84.html>, pp. 6, 27-28.

<sup>(187)</sup> Put in place as a pilot accelerated procedure to test a model for a streamlined asylum procedure.

<sup>(188)</sup> According to UNHCR only 1 500 asylum-seekers benefitted from free legal assistance and 250 from free legal representation out of more than 42 000 registered in Hungary in 2014.



in some receiving countries led to an increased demand for interpreters from an often limited pool of resources. Several projects and training initiatives sought to address these issues in 2014.

In **Austria**, UNHCR was granted funding by the European Refugee Fund and the Austrian Ministry of Interior to implement a project aimed at improving the quality of interpretation services in asylum procedures<sup>(189)</sup>. In **Ireland**, where the Office of the Refugee Commissioner (ORAC) reported that it used interpretation and translation services in more than 50 languages during 2014, training sessions were conducted for interpreters working in refugee status determination procedures.<sup>(190)</sup> In March 2014, the **UK** Visas and Immigration (UKVI) services updated its asylum operational guidance for interviewing, including a section on use of interpreters.<sup>(191)</sup>

In **Germany**, the lack of training for interpreters was also noted by UNHCR, whereas in **Hungary** UNHCR noted lack of training, quality assurance mechanism, and professional Code of Conduct for interpreters. The Office of the Refugee and Asylum Commissioner in **Malta** reported that the availability of interpreters in certain languages such as Susu, Punjab, Yoruba, Twi, and Turkish was a concern. Previously, the office has benefited from the services of UK interpreters when there was an immediate need for more language experts to provide practical assistance. This helped to deal efficiently with cases that could not otherwise be processed due to language difficulties as the interpreters' pool in Malta is very limited. In **Spain**, the limited availability of interpreters at centres in Ceuta and Melilla, including those housing UAMs, was also a concern.<sup>(192)</sup> **Switzerland** reported a shortage of interpreters after a surge in applications, mainly from Eritreans, between April and October 2014. In **Croatia**, it was reported that interviews at the border entry points were sometimes conducted without qualified interpreters. In these exceptional cases, when it was not possible to provide interpreters for a specific language, or an alternative way of communication, Google Translator was used instead.<sup>(193)</sup> In these instances, border guards gave multilingual forms to applicants to be filled in with relevant information.

In **Cyprus**, increased interpretation services were provided to applicants in the emergency reception centre in Kokkinotrimithia from 25 September until the suspension of the operation of the centre in February 2015. Countries such as **Croatia** also benefited from ERF financing for interpretation services during the asylum procedure.

### EASO's list of available languages

EASO coordinates the provision of available languages in different Member States. This is done through a List of Available Languages (LAL) collated by EASO, which includes all languages generally available for direct translation from a named foreign language to the mother tongue of the named MS. This list is available to Member States as of April 2013.

## 4.4. Dublin procedure

Dublin procedures conducted in 2014 were governed by the provisions of the recast Dublin Regulation (so-called Dublin III Regulation) (see section 3.1.1. Legislative: transposition and entry into force of recast instruments) as regards applications for international protection lodged as of 1 January 2014 and requests to 'take back' or 'take charge' made from 1 January 2014.

<sup>(189)</sup> For further information about the project, which is entitled 'Qualitätvolles Dolmetschen im Asylverfahren (QUADA)', see: [http://www.bfa.gv.at/bmi\\_docs/1600.pdf](http://www.bfa.gv.at/bmi_docs/1600.pdf). A handbook for interpreters in asylum procedures was developed in the course of the project, available at: [http://www.unhcr.at/fileadmin/user\\_upload/dokumente/07\\_presse/material/Trainingshandbuch\\_fuer\\_DolmetscherInnen\\_im\\_Asylverfahren.pdf](http://www.unhcr.at/fileadmin/user_upload/dokumente/07_presse/material/Trainingshandbuch_fuer_DolmetscherInnen_im_Asylverfahren.pdf) (in German). UNHCR is establishing the training curriculum at an adult learning centre and hopes that the first course for interpreting in asylum procedures will start in the autumn of 2015.

<sup>(190)</sup> Modules on the appropriate use of interpreters were also incorporated into the training given to decision-makers at first instance and before the Refugee Appeals Tribunal.

<sup>(191)</sup> 'Asylum Policy Instruction: Asylum Interviews', Version 6.0, U.K. Home Office (4 March 2015), available at: <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/asylumprocessguidance/theasyluminterview/guidance/conductingtheasyluminterview.pdf?view=Binary>. The guidance includes a link to the UKVI Interpreters Code of Conduct, which interpreters are expected to follow. It includes reference to the 'Interpreter Monitoring form' which must be completed and sent to the Central Interpreters Unit (CIU) in cases where an interview is suspended or cancelled due to language difficulties/interpreter problems.

<sup>(192)</sup> See e.g. Amnesty International, Noticias relacionadas: Espana ni acoge debidamente a los solicitantes de asilo sirios ni ha sido generosa ofreciendo reasentamiento para los sirios refugiados en los paises de la region (4 Feb 2015), available at: <https://www.es.amnesty.org/paises/arabia-saudi/noticias-relacionadas/articulo/espana-ni-acoge-debidamente-a-los-solicitantes-de-asilo-sirios-ni-ha-reasentado-a-ninguno-de-los-ca/>; Europapress, Mas de un millar de refugiados sirios se hacinan en el CETI de Melilla (4 Feb 2015), available at: <http://www.europapress.es/epsocial/ong-y-asociaciones/noticia-mas-millar-refugiados-sirios-hacinan-ceti-melilla-condiciones-precariedad-ammnistia-20150204000034.html>.

<sup>(193)</sup> UNHCR input.

As was the case for Dublin II Regulation, Dublin III Regulation maintains the principle that the responsibility for examining a claim for international protection lies primarily with the Member State that was instrumental to the applicant's entry or residence in the EU. The order of criteria establishing responsibility goes hierarchically from 1) family considerations, to 2) recent possession of visa or residence permit in a Member State, to 3) whether the applicant has entered EU in an irregular or in a regular manner.

New measures include: an early warning, preparedness, and crisis management mechanism; and further guarantees for applicants (personal interview), including minors and legal assistance to be provided free of charge upon request (under certain conditions). Maximum duration of the procedure is eleven months to 'take charge' of a person and nine months to 'take back' a person<sup>(194)</sup>. As regards appeals in Dublin procedures, Dublin III Regulations provides for an obligation to guarantee the right to appeal with suspensive effect against a transfer decision. Strict limits regarding duration of detention were introduced, alongside a single ground for detention in case of risk of absconding. Finally, the Regulation introduces clearer procedures between Member States, in particular thanks to more exhaustive and clearer deadlines. All listed measures are intended to contribute to the strengthened protection of applicants for international protection and improved efficiency of the system.

The related Implementing Regulation covers various issues relevant for the application of the Dublin Regulation, such as uniform conditions for the consultation and exchange of information on minors and dependent persons, standard forms on the exchange of information between Member States on these issues; uniform conditions for the preparation and submission of take charge and take back requests, as well as the exchange of information regarding Dublin transfers, including on a person's health; two lists of relevant elements of proof and circumstantial evidence; a common format for a *laissez-passer*; a common information leaflet on the Dublin regulation for applicants, as well as a specific information leaflet for unaccompanied minors; and the obligation to use secure electronic transmission channels for the transmission of requests.

Apart from developments linked to entry into force of the Dublin III Regulation and fulfilling obligations stemming from the Regulation, EU+ countries noted several other relevant developments:

In **Bulgaria** since mid-2014, Dublin decisions are issued by case workers on site at the territorial units, and they are forwarded to the Dublin Department of the Head Office of the State Agency for Refugees only if there are indications that another Member State is responsible for examining the application for international protection of the applicant concerned with a view to drawing up and sending an outgoing request in accordance with the Dublin III Regulation.<sup>(195)</sup> The **Finnish** Immigration Service launched the Dublin Information Exchange Centre project funded by the European Refugee Fund (ERF), establishing a National Contact Point within the Dublin Section and launching a centralized process of information exchange related to the Dublin III Regulation. Standard operating procedures were created for the identification of family ties, information exchange, the assessment of the child's best interests or dependence relationship, and for the national acquisition of information related to this. **Sweden** noted challenges resulting from diverging interpretations between the EU Member States regarding the ECJ ruling in the case *MA and Others*<sup>(196)</sup> on unaccompanied minors (UAM). In 2014, the Swedish Migration Board (renamed the Swedish Migration Agency) placed a Dublin Migration Liaison Officer in Italy as well as received a German Dublin Migration Liaison Officer to be stationed in Sweden. In **Slovenia** it was observed that the new obligation to conduct an interview in a Dublin procedure resulted in the procedures becoming longer.

Relevant in the context of Dublin procedures is the *Tarakhel* judgment of the European Court of Human Rights, which puts on national authorities a heightened obligation to ensure that appropriate reception facilities exist for applicants for international protection in other States Parties to the Convention, especially where vulnerable persons such as children are concerned.

<sup>(194)</sup> Except for absconding or where the person is imprisoned.

<sup>(195)</sup> Before that all Dublin decisions were issued on a centralised basis at the Head Office of the SAR under the CoM.

<sup>(196)</sup> Case C-648/11 of 6 June 2013, available at: <http://curia.europa.eu/juris/liste.jsf?num=C-648/11>, see EASO Annual Report on the Situation of Asylum in the Union 2013, <https://easo.europa.eu/wp-content/uploads/EASO-AR-final1.pdf>, p. 82.

The *Tarakhel* case concerned an Afghan family (including children) who applied for international protection in Switzerland and were to be transferred under the Dublin II Regulation.

Relying on Article 3 of the Convention, the applicants alleged that if they were returned to Italy ‘in the absence of individual guarantees concerning their care’, they would be subjected to inhuman and degrading treatment, prohibited under Article 3 of the Convention, due to ‘systemic deficiencies’ in the reception arrangements in Italy.<sup>(197)</sup> The Court, referring to failings noted in 2012 by UNHCR and the Commissioner for Human Rights of the Council of Europe, noted the glaring discrepancy between the number of asylum applications and the number of places available in the reception facilities and the difficult living conditions in the centres. The Court therefore considered that the data and information available raised serious doubts as to the current capacities of the asylum system in Italy. The Court reiterated that, as a ‘particularly underprivileged and vulnerable’ population group, applicants for international protection required special protection under Article 3, in particular where children were concerned, even if they were accompanied by their parents. In view of the existing reception arrangements in Italy, the Court considered that the Swiss authorities did not possess sufficient assurances that if returned there the applicants would be taken charge of in a manner adapted to the age of the children. It followed that there would be a violation of Article 3 if the applicants were returned to Italy without the Swiss authorities having first obtained individual guarantees from the Italian authorities that they would be taken charge of in a manner adapted to the age of the children and that the family would be kept together.

## 4.5. Special procedures: admissibility, border and accelerated procedures

According to the current Asylum Procedures Directive, in line with Article 23.4, examination procedures at first instance in specific circumstances<sup>(198)</sup> can also be conducted in an accelerated or prioritised manner, while remaining in accordance with the basic principles and guarantees of the asylum process. In line with Article 24, special procedures can be implemented by Member States for the purpose of preliminary examination of cases considered subsequent applications (Articles 32-34 APD) and cases considered in the framework of border procedures (Article 35 APD). In the case of those special procedures, certain derogations from the basic principles and guarantees are possible.

Many applications for international protection are made at the border or in a transit zone of a Member State prior to a decision on the entry of the applicant. In line with the recast APD, Member States have the possibility to conduct admissibility procedures in those areas to establish whether an application is admissible and should be further determined with regard to the merits of the claim. Member States also have the possibility to conduct substantive examination procedures at the border or in the transit zone.<sup>(199)</sup> In addition to regular substantive examination procedures, where the merits of the application in terms of international protection are determined to establish whether a form of protection should be granted or not, the new EU asylum *acquis* significantly clar-

<sup>(197)</sup> They also lodged complaints under Articles 8 and 13 of the Convention.

<sup>(198)</sup> a) the applicant, in submitting his/her application and presenting the facts, has only raised issues that are not relevant or of minimal relevance to the examination of whether he/she qualifies as a refugee by virtue of Directive 2004/83/EC; or (b) the applicant clearly does not qualify as a refugee or for refugee status in a Member State under Directive 2004/83/EC; or (c) the application for asylum is considered to be unfounded: (i) because the applicant is from a safe country of origin within the meaning of Articles 29, 30 and 31, or (ii) because the country which is not a Member State, is considered to be a safe third country for the applicant, without prejudice to Article 28(1); or (d) the applicant has misled the authorities by presenting false information or documents or by withholding relevant information or documents with respect to his/her identity and/or nationality that could have had a negative impact on the decision; or (e) the applicant has filed another application for asylum stating other personal data; or (f) the applicant has not produced information establishing with a reasonable degree of certainty his/her identity or nationality, or it is likely that, in bad faith, he/she has destroyed or disposed of an identity or travel document that would have helped establish his/her identity or nationality; or (g) the applicant has made inconsistent, contradictory, improbable or insufficient representations which make his/her claim clearly unconvincing in relation to his/her having been the object of persecution referred to in Directive 2004/83/EC; or (h) the applicant has submitted a subsequent application which does not raise any relevant new elements with respect to his/her particular circumstances or to the situation in his/her country of origin; or (i) the applicant has failed without reasonable cause to make his/her application earlier, having had opportunity to do so; or (j) the applicant is making an application merely in order to delay or frustrate the enforcement of an earlier or imminent decision which would result in his/her removal; or (k) the applicant has failed without good reason to comply with obligations referred to in Article 4(1) and (2) of Directive 2004/83/EC or in Articles 11(2)(a) and (b) and 20(1) of this Directive; or (l) the applicant entered the territory of the Member State unlawfully or prolonged his/her stay unlawfully and, without good reason, has either not presented himself/herself to the authorities and/or filed an application for asylum as soon as possible, given the circumstances of his/her entry; or (m) the applicant is a danger to the national security or public order of the Member State, or the applicant has been forcibly expelled for serious reasons of public security and public order under national law; or (n) the applicant refuses to comply with an obligation to have his/her fingerprints taken in accordance with relevant Community and/or national legislation; or (o) the application was made by an unmarried minor to whom Article 6(4)(c) applies, after the application of the parents or parent responsible for the minor has been rejected and no relevant new elements were raised with respect to his/her particular circumstances or to the situation in his/her country of origin.

<sup>(199)</sup> Recast APD preamble recital 38.

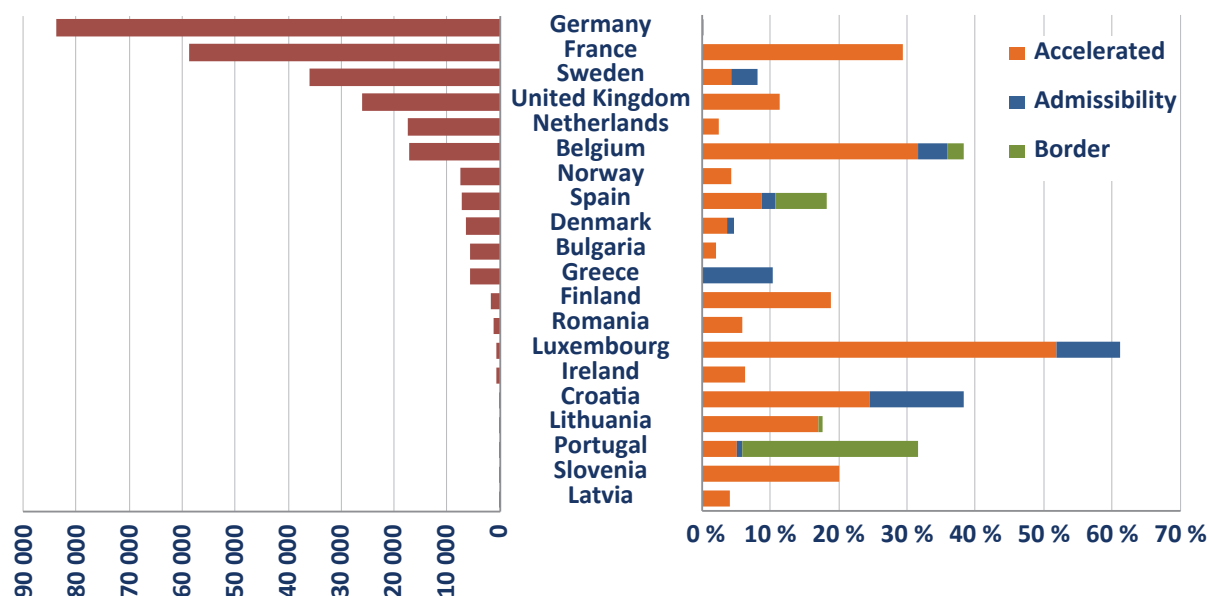
ifies and strengthens the different procedural modes in which an application for international protection can be processed, as well as the procedural consequences deriving from the examination of a claim in one or another mode (i.e. lack of automatic suspensive effect). Those procedural modes are:

- *admissibility procedures* – MS may decide under certain clearly defined circumstances whether the case is admissible and only if that is the case, the application will be further examined with regard to its protection merits;
- *border procedures* – MS may decide at the border/transit zones to examine the admissibility of the claim or its substance before granting the right to enter on the territory (however, if no decision is taken within 4 weeks, the applicant must be granted the right to enter the territory and have his claim processed inland). Under the recast Directive, MS will only be able to apply border procedures in a number of limited and clearly defined grounds (as opposed to the current non-exhaustive list of grounds);
- *accelerated procedures* – the timelines in which the case is processed, i.e. shorter deadline for the decision to be reached at the administrative stage of the procedure and a shorter deadline to file an appeal. Conditions under which the examination of a claim may be accelerated are the same as for border procedures.
- *prioritised procedures* – applications examined before other, previously made applications, without derogating from normally applicable procedural time limits, principles and guarantees.

It should be noted that procedures envisaged in the national legal frameworks may combine some of the abovementioned features at the same time, e.g. border procedures can be used for purposes of an admissibility procedure or for the purposes of a full examination procedure. EASO has included in its data collection under EPS, a disaggregation regarding use of special procedures in decision-making. Several of the States with such procedures in law were able to provide information on the number of decisions issued at first instance since March 2014 when data collection began, disaggregated by type of procedure (normal, border, admissibility, accelerated).

The chart below shows this information for the period March - December 2014. Only EU+ States who reported a decision issued in one of the three procedures (admissibility, accelerated or border procedure) in the reporting period are shown.

**Figure 42: Special procedures vary greatly across EU+ countries.**  
Number of decisions issued by countries and type of special procedure used

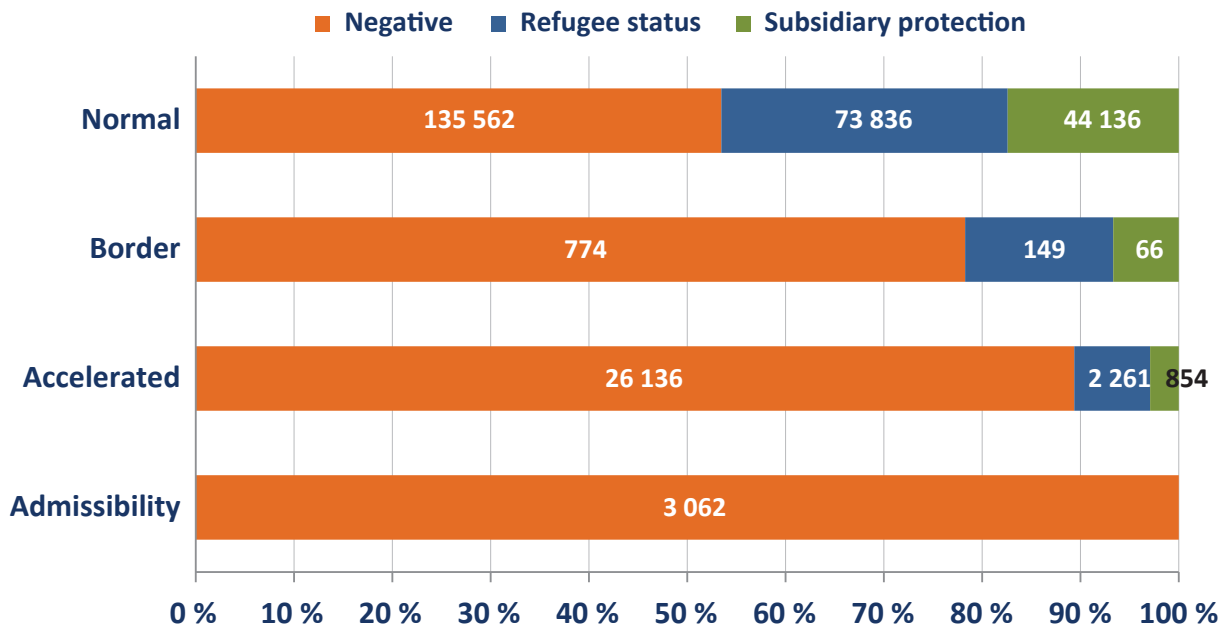


Source: EPS data, March 2014–December 2014 <sup>(200)</sup>.

<sup>(200)</sup> Due to the different ways in which a border procedure can be used according to the APD, reporting States are instructed to report both admissibility and accelerated procedures used at the border as border procedures.

While the significant majority of decisions issued in the EU+ States using accelerated or border procedures lead to a rejection of the application in a significantly higher proportion than for decisions arrived at via normal procedures, there are cases in which international protection is indeed granted using special procedures as shown in the chart below. Admissibility procedures resulted in 100 % negative outcomes since a positive result on admissibility leads to the opening of an asylum procedure that considers the case on merit – the result of this procedure is reported in asylum-decision data. Admissibility procedures resulted in 100 % negative outcomes since a positive result on admissibility leads to the opening of an asylum procedure that considers the case on merit – the result of this procedure is reported in asylum decision data.

**Figure 43: Total number of decisions, by type and outcome of procedure, in EU+ countries**



Source: EPS data, March 2014–December 2014

It should be stated that data concerning special procedures should not be taken as absolutely comparable, since categories used refer to procedures ‘corresponding to the ones defined in the recast Asylum Procedures Directive’ where Member States have a certain level of flexibility in deciding which provisions they will transpose into their national legislation and to what extent.

In 2014, developments in the Member States as regards procedural modes mainly concerned the issue of subsequent applications and admissibility procedures. As mentioned in section 3.2.5.1 on integrity, if a subsequent application is submitted after a final decision has been reached on a previous application, Member States employ specific measures to verify if the subsequent application brings new facts or is merely a repetition of a previous claim, and as such could be declared inadmissible.

The use of special procedures is also closely linked to national lists of safe countries of origin and safe third countries, where Member States’ practices also vary greatly. An ad-hoc query was conducted in October 2014 by the European Migration Network<sup>(201)</sup> which revealed the wide range of approaches taken by Member States and recent changes in the lists they maintain.

<sup>(201)</sup> European Migration Network Ad hoc query on safe countries of origin and safe third countries, compilation produced on 22 December 2014  
[http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/ad-hoc-queries/return/2014.615\\_emn\\_ahq\\_list\\_of\\_safe\\_countries\\_of\\_origin\\_%28wider\\_diss%29.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/return/2014.615_emn_ahq_list_of_safe_countries_of_origin_%28wider_diss%29.pdf)

## 4.6. Reception of applicants for international protection and reception capacity

According to the current legislative framework outlined in the Reception Conditions Directive (RCD), applicants should be offered an equivalent level of treatment in regard to reception conditions in all Member States. This is an important instrument to ensure that certain standards (defined in the RCD as minimum standards) are available to all applicants regardless of where they made their application. This also aims to prevent secondary movement of asylum applicants among Member States by those seeking to reach the Member States that offer better reception conditions.

Although applicants should be offered an equivalent level of treatment with regard to reception systems in all Member States, conditions vary greatly and challenges remain in dealing with fluctuating migratory flows. An increase in applications in 2014 led to accommodation shortages in reception places in countries such as Sweden, Germany, Cyprus, Greece, and Austria, highlighting the need for greater flexibility regarding reception facilities. To meet the challenge, Member States provided temporary accommodation as well as new reception centres, additional staff and training, and streamlined procedures at national and local level. The specific needs of vulnerable applicants also became a priority with the recast Reception Conditions Directive requiring participating Member States to provide suitable solutions by 21 July 2015, particularly with regard to assessment of the special reception needs of vulnerable persons (Article 22 of the recast Reception Conditions Directive).

Due to high numbers of applicants in 2014, many Member States had to resort to temporary reception measures. In **Germany**, in addition to the federal states establishing new reception centres, temporary accommodation, such as mobile housing units<sup>(202)</sup> and repurposed former army buildings, helped to deal with a 57.9 % increase in applicants compared to 2013. To deal with an unexpectedly high rise in applications since April 2014, particularly from Eritreans and Syrians, the **Netherlands** increased its capacity by using sports halls and recreational areas and, where possible, by adding temporary buildings. Alternative accommodation was also sought in former government buildings and in emergency facilities such as campsites. In **Sweden**, the Swedish Migration Board (renamed the Swedish Migration Agency) had to find alternative (temporary) solutions to accommodate asylum applicants by widening the search to include hostels, cottages in campsites, and similar forms of accommodation. Sweden's reception system also had to respond to the growing number of persons remaining in reception after being granted protection due to a housing shortage at municipal level. Despite these difficulties, and longer than usual processing times, the agency was able to provide accommodation to all applicants. **Cyprus** opened an emergency open reception centre in 2014 near Nicosia with financial aid from the European Refugee Fund (Emergency Measures) to accommodate the high number of asylum applicants. At the end of September 2014, this centre was used for the first time to accommodate 337 people who had been rescued at sea after fleeing Syria. The centre operated until February 2015 when it was closed. In September 2014 the capacity of the reception centre in Kofinou increased from 70 places to 400. Living conditions there were improved, with the financial aid of the European Refugee Fund, though concerns remain regarding the suitability of the centre for applicants with special needs due to its remote location.<sup>(203)</sup>

Following the national conference against poverty and for social inclusion, the **French** government made plans to create 4 000 additional places within CADA (*Centre d'Accueil de Demandeurs d'Asile*). This would bring the total capacity up to 25 410 places between July 2013 and the end of 2014<sup>(204)</sup>. In parallel, a three-year plan was established in cooperation with the Ministry of the Interior and Social Affairs and Health to manage and stabilise the increase in overnight stays in hotels and improve support for people staying there. AT-SA (Temporary Home, Asylum Service), an emergency shelter which remained operational in 2014 after initially being set up to address the Calais crisis, was used to accommodate former residents of the Blida camp in Metz which had been dismantled. Reception conditions in **Spanish** enclaves of Ceuta and Melilla remained challenging, especially for women, children, families, and persons with special needs, with significant overcrowding and frequent disruptions of basic services.<sup>(205)</sup>

<sup>(202)</sup> <http://www.asylumineurope.org/reports/country/germany/reception-conditions/access-forms-reception-conditions/conditions-reception>.

<sup>(203)</sup> UNHCR input.

<sup>(204)</sup> In this context, 1 000 places were created on 1 April 2014, and a selection was made to create a further 1 000 places in January 2015.

<sup>(205)</sup> Council of Europe, Spain: Legislation and practice on immigration and asylum must adhere to human rights standards (16 Jan 2015), available at: <http://www.coe.int/en/web/commissioner/-/spain-legislation-and-practice-on-immigration-and-asylum-must-adhere-to-human-rights-standards>; 2014 Ombudsman's Report (2014), pp. 201/202-212/213/214: <http://www.defensordelpueblo.es/es/Documentacion/Publicaciones/anual/Documentos/Informe2014.pdf>.

Another way of dealing with high numbers in asylum applications was to open new facilities and increase capacity. Funded by the System for the Protection of Asylum Seekers and Refugees (SPRAR), **Italy** more than doubled its reception places from 9 490 in 2013 to 20 979 last year. The reception budget was increased from EUR 78 800 000 in 2013 to EUR 196 300 000 in 2014. On 10 July 2014, Italy signed a National Reception Plan that foresees different stages of reception: rescue and first aid, reception and preliminary qualification of arriving persons, second reception and integration, as well as a coordination system and reception for UAMs. The most important innovation regards a system of mandatory regional quotas for reception based on the socio-economic situation of each region. **Austria** opened new federal reception centres in the provinces (Styria, Tirol, Salzburg, and Upper Austria) in response to the highest number of applications it received in more than 20 years. A new system of distribution of applicants<sup>(206)</sup> has been agreed upon to be launched by the summer of 2015. In **Hungary**, a reception facility opened in Nagyfa as part of efforts to deal with rising applications. Since 1 January 2014, reception centres for asylum applicants have operated as a single budgetary authority with the reception centre in Bicske operating establishments in Debrecen, Vámosszabadi, and Nagyfa. The latter facility (with a capacity of 300) was opened in November 2014.

In **Greece** the 'First Reception Service'<sup>(207)</sup> currently includes one facility in Fylakio-Orestiada and two mobile units on the islands of Lesbos and Samo. Consequently many arrivals are detained in 'identification centres' or police stations instead of in dedicated asylum reception facilities. Second-line reception arrangements face challenges in terms of there being sufficient accommodation and related services, in particular for individuals with specific needs, such as UAMs, single women, and other vulnerable individuals, with issues of homelessness and difficulties accessing health services.<sup>(208)</sup>

Member States who received fewer applicants in 2014 adjusted their facilities to match the decreased demand. **Finland** closed two reception centres and further reduced the capacity in other centres. Similarly, in **Belgium**, the Federal Agency for the Reception of Asylum Seekers (Fedasil) further decreased its reception capacity in 2014. On 11 December 2014 the Secretary of State for Asylum and Migration's plan to close an additional 1 212 reception places in 2015, was approved by the Council of Ministers.

Access to employment is an important element of reception conditions, supporting self-sustainability of applicants for international protection. As of 1 January 2014, an applicant in **Latvia** who does not receive a first-instance decision within nine months of the application for international protection (for reasons not caused by the applicant) is entitled to employment without any restrictions, until the final decision in their case. As of 31 October 2014, the waiting time for asylum applicants in **Germany** to be granted permission to work was reduced from 9 months to 3 months. With the law to amend the Asylum Seeker Benefits Act (*Asylbewerberleistungsgesetz*) and the Social Courts Act (*Sozialgerichtsgesetz*), which entered into force on 10 December 2014, the **German** Federal Constitutional Court decided to raise and adjust the financial allowance according to the Asylum Seeker Benefits Act to a fixed minimum standard and to regularly recalculate the allowance. Furthermore, the waiting time for the change to services according to the general welfare was cut from 48 to 14 months. Holders of certain residence permits were excluded from the list of beneficiaries but they will receive basic benefits for job seekers and social assistance. The major legal changes took effect on 1 January 2015 (transitional rules were in force up to this date). The confinement of applicants and tolerated foreigners has been limited by 23 December 2014 to the first three months of residence.

In terms of reception of vulnerable applicants, due to the large increase in the number of UAMs coming to **Sweden** in recent years, the model for the country's reception has been revised. Until 1 January 2014 the Swedish Migration Board (renamed the Swedish Migration Agency) assigned unaccompanied minors (UAMs) to municipalities under voluntary agreements between individual municipalities and the agency. Due to the significant increase of asylum-seeking UAMs, the model was revised and since January 2014 UAMs can be assigned without the consent of the municipality. As of October 2014, this had been done in some 1 400 cases. As of 2014, including unaccompanied minors (UAMs) and families with children are no longer detained upon arrival in **Malta**. Instead they are transferred to an accommodation centre that limits their movement until the necessary medical check-ups are completed. After they are medically cleared, all minors are moved to an open centre. However, UNHCR has noted that some challenges remain regarding applicants with special needs. There is still a need

<sup>(206)</sup> The system aims at better distribution of applicants among provinces. It limits the use of initial reception centres to applicants subject to Dublin procedures.

<sup>(207)</sup> Established in 2011 with the objective of receiving third country nationals who arrive irregularly in Greece and implementing a process for the identification of individuals with specific needs.

<sup>(208)</sup> UNHCR Observations on the Situation of Asylum in Greece (Dec 2014), available at: <http://www.refworld.org/docid/54cb3af34.html>.

to strengthen individual care arrangements in areas such as mental health. <sup>(209)</sup> The Kutina reception centre in **Croatia** was repurposed and renovated to exclusively accommodate vulnerable applicants (up to 100 persons), including unaccompanied minors. **Estonia** moved the reception centre from Illuka to a more central location in Väike Maarja to improve access to services.

In case of *Saciri* the Court of Justice of the European Union stated that the financial allowances granted to asylum seekers must enable them to find, if necessary, accommodation on the private rental market. The financial aid may be paid by bodies forming part of the public assistance system, provided that they meet the minimum standards of EU law as regards the material reception conditions.

The Court recalled that the period during which the material reception conditions must be provided is to begin when the asylum seeker applies for asylum, as is apparent from the terms, general scheme and purpose of the directive. The financial aid granted must be sufficient to ensure a dignified standard of living and adequate for the health of applicants and capable of ensuring their subsistence, it being understood that the Member State must adjust the reception conditions to the situation of persons having specific needs, in order, in particular, to preserve family unity and to take account of the best interests of the child (accordingly, the amount of the allowances must enable minor children to be housed with their parents). Where the housing is not provided in kind, the financial allowances must enable the asylum seekers to obtain housing, if necessary, on the private rental market, without them being left to make their own choice of housing suitable for themselves.

The Court states that where the accommodation facilities for asylum seekers are overloaded, the Member States may refer the asylum seekers to bodies within the general public assistance system and payment of the financial allowances may be made by such bodies, provided that those bodies ensure that the minimum standards laid down in the Reception Conditions Directive as regards the asylum seekers are met. In other words, overloading of the reception networks is not a justification for any derogation from meeting those standards.

## 4.7. Detention

In view of the provisions of recast Reception Conditions Directive, many Member States revised their policies and practices regarding use of detention.

In the **Netherlands** since 1 September 2014, border screening for families with minors was introduced, a policy change that was welcomed by civil society. <sup>(210)</sup> The screening implies that families who do not meet the grounds of entry at the Schengen border and who apply for asylum are no longer placed in detention facilities at Amsterdam Schiphol Airport. Instead they are – if there are no reasons to refuse entry <sup>(211)</sup> – accommodated in an open reception centre in Ter Apel. Amended grounds for detention in **Croatia** no longer include temporary impossibility of taking fingerprints caused by intentionally damaged papillary lines. Less coercive measures have also been prescribed with regard to detention used in Dublin cases. **Cyprus** introduced a new policy on detention in asylum cases. <sup>(212)</sup>

In **Finland**, The Ministry of Interior clarified the use of detention alternatives. Also **Slovakia**, as of 1 January 2014, introduced a new provision on detention of applicants for international protection revising the grounds for detaining asylum seekers. It was also established that the duration of detention should be ‘for the necessary period’ and not more than six months in total (unless detention is ordered for grounds of state security or public order, in which case the maximum duration of the extended detention is 12 months). **Slovenia** offered an alternative to detention to one third of applicants (in the form of designated residence in the Asylum Home), however the measure proved inefficient as all applicants absconded. In Hungary, a bail scheme also saw more than 70 % of

<sup>(209)</sup> See e.g. *JRS, Care in Captivity? An analysis of the provision of care for detained asylum seekers experiencing mental health problems* (Dec 2014), available at: <https://dl.dropboxusercontent.com/u/181171164/Care%20in%20Captivity.pdf>; UNHCR input.

<sup>(210)</sup> ECRE, *Asylum Information Database (AIDA) Report on the Netherlands – Highlights*, [http://www.asylumineurope.org/sites/default/files/resources/one-pager\\_nl\\_0.pdf](http://www.asylumineurope.org/sites/default/files/resources/one-pager_nl_0.pdf).

<sup>(211)</sup> Reasons why entry could be refused are, for example, a doubtful familial relationship or the suspicion of child smuggling.

<sup>(212)</sup> When a person submits an application for international protection while in detention, the removal order is suspended and the Asylum Service is immediately informed so that they can make a decision on admissibility within 30 days. The person remains in detention until this decision is made and if the Asylum Service decides that there are reasonable grounds for the application, the person is released and examination of the application begun.



applicants abandoning their application. **Portugal** introduced detention in procedures for international protection<sup>(213)</sup>, permissible in order to determine or verify the applicant's identity or nationality and to determine those elements on which the application for international protection is based which could not be obtained in the absence of detention, in particular when there is a risk of absconding.

In terms of duration of detention several developments were noted. As of 1 May 2014, **Poland** reduced the maximum period of detention from 12 months to 6 months under an amendment to the Act on Granting Protection to Foreigners in the Republic of Poland (although civil society is concerned about the maximum combined period of asylum/immigration/return detention and continued detention of children<sup>(214)</sup>). Those who are placed in a detention facility may be released on the basis of a decision of the Border Guard authority running the detention facility. This reduces delays in releasing a person and avoids the necessity of applying to the court. Alternative measures to detention were also introduced<sup>(215)</sup>. At **Italy's** centres for identification and expulsion (CIE), the duration of detention was reduced to a maximum of 90 days as of 30 October 2014. The average period of detention of applicants for international protection<sup>(216)</sup> in **Bulgaria** was reduced to 6-11 days compared to 45 days in 2013.<sup>(217)</sup>

Regarding new facilities, in January 2014, a new detention centre was opened in Vordernberg (Styria) in **Austria** on 1 January 2014 as an exemplary facility for other detention centres in the country with a capacity for 220 persons.<sup>(218)</sup> In autumn 2014 a new Detention Unit in Joutseno (**Finland**) connected to a reception centre in the same location was opened with a capacity for 30 persons<sup>(219)</sup>, including arrangements to meet the special needs of vulnerable persons.

Detention practices were also the object of scrutiny at national and international level. The **UK** Home Office responded to findings made in July 2014 by the High Court of England and Wales in the case of *Detention Action vs SSHD*<sup>(220)</sup> by introducing some changes with others planned, to try to address the shortcomings identified by the High Court. Most significantly, it has introduced a guaranteed period of no less than four working days between an applicant being inducted into the Detained Fast Track and being interviewed about their asylum claim. The Court considered that more time was needed for legal representatives to be able to take instructions and, if appropriate, to make representations for the case to be removed from the Fast Track. Detention measures in **Belgium** were in 2014 examined by international monitoring bodies.<sup>(221)</sup>

In **Romania**, the Law on asylum<sup>(222)</sup> was modified on 29 August 2014 so that applicants for international protection may be held in public custody subject to a Dublin Procedure. Alternative measures, grounds for public custody, defining the risk of absconding, and time limits for the duration of the measure also came into force.

<sup>(213)</sup> By Act 26/2014, of May 5, transposing the recast Reception Conditions Directive.

<sup>(214)</sup> ECRE, *Asylum Information Database (AIDA) Report on Poland – Highlights*, [http://www.asylumineurope.org/sites/default/files/resources/one-pager\\_pl.pdf](http://www.asylumineurope.org/sites/default/files/resources/one-pager_pl.pdf).

<sup>(215)</sup> They include: reporting to the designated authority at specified intervals, bond payment, and designated place of residence. Non-observance of those measures may result in being placed in a detention facility (on the basis of a court decision).

<sup>(216)</sup> In immigration detention facilities after being intercepted for entering or found having entered Bulgaria in an irregular manner.

<sup>(217)</sup> While the authorities prioritised transfer of asylum-seeking Syrian nationals to the State Agency for Refugees centres, nationals of Afghanistan and some African countries often remained longer in detention due to lack of interpreters and delayed registration by SAR (UNHCR input).

<sup>(218)</sup> The detention centre was constructed as a specialized centre in compliance with international expertise and recommendations, especially from the Austrian Human Rights Advisory Board and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

<sup>(219)</sup> By opening the new Detention Unit in Joutseno detention times have shortened in both Detention unit's (Joutseno and Metsälä) and occupancy rate has been under 100 % since.

<sup>(220)</sup> Full text available at: <http://www.bailii.org/ew/cases/EWHC/Admin/2014/2245.html>.

<sup>(221)</sup> The Committee against Torture in January 2014 expressed concern that it is still not possible to file a complaint related to his/her detention with an independent body, and that foreigners in detention face difficulties filing a complaint and having it evaluated on the merits once they are expelled. UN Committee against Torture, *Observations finales concernant le troisième rapport périodique de la Belgique*, CAT/C/BEL/CO/3, 3 January 2014, para. 14, <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsr69Gyhm7QM1Oqny37itcWjEVavPqZmo0A3IoVNYN%2bfThsDRHcvMRNdzsPMIqHGbiopEXs7oxk8lw5rxC3%2fHK2g9a8DG2pngeROCKTaCsB9gxTxygy9AuM7h9swivHNy3Q%3d%3d>. In its examination of Belgium's compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) in February 2014, the CERD Committee recommended that with regard to asylum-seekers, Belgium ensure non-custodial measures where possible and only use detention at the border as a last resort. To combat the violence by police officers in the context of returns, the Committee also recommended, for the police inspectorate, more removal controls and resources for alternative monitoring such as video recording. UN Committee on the Elimination of all forms of Racial Discrimination, CERD/C/BEL/CO/16-19, 14 March 2014, <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsr69Gyhm7QM1Oqny37itcWjEVavPqZmo0A3IoVNYN%2bfThsDRHcvMRNdzsPMIqHGbiopEXs7oxk8lw5rxC3%2fHK2g9a8DG2pngeROCKTaCsB9gxTxygy9AuM7h9swivHNy3Q%3d%3d>.

<sup>(222)</sup> Government Ordinance no. 22 of 26 of August 2014 for modifying and amendment of Law no. 122/2006 on asylum in Romania, published in the Official Journal of Romania no. 636 of 29 August 2014.

## 4.8. Procedures at first instance

The main developments noted by the Member States in terms of specific aspects of procedures for international protection (other than the ones aimed at increasing efficiency covered in section 3.2.5.2) were the following:

**Germany**, where a substantial rise in applications for international protection was noted in 2014, combined with a significant growth of the stock of pending cases, applied a number of policy tools when determining the need for protection. The existence of an internal armed conflict (according to Article 15 c Qualification Directive) was assumed for several provinces<sup>(223)</sup> in Iraq. New country-specific guidelines were issued for Albania, the Former Yugoslav Republic Of Macedonia (FYROM), and Egypt. Guidelines (general and country specific) were amended having regard to the ECJ decision of 30 January 2014 (C.285-12) and 2 December 2014 (C-148 – 150/13). Decision-making was suspended with regard to Guinea, Liberia and Sierra Leone<sup>(224)</sup>, Iraq<sup>(225)</sup>, Libya<sup>(226)</sup>, Nigeria and Senegal<sup>(227)</sup>, as well as Ukraine<sup>(228)</sup>.

Despite opening several regional centres to deal with applications, **Greece** faced significant difficulties in dealing with cases due to staff shortages, which was exacerbated by the failure to open five proposed regional offices<sup>(229)</sup>.

**Croatia** amended its approach to actors of protection in the country of origin, issues of extradition and return, as well as the assessment of internal protection alternative (whether an applicant would be able to receive effective protection in another part of his/her country of origin in line with EU legislation). Also in **Sweden** as from 1 January 2015, amendments came into force regarding actors who could offer protection against persecution and serious harm, as well as regarding cessation of protection status.

An amendment to the Asylum Law is underway in **Latvia**, whereby the function of interviewing applicants as to the merit of their claim (currently performed by the State Border Guards) will be transferred to the Office of Citizenship and Migration Affairs.

In **Portugal** rules on translation of documents were amended so that the applicant must arrange for the respective translation into Portuguese unless it has been demonstrated that the applicant does not hold sufficient means.

The case of **HN (Nawaz) v Minister for Justice, Equality and Law Reform (C-604/12)**<sup>(230)</sup> concerned the procedure being applied in Ireland in relation to obtaining the status of subsidiary protection. The Irish system required that applicants can only apply for subsidiary protection once they have received a refusal notice in respect of their application for refugee status. The applicant, having purported to make a stand-alone application for subsidiary protection, argued that the Irish system is incompatible with EU law.

The CJEU found that it is legitimate for a Member State to require that an application must first be submitted and subsequently refused prior to a determination being made with regard to an application for subsidiary protection. The Court referenced the Geneva Convention as the cornerstone of international protection and noted the recognition of this fact in the Qualification Directive. The Court went on to note the secondary and indeed complementary nature of subsidiary protection status and hence any application for subsidiary protection status should not, as a matter of principle, be decided upon before a determination has been made with regard to the application for refugee status. As such, the Irish legislation was not precluded. The Court affirmed the competency of Member States to regulate the refugee status determination procedure in the absence of EU rules related to procedural requirements. Finally, the CJEU did note, however, that the submission of an application for both statuses at the same time should be possible.

<sup>(223)</sup> Anbar, Bagdad, Salahaddin, Ninive, Kirkuk, and Babil. But only for the province of Anbar the general level of risk is considered to justify significant individual danger due to indiscriminate violence in case of return or stay in the area of origin.

<sup>(224)</sup> In place since 21 August 2014 due to the Ebola epidemic.

<sup>(225)</sup> No rejections (only material decisions) issued since 16 June 2014.

<sup>(226)</sup> No decisions issued since 22 October due to the general situation.

<sup>(227)</sup> No rejections between 2 October and 21 November 2014 due to the Ebola epidemic.

<sup>(228)</sup> All decisions since 7 August 2014 due to the general situation.

<sup>(229)</sup> European Migration Network, *Annual Report on Immigration and Asylum in Greece*, p 45.

<sup>(230)</sup> CJEU C-604/12, HN, [8 May 2014], ref. from Supreme Court (Ireland).

In **Ireland**, in light of the ruling in the case of *H. N. v. The Minister for Justice, Equality and Law Reform, Ireland and the Attorney General* <sup>(231)</sup>, an application for subsidiary protection can be made to Office of the Refugee Applications Commissioner (ORAC) together with an application for asylum or by a person with a pending application for asylum. A panel of legally qualified persons was established to assist the Commissioner in undertaking interviews and making submissions on subsidiary protection applications and training was provided (in conjunction with UNHCR).

**France** implemented the approach of pooling cases concerning main countries of origin in four specialised divisions <sup>(232)</sup>; to support the pooling, various educational materials were developed by specialized referents.

### EASO and Training

EASO training activities are carried out within the framework of the agency's Work Programme and its Training Strategy, which was developed in 2012. EASO's core training tool is the EASO Training Curriculum, a common vocational training system consisting of 15 interactive modules. In 2014 EASO organised 23 train-the-trainer sessions. Seven were organised as regional training sessions, one train-the-trainer session was organised within the Special Support to Italy and two within the EASO External Action Strategy. Within the train-the-trainer sessions, 278 participants from 28 EU+ countries were trained. EASO also held 179 national training sessions in 19 Member States. The main target group were the employees of the national asylum administrations.

In 2014, EASO continued the development of two new modules – a module for managers in the field of asylum and a module on gender, Gender Identity and Sexual Orientation. Additionally EASO started the development of a training module on reception.

## 4.9. Procedures at second instance

The current EU level legislative framework of appeals procedures is outlined in Chapter V of the Asylum Procedures Directive. The basic concept, stipulated in Article 39, obliges the MS to ensure that applicants have the right to an effective remedy before a court of a tribunal with regard to different types of decisions issued at first instance listed in this Article. The catalogue of decisions covered by the right of effective remedy includes not only decisions on the merits of the claim (e.g. decisions rejecting the case or granting subsidiary protection, which the applicant may wish to appeal claiming refugee status), but also, *inter alia*, decisions considering an application inadmissible, decisions refusing to re-open a case which was discontinued, and decisions not to further examine a subsequent application. Therefore the appeal bodies would normally decide on a variety of issues and are not limited to assessing the merits of the case in terms of international protection.

The current APD does not prescribe any harmonised standards concerning the organisation of the appeal or the procedure to be followed, therefore Member States can transpose the directive in various ways expected to be most suitable to ensure the right to effective remedy within their national framework. Consequently, the level of harmonisation of practices at appeals stage is limited.

As of January 2014 in **Bulgaria** the Sofia City Administrative Court no longer has the exclusive jurisdiction in appeals against decisions of the State Agency of Refugees, refusing granting of refugee status and humanitarian protection. <sup>(233)</sup> For appeals lodged by foreigners residing in the Registration and Reception Centres in Banya – Nova Zagora and Harmanli, respectively, the Sliven Administrative Court and the Haskovo Administrative Court are now competent.

<sup>(231)</sup> Court of Justice of the European Union, judgment in case C-604/12 of 8 May 2014, available at: <http://curia.europa.eu/juris/document/document.jsf?text=&docid=151965&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=171954>.

<sup>(232)</sup> As part of the Action Plan for the reform of OFPRA working methods agreed in 2013.

<sup>(233)</sup> The Administrative Procedure Code (APC) of the Republic of Bulgaria provided that cases are examined by the administrative court exercising jurisdiction over the seat of the authority which issued the contested administrative act, which in case of the Chairperson of the SAR is Sofia. This has been amended to include also administrative courts exercising jurisdiction over the appellant's permanent or present address.

In **Austria** as of January 2014 Decisions of the new Federal Administrative Court may be reviewed at the Administrative High Court, which was welcomed by civil society as conducive for leading to decisions.<sup>(234)</sup> In **Belgium**, the appeals procedure was amended in light of a Constitutional Court judgment finding decisions by the CGRS not to take a repeat asylum claim or a claim made by a person from a safe country of origin into consideration, not to be an effective remedy in certain situations. As a consequence, a change of law entered into force on 1 June 2014, allowing for full judicial review against inadmissibility decisions on subsequent applications and applications from safe countries of origin. Civil society remarked on the system still being too complex to serve as an effective remedy<sup>(235)</sup>, while UNHCR was concerned about shortened time limits for submission of an appeal.

The case of *S.J. v Belgium*<sup>(236)</sup> concerned a former applicant for international protection whose application has been rejected. The applicant was also refused leave to remain in Belgium and was to be returned to Somalia. She appealed the removal as a matter of extreme urgency (*la demande de suspension en extrême urgence*). The ECtHR considered the appeals procedure in this case to be too complex in practice and as such not an effective remedy in the meaning of Article 13. The court also observed that the system in place required the applicant, who was already in a vulnerable position, to act in the last minute only when the removal was about to be implemented.

A legislative bill underway in **France** proposes suspensive effect of the appeal to the CNDA for applicants whose application has been processed by OFPRA under a prioritised procedure.<sup>(237)</sup> It also, for the first time, sets time limits on procedures before CNDA which should decide within five months of the submission of appeal (and within five weeks when the application has been processed by OFPRA in an accelerated procedure).

### EASO's cooperation with courts and tribunals

EASO cooperates with courts and tribunals and other relevant bodies under the framework of its legal mandate. The cooperation consists primarily of producing professional development materials for subsequent implementation in judicial training activities; collecting and exchanging jurisprudence and providing support to Member States within the context of special and emergency support operations and on an ad hoc basis.

During 2014, EASO, in particular, adopted a methodology for the production of professional development materials and strengthened its cooperative relationship with representatives from the EU+ countries, CJEU, ECtHR as well as judicial associations such as the International Association of Refugee Law Judges (IALRJ) and the Association of European Administrative Law Judges (AEAJ). EASO also furthered links with UNHCR, FRA, and other relevant partners such as EJTN, ERA, and ELI.

In December 2014, EASO held its first professional development meeting for members of courts and tribunals on the topic of Article 15(c) QD, the first of a number of topics within the EASO curriculum. EASO also provided support to Italy and Bulgaria in close cooperation with national partners. The support included the organisation of seminars for members of the Italian and Bulgaria judiciary and is expected to continue with the latter in 2015.

## 4.10. The availability and use of COI

Availability and an appropriate use of country of origin information (COI) are crucial for well-informed, fair, and well-reasoned asylum decisions. In 2014, Member States and EASO continued to aim at improving the quality, efficiency and accessibility of COI by developing new methodologies and products and further developing databases. The international cooperation in the field of COI was boosted by a wide range of joint activities organised by EASO.

<sup>(234)</sup> ECRE, *Asylum Information Database (AIDA) Report on Austria – Highlights*, [http://www.asylumineurope.org/sites/default/files/resources/one-pager\\_at.pdf](http://www.asylumineurope.org/sites/default/files/resources/one-pager_at.pdf).

<sup>(235)</sup> ECRE, *Asylum Information Database (AIDA) Report on Belgium – Highlights*, [http://www.asylumineurope.org/sites/default/files/resources/one-pager\\_be.pdf](http://www.asylumineurope.org/sites/default/files/resources/one-pager_be.pdf).

<sup>(236)</sup> Judgment of the ECtHR of 27 February 2014 (application no. 70055/10), full text available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-141199>. Upon referral to the Grand Chamber, the case was finally struck out of the list on 19 March 2015 following a friendly settlement between the parties.

<sup>(237)</sup> Situation that affects nearly 30 % of cases brought before the court.

## EASO COI Network Approach

In 2014 the EASO COI Network Approach, launched in the previous year, was further harnessed, with the establishment of five new COI Specialist Networks in addition to three networks established in 2013. Specialist Networks now exist on Somalia, Syria, Pakistan, Iraq, Iran, the Russian Federation, Afghanistan, and Eritrea. Within the Specialist Networks, duplication of efforts is being avoided by sharing information on current COI needs and recent and upcoming national COI products and fact-finding missions. Networks also engage in joint assessment of key sources of COI and discuss specific asylum-relevant issues in countries of origin. The Networks also offer a framework for joint COI production and jointly answering COI queries. For each COI Specialist Network a meeting or seminar was organised in 2014, often involving external experts on specific topics of interest.

At managerial level, the Strategic Network, composed of COI Heads of Units or experts otherwise responsible for COI from all EU+ countries, gathered in April and November 2014, providing strategic input and feedback on EASO COI activities and exchanging managerial experiences with regard to COI research.

Also outside the framework of EASO, cooperation between Member States in the field of COI continued in 2014. A project of particular importance is MedCOI, which focuses on availability and accessibility of medical treatment. As part of the project, dedicated teams in Belgium and the Netherlands process medical queries, produce country factsheets, and maintain a database. The core elements of the project are expected to be transferred to EASO in 2017.

It should be noted that COI research capacity is not limited to national asylum administrations or UNHCR. A number of civil society organisations engage in COI-related activities and are increasingly involved in EASO activities<sup>(238)</sup>.

2014 saw several changes in organisation of the work on COI. New dedicated COI units were established or significantly reinforced upon recommendation of EASO in the context of operational support in **Bulgaria** (5 experts), and **Italy** (5 experts). In **Estonia** a dedicated COI expert position was created. In **Sweden**, the Swedish Migration Agency (formerly the Swedish Migration Board) has undergone a significant reorganisation. As a result, the COI unit Lifos has gained a higher level of independence regarding the collection, production, and communication of country information and analysis. The reorganisation also led to a staff increase of 40 %. In **Luxembourg** the COI unit was temporarily reinforced with additional staff to ensure the timely updating of existing internal COI products. In **Germany** the restructuring of the BAMF in 2014 had consequences for the national COI unit, which is now called Information Centre Asylum and Migration and deals increasingly with broader migration issues.

In most COI units with limited capacity COI experts work as generalists and perform research on a variety of countries of origin, depending on immediate needs. In a number of countries (e.g., **Austria, Belgium**), the COI unit is subdivided according to geographic regions or country teams to facilitate the in-depth specialisation of COI experts. **Malta**, which does not have a dedicated COI unit, has set up a country desk system that allows caseworkers to work on specific countries and thus develop country of origin expertise.

At national level several Member States that have a significant COI research capacity produce a variety of country-specific or thematic COI products (reports, factsheets, query responses, etc.), whereas in EU+ countries with more limited capacity, COI researchers or caseworkers partially responsible for COI mainly focus on providing answers to individual caseworker queries.

In order to share resources, increase efficiency and avoid duplication of efforts, a number of joint COI products were developed in 2014. Apart from the joint activities in the framework of EASO (see separate box), joint reports were published by Belgium, the Netherlands, Norway, and Sweden on Libya, and medical factsheets were produced in the framework of the MedCOI project.

<sup>(238)</sup> See, i.a., Accord/Austrian Red Cross (<http://www.roteskreuz.at/i18n/en/organise/accord/>), Asylum Research Consultancy (<http://www.asylumresearchconsultancy.com/>), Dutch Refugee Council (<http://www.vluchtelingenwerk.nl/english>).

National COI units are increasingly confronted with requests for information that go beyond the traditional human rights or security-related topics, such as requests regarding the availability and accessibility of medical care, the socio-economic situation in countries of origin, or broader migration-related themes. **Austria** produced a number of country reports on the socio-economic situation in selected countries of origin <sup>(239)</sup>. In **Germany**, the tasks of the Information Centre Asylum and Migration were further extended to migration issues, resulting in a shift of focus from COI analyses to migration analyses.

Opinion still differs on whether or not COI products should include analysis or conclusions based on the information collected. Whereas those COI units engaging in analysis highlight the need to make COI more user-friendly and easier for decision-makers to digest, others point at the danger of oversimplification and voice concerns about the lack of objectivity, neutrality, and transparency. In 2014, as mentioned previously, countries such as **Sweden** and **Germany** moved more into the direction of analysis. In the **United Kingdom**, the Home Office COI Service was merged with the operational guidance unit and now produces Country Information and Guidance Reports containing both COI and policy guidance based on this COI.

### EASO COI Reports

In 2014, within the context of the EASO COI Network Approach, EASO produced a number of COI reports aimed at ensuring a common comprehensive information package on countries of origin at EU level.

In October 2014, EASO published the Report ‘**South and Central Somalia - Country Overview**’. This report provides a comprehensive overview of facts relevant for the asylum application process of Somali nationals. <sup>(240)</sup>

In October 2014, a COI Report entitled ‘**Chechnya – Women, Marriage, Divorce and Child Custody**’ was published by EASO, giving an account of the situation of women in Chechnya and relevant changes since Ramzan Kadyrov became President in 2007. This topic was identified as a key COI need by experts in EU destination countries and particularly relevant for the asylum application process of Russian nationals. <sup>(241)</sup>

A Country of Origin Information (COI) Report entitled ‘**Afghanistan – Security Situation**’ was drafted in 2014 and published in February 2015. The report provides a comprehensive overview of the security situation in Afghanistan – at country and province level – and provides information relevant for the protection status determination of Afghan asylum seekers. <sup>(242)</sup>

EASO will continue to produce such reports on important countries of origin and update them regularly to raise and harmonise COI standards in the EU and further support the practical implementation of the CEAS.

As regards methodologies, guides, and quality standards, in **Austria** the new organisational structure of the Federal Office for Immigration and Asylum, which came into force in the beginning of 2014, led to an adaptation of the Austrian COI methodology. The **Swedish** COI unit Lifos has focused on the development of analytical methods. The latter serve to increase effectiveness in COI production, improve accessibility to end-users, and make COI more objective and relevant. Lifos has drafted methodologies on scenario analysis, analysis of the justice and security system and a methodology on LGBT. In **Romania**, the COI unit has set up Standard Operating Procedures (SOPs) on quality standards. In addition, national COI reports are being cross-checked by a local NGO.

<sup>(239)</sup> Kazakhstan, Tajikistan, Kyrgyzstan, and Uzbekistan.

<sup>(240)</sup> Researchers from Austria, Slovakia, Switzerland, the Netherlands, and EASO participated in the joint drafting process within the context of the EASO COI Specialist Network on Somalia. The report was reviewed and commented upon by other experts from Finland, Sweden, and the UK <https://easo.europa.eu/wp-content/uploads/COI-Report-Somalia.pdf>.

<sup>(241)</sup> The report was drafted by researchers from Landinfo, the Norwegian Country of Origin Information Centre and reviewed by a peer review group composed of COI experts on Russia from Estonia, the Netherlands, Poland, and by EASO, in order to ensure its accordance with the standards laid out in the EASO COI Report Methodology <https://easo.europa.eu/wp-content/uploads/Afghanistan-security-situation-EN.pdf>.

<sup>(242)</sup> The report was jointly drafted by COI experts from Researchers from Austria, Belgium, France, Greece, Hungary, the Slovak Republic, and EASO participated in the joint drafting process of this COI report. It was reviewed by other experts from Sweden, the Netherlands, and UNHCR in order to ensure the highest quality.

## COI and vulnerable groups

In 2014, EASO started looking into issues relating to COI research on vulnerable persons. In May 2014, it organised a workshop on **COI and LGB** (Lesbian, Gay and Bisexual Persons). COI researchers, UNHCR, and members of civil society organisations discussed challenges relating to terminology, exchanged experiences with conducting and presenting information on LGB, and shared research practices and quality tools. After the workshop a working group on COI and LGB was set up consisting of COI experts from EU+ countries, UNHCR, and ORAM, a leading civil society organisation on LGB issues, with the aim to draft a practical guide for COI experts who research the situation of LGB persons in countries of origin, including a glossary, lists of useful sources, and practical checklists. This guide was scheduled for publication in May 2015. In parallel with the activities relating to LGB, EASO has been involved as a member of the Advisory Group in a project led by Unicef in the Netherlands, Belgium, and Sweden regarding **COI and Children**. The Child Notice Project<sup>(243)</sup> has developed a methodology for child-specific country analysis and designed Child Notices on a number of countries of origin. The project will be finalised in 2015.

### Online COI Research

In March 2014, an EASO Conference was held on Online COI Research, where expert speakers presented new technologies and media available for collecting, sharing, filtering, and presenting information on countries of origin. As a follow-up to the conference, in June 2014 EASO published **Tools and Tips for Online COI Research**<sup>(244)</sup>, which provides an overview of practical tools and suggestions for COI researchers. The publication outlines the on-line possibilities COI researchers have while searching for relevant information.

Developments were noted in 2014 regarding national databases and IT tools used in the field of COI. In **Germany**, the Information Centre Asylum and Migration started streamlining its working methods in late summer 2014. In **Poland**, the electronic COI database was further modernised and developed. **Romania** has further developed the national database INDICIUM, which is managed under a partnership between the national asylum administration and an NGO, and which ensures equal access to all parties involved with the international protection in Romania.

## The Common European COI Portal

The COI Portal was built to enable asylum officials to access a wide range of COI from a single point of entry. The portal allows connection of the official COI databases owned by EU+ countries to a single web application, while allowing Member States that do not have web-based systems to upload and share COI documents into a local dedicated area called the 'Upload Area'. Five national COI databases are currently connected: Germany, France, Norway, Sweden, and Finland.

The EASO Management Board adopted in December 2014, a proposal for the re-design of the COI Portal. Whereas the Portal was so far only accessible to first instance asylum administrations, the aim is to make the Portal now publicly accessible, thus giving all stakeholders in the asylum procedure (including members of courts and tribunals, legal representatives, applicants, civil society organisations) access to COI available in the Portal and ensuring a higher level of transparency. In addition, the new Portal is expected to provide an attractive and up-to-date interface, to improve search capabilities and to ease access for users, while refocusing the Portal as a specialist application providing high-quality COI produced by expert EU contributors. The new version of the Portal is planned for release in early 2016.

The re-design proposal was the result of several rounds of consultations with the National Common Portal Administrators (NCPAs), the Common Portal Advisory Group, and the Strategic Network.

The National Common Portal Administrators (NCPAs) act as contact points between their national users and EASO (registrations, user's questions, technical issues). They manage their respective 'Upload Area' while ensuring consistency and quality of this area or oversee the connection of their national COI databases. Finally, they provide training on the COI Portal to their national users, when necessary. In 2014, several regional trainings were organised by EASO (in Portugal, Greece, Bulgaria, and Italy) to support NCPAs in their tasks and to familiarise users with the various functionalities of the system.

<sup>(243)</sup> Cf. <http://www.unicef.nl/wa-t-doet-unicef/kinderrechten-in-nl/child-notice/english/>.

<sup>(244)</sup> All EASO COI products are available at: <http://easo.europa.eu/asylum-documentation/easo-publication-and-documentation/>.

The Advisory Group - composed of representatives from EU+ countries whose national databases are connected, or in the process of connecting, to the Portal, and representatives from EU+ countries using the Upload Area - discusses general directions in relation to its development to ensure full functionality and eventual improvement.

While the development noted above indicates progress at EU+ level on the production and awareness of COI, the question of its appropriate use remains complex. Even if COI is high quality and up-to-date, linking it to individual decisions may sometimes be problematic. UNHCR and national courts note problems such as references to COI in asylum decisions sometimes being not relevant (too general, not related to the specific case), not adequate, or inconsistent and in some cases COI that confirms the statements of applicants is overlooked. In addition, relevant COI available to the asylum authority is not always shared with applicants, which in effect might deprive the latter of the possibility to comment on the situation related to their case. Also second instance authorities do not always have easy access to independent COI in order to assess the quality of the information used in the first instance decision or to come to *de novo* decisions, depending on the national system.

## 4.11. Vulnerable applicants

The current APD specifically mentions one group of applicants who require additional guarantees, i.e. unaccompanied minors, whose situation is regulated in Article 17. The recast version of the APD significantly expands this approach by putting in place the notion of applicants in need of special procedural guarantees, outlined mainly in Article 24 of the recast APD. The core elements of the new framework are the need to identify applicants who are in need of special procedural guarantees (in particular as result of torture, rape, or any other form of psychological, physical, or sexual violence) and to provide them with adequate support<sup>(245)</sup>. In terms of reception conditions, the current version of the RCD includes provisions for persons with special needs and the principle of taking into account the specific situation of vulnerable persons. The recast Reception Conditions Directive introduces a category of ‘applicants with special reception needs’<sup>(246)</sup> and Chapter IV comprises a set of provisions concerning this category, including provisions on assessment of the special reception needs of vulnerable persons, minors, unaccompanied minors, and victims of torture and violence.

While most Member States have defined categories of vulnerable applicants in their legislation and have procedures to identify those groups, a difficulty lies in ensuring that equal standards are guaranteed in reception facilities in all locations, therefore many Member States offer specialised reception facilities where applicants with special needs can be accommodated. Such facilities are often co-funded by ERF.

Failure to properly identify such cases at an early stage may also result in erroneous decisions on their application for international protection. Similarly, while some categories of vulnerable applicants are easier to identify, other require a more detailed assessment. In that regard, **Sweden** plans to create a more comprehensive approach towards all asylum applicants with special needs to add to the existing framework.<sup>(247)</sup> New guidance on the management of asylum claims brought on the grounds of sexual orientation was given to asylum case workers in the **United Kingdom** to, among other things, ensure that cases were managed in line with the judgment in the case of *A and others* in the European Court of Justice. **French** OFPRA created thematic groups focusing on survivors of torture, female survivors of violence, survivors of trafficking in human beings, persons persecuted or threatened because of their sexual orientation or gender identity, and unaccompanied minors. The groups work to establish the respective doctrine of the Office, to develop tools for interviewing and case determination as well as information brochures for applicants.

<sup>(245)</sup> Art. 22 RCD2 provides that: ‘Member States shall take into account the specific situation of vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with serious illnesses, persons with mental disorders, and persons who have been subjected to torture, rape or other serious forms of psychological, physical, or sexual violence, such as victims of female genital mutilation, in the national law implementing this Directive.’ This provision is referred to in Art. 24 APD2 as well. The category listed here is thus only one subcategory of vulnerable persons.

<sup>(246)</sup> Article 2 (k) of the recast Reception Conditions Directive: ‘applicant with special reception needs’: means a vulnerable person, in accordance with Article 21, who is in need of special guarantees in order to benefit from the rights and comply with the obligations provided for in this Directive.

<sup>(247)</sup> The Migration Agency has well-developed special procedures for dealing with unaccompanied minors and LGBTQ - cases. Regarding other categories of applicants with special needs, the Migration Agency applies a case by case strategy for the moment.

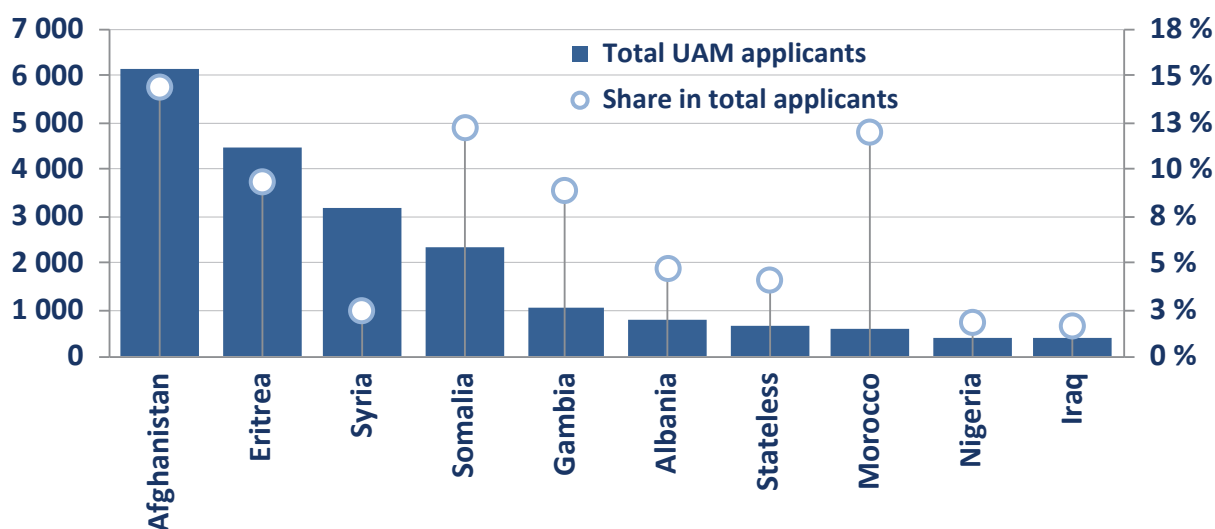


Providing for unaccompanied minors in the asylum process raises a number of complex legal issues, with a strong psychological and social aspect, comprising but not limited to: age assessment, where needed, appointment of a guardian, ensuring best interest of the child, including family tracing, conducting the process in a child-friendly manner, and ensuring suitable reception. In view of this, Member States in 2014 amended legislation, set up policy mechanisms, improved existing ones and engaged in various projects concerning unaccompanied minors.

As regards unaccompanied minors seeking international protection, the situation in 2014 was challenging especially in those Member States that continue to receive increasing numbers of those applicants.

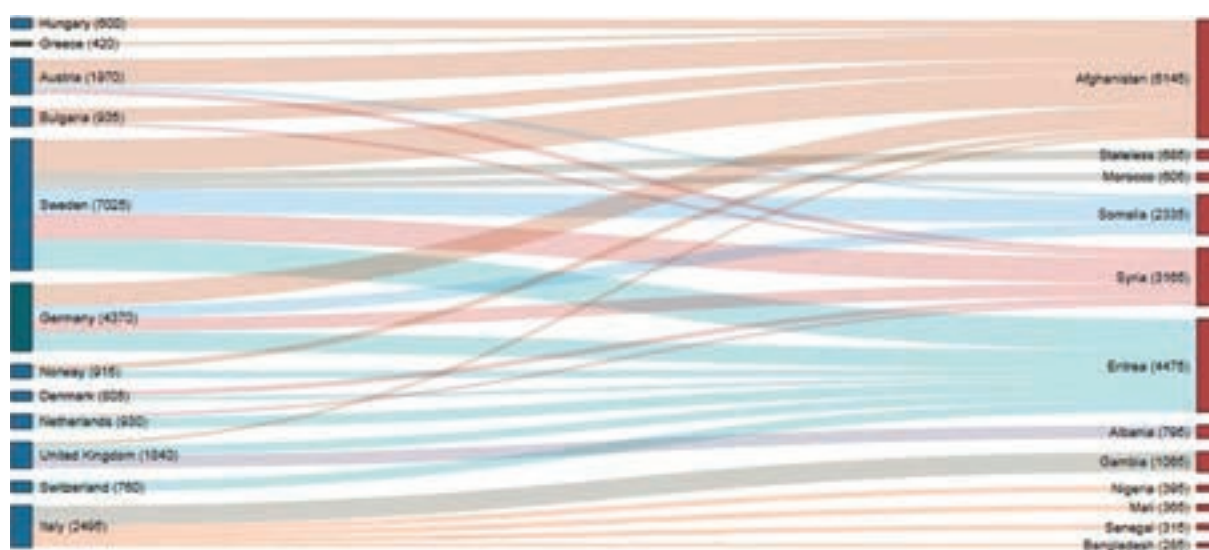
In response to numerous requests at political level for better data on the phenomenon of UAMs, the EASO Early warning and Preparedness System (EPS) included an indicator on the numbers of applications from those claiming to be UAMs in order to allow a rapid overview of trends in this area. Some clear trends emerged: the number of claimed and age-assessed cases is very similar (i.e. the numbers provided by EPS and EUROSTAT) and hovers at about 4 % of total applications. However, some nationalities are much more likely to include applications from UAMs – particularly, Afghanistan, Eritrea, and Somalia in relative terms – reaching as high as 15 % in the case of Afghans. In terms of absolute numbers, Syrians are also significant.

**Figure 44: Some nationalities are much more likely to include applications from UAMs. Total unaccompanied minor applicants and share in total applicants, by citizenship, 2014**



For certain Member States, this phenomenon can lead to significant numbers of UAMs with consequent effects on resources since the provisions for treatment of this vulnerable group cases according to the EU asylum *acquis* are quite stringent, requiring a number of special procedures and safeguards to deal with them. As shown below, Sweden, Germany, and Italy are particularly concerned by this phenomenon.

**Figure 45: Sweden, Germany and Italy are the main destination countries for unaccompanied minors. Main citizenship of UAM applicants and main destination countries, 2014**



In 2014, in **Greece** the number of unaccompanied minors recorded by the First Reception Service rose to 853 compared to 99 in 2013. The situation remains testing at the points of entry in particular, due to difficulties, delays, and insufficiencies in their referral and the failure to forward them to appropriate accommodation and protection structures, which may result in detaining unaccompanied minors for a longer time. <sup>(248)</sup>

In **Cyprus**, where a sharp increase in the numbers of UAM was noted in the last quarter of 2013 and beginning of 2014, a children's shelter 'Home for Hope' was opened in July 2014 in Nicosia, with a capacity to host 24 unaccompanied minors seeking asylum. <sup>(249)</sup> Concerns were still noted by UNHCR regarding access by children to legal representation during the asylum process, application of the best interest of the child principle and age assessment. Pending draft legislation seeks to overcome those difficulties.

Similarly, in **Italy** increasing numbers of UAMs (approximately 13 000 in 2014, arriving mainly by sea from Egypt, Eritrea, Pakistan, and Somalia) put pressure on the reception capacity, despite its expansion by some 850 places during the year. Persons who cannot be accommodated in the System for the Protection of Asylum Seekers and Refugees (SPRAR) are in principle referred to reception facilities under the responsibility of the municipality, monitored and coordinated by the Ministry of Interior. <sup>(250)</sup>

With the five-fold increase in the number of registered UAMs in 2014 in **Bulgaria**, the need for specialised care and support for them has become more pressing. There is no legislative provision for appointing guardians to UAMs <sup>(251)</sup>, which hinders access to basic rights such as legal aid, health care, and education. <sup>(252)</sup> SAR designated the reception centre in Banya for unaccompanied minors; however, social and educational activities targeting the special protection needs of UAMs remain lacking. This, in combination with Bulgaria often being perceived as a transit country on journeys to Central and Northern European countries, has contributed to frequent absconding.

<sup>(248)</sup> European Migration Network *Annual Report on Immigration and Asylum in Greece*.

<sup>(249)</sup> See 'Home for Children' UNCRF Policy Center (HFC), 'Official inauguration of the operation of the children's shelter "Home for Hope"', (16 Oct 2014), available at: <http://www.uncrcpc.org/intl/news/official-inauguration-operation-childrens-shelter-home-hope/>.

<sup>(250)</sup> UNHCR considers the lack of a central body responsible for coordinating actions for UASC in need of international protection, promptly identifying their needs and providing adequate responses, a concern in Italy.

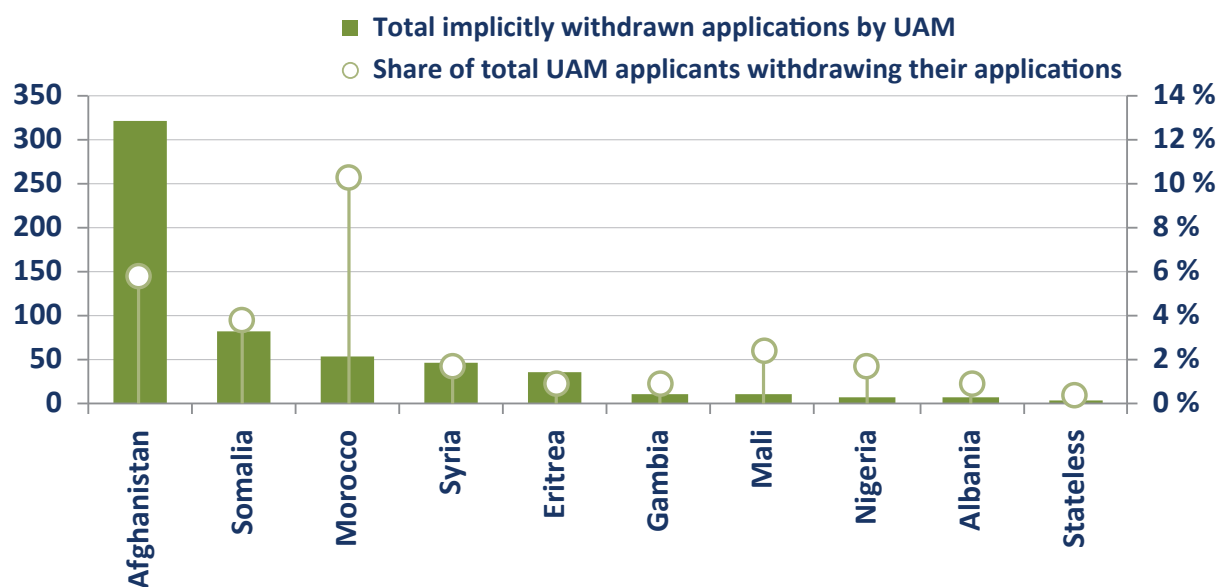
<sup>(251)</sup> In 2014, the Parliament passed on first reading the Law amending the Law on Asylum and Refugees, which includes provisions concerning guardianship.

<sup>(252)</sup> UNHCR input. See also HRW UPR Submission (Sept 2014), pp. 3-4, available at: [http://www.hrw.org/sites/default/files/related\\_material/2014\\_Bulgaria\\_UPR.pdf](http://www.hrw.org/sites/default/files/related_material/2014_Bulgaria_UPR.pdf).

Adequate identification of vulnerable applicants with special needs continued to be a challenge in 2014 in **Spain**, in particular in the reception centres in Ceuta and Melilla.<sup>(253)</sup> Nonetheless, positive steps were taken in 2014. In the case of Ceuta, an action protocol was developed to facilitate adequate identification of protection needs of children. Melilla also registered improvements regarding the best interests of the child<sup>(254)</sup> and identification of UASC in need of international protection, and developed closer cooperation with UNHCR in that regard.<sup>(255)</sup>

EPS also includes an indicator on withdrawn applications made by persons claiming to be UAMs. This, when considered in the implicit cases, was conceived as a possible proxy indicator for trafficking of children. Initial indications from the data<sup>(256)</sup> are that some 100-150 claimed UAM applicants abscond per month at EU+ level.

**Figure 46: Certain nationalities of UAMs implicitly withdraw their applications**  
Total implicitly withdrawn applications by UAM applicants



Source: EPS data, March 2014–December 2014.

As shown with applicant data, there were significant shares of claimed UAM among withdrawn applications for certain nationalities and a number of EU+ countries were particularly affected by the phenomenon.

EASO hosted a meeting on Trafficking of Children and Family Tracing with the EU Anti-Trafficking Coordinator on 7-8 May 2015 where follow-up actions were developed, also with Frontex and Europol.

**Slovakia** aims to help address the problem of absconding minor applicants for international protection<sup>(257)</sup> by changing the method of accommodating UAMs. A draft legislative amendment<sup>(258)</sup> envisages the placement of unaccompanied minors, on whose behalf asylum applications are lodged by their guardians appointed by court, in facilities for social and legal protection of children and social guardianship also during the asylum procedure

<sup>(253)</sup> See e.g., Council of Europe, *Spain: Legislation and practice on immigration and asylum must adhere to human rights standards* (16 Jan 2015), available at: <http://www.coe.int/en/web/commissioner/-/spain-legislation-and-practice-on-immigration-and-asylum-must-adhere-to-human-rights-standards> ('living arrangements are visibly inadequate and particularly inappropriate for children, women, and persons belonging to other vulnerable groups'). According to UNHCR this may lead to vulnerable cases being determined in the emergency procedure (taking less than 3 months) without adequate procedural safeguards such as in-depth specialized interviews. UNHCR input.

<sup>(254)</sup> See *UNHCR Guidelines on Determining the Best Interests of the Child*, available at: <http://www.unhcr.org/4566b16b2.html>.

<sup>(255)</sup> UNHCR input.

<sup>(256)</sup> Compliance with data collection for this indicator is not complete. Some MS were not able to provide data at all or only provided after a certain time and some are not able to distinguish between implicit and explicit withdrawal. Moreover, the criteria which MS use to establish that a case has been implicitly withdrawn vary between MS – some thus only report a withdrawal when a decision is made to close the case while others can report the withdrawal before such a decision is made. Despite these difficulties, the indicators nevertheless give a good idea of the trends noted in the text.

\*Sweden does not provide the type of withdrawn applications breakdown (implicit/explicit), the total is used instead.

<sup>(257)</sup> Human Rights League mapped the situation in this field in 2014 and a roundtable was held on the issue of unaccompanied minor foreigners absconding from foster homes in Slovakia, with a wide range of participating stakeholders.

<sup>(258)</sup> At the time of writing in the inter-ministerial consultation procedure.

(meaning they will not be accommodated in asylum facilities). To ensure the best care for young adults, unaccompanied minors reaching the age of majority during the asylum procedure will be able to stay in the facility for social and legal protection of children and social curatorship. **Luxembourg** took steps to address the increased number of absconding unaccompanied minors (and claimed minors who were discovered to be out of age) in 2013. As of January 2014 administrators are routinely appointed in asylum cases, instead of NGOs being designated as tutors.

A recent examination of **Switzerland** by the Committee of the Rights of the Child highlighted the need to establish a child-friendly asylum procedure, proper accommodation, ensure guardianship and legal representation and best interest determination. In Switzerland, UASC are allocated to different cantons based on a distribution quota regardless of the availability of child-specific reception conditions. Problems have been noted with regard to age assessment and length of the procedure. <sup>(259)</sup> In 2014 the Federal Administrative Court annulled a first instance decision concerning an unaccompanied child because the interview had not been held in a child-friendly manner. <sup>(260)</sup>

Developments in many Member States contributed to improving the situation of unaccompanied minors. In **Austria** as of 1 January 2014 unaccompanied minors, acting via their legal representative, can lodge an appeal against first-instance decision within four weeks, instead of two weeks as it is normally the case in the regular procedure for international protection. <sup>(261)</sup> In **Belgium**, in 2014 the government agreement and the policy note of the new State Secretary for Asylum Policy and Migration recognised the need to reinforce the protection of UAMs and proposed concrete actions. <sup>(262)</sup> In **Malta**, x-ray examinations are now only used as a last resort when assessing the age of UAMs. It also committed itself to a 10-day timeframe to reach a decision on cases that do not require an x-ray examination. <sup>(263)</sup> In **Romania** new legislation ensures joint accommodation of unaccompanied children who are siblings. <sup>(264)</sup> The changes will explicitly establish the right of minor applicants for international protection to have access to pre-school education under the same conditions as Romanian minors. **UK** Visas and Immigration issued country-specific family tracing guidance for Bangladesh and Albania, in addition to existing general guidance on the subject. <sup>(265)</sup> In July 2014, the UK Department for Education also issued statutory guidance to local authorities. <sup>(266)</sup>

### EASO Activities on Vulnerable Applicants

In 2014, EASO further developed its activities on vulnerable groups. In addition to providing specific training on Interviewing Vulnerable Persons and Interviewing Children, EASO continued to provide support and to foster practical cooperation between Member States on key issues related to children as identified in the EU Action plan on Unaccompanied Minors. The expert meetings organised on this topic have focused on age assessment, family tracing (including when implementing the Dublin III Regulation), and best interests of the child. An electronic platform on EASO Activities on Children has been set up where relevant information and contacts among experts on children seeking international protection can be exchanged.

In 2014, EASO also held its first conference on victims of trafficking in human beings and participated in the JHA agencies coordinated efforts to fight trafficking.

Finally, a working group composed of Member States experts has also been set up to the aim of developing a practical support tool on the identification of persons with special needs.

<sup>(259)</sup> See for example a recent overview by the Swiss observatory for asylum and migration law, [http://www.beobachtungsstelle.ch/fileadmin/user\\_upload/pdf\\_divers/Berichte/2014/uma\\_bericht.pdf](http://www.beobachtungsstelle.ch/fileadmin/user_upload/pdf_divers/Berichte/2014/uma_bericht.pdf); see also UNHCR's participatory assessment with refugee children Speak Out! Unaccompanied Minors in Switzerland speak out, available in German at: [http://www.unhcr.ch/fileadmin/user\\_upload/unhcr\\_ch/Service/speak-out-broschure-d-LE.pdf](http://www.unhcr.ch/fileadmin/user_upload/unhcr_ch/Service/speak-out-broschure-d-LE.pdf).

<sup>(260)</sup> Bundesverwaltungsgericht E-1928/2014, 24 July 2014, available in French at: <http://www.bvger.ch/publiws/download?decisionId=95e99bc5-122a-485c-9ed6-aa56f2b44e7e>.

<sup>(261)</sup> ECRE Asylum Information Database (AIDA) Report on Austria – Highlights, [http://www.asylumineurope.org/sites/default/files/resources/one-pager\\_at.pdf](http://www.asylumineurope.org/sites/default/files/resources/one-pager_at.pdf).

<sup>(262)</sup> A uniform registration, improved identification, and common database for the various services that work with UAMs (Guardianship Service, Immigration Office, Fedasil) is to be provided. UAMs will be given the opportunity to apply for the special residence permit, even if other procedures are still pending. (Previously UAMs could not benefit from the specific procedure for UAMs as described in articles 61/14 to 61/25 of the Belgian Immigration Act if other residence procedure, such as an asylum procedure, had been initiated).

<sup>(263)</sup> Advanced draft of *EMN Annual Policy Report 2014 Synthesis*.

<sup>(264)</sup> This is done in consultation with the legal representative and depending on the age and maturity of the older sibling.

<sup>(265)</sup> Instruction sets out the policy and procedures for obtaining assistance from the Foreign and Commonwealth Office (FCO) in those countries when endeavouring to trace the families of unaccompanied children who have made claims for asylum.

<sup>(266)</sup> UK Department of Education Statutory guidance for local authorities on the care of unaccompanied asylum seeking and trafficked children (17 July 2014), available at: <https://www.gov.uk/government/publications/care-of-unaccompanied-and-trafficked-children>.

## 4.12. Content of protection

2014 saw the launch of new integration strategies by Member States. **Bulgaria's** Council of Ministers adopted a National Integration Strategy for Beneficiaries of International Protection (2014-2020).<sup>(267)</sup> In February 2014 **Italy** adopted a National Integration Plan through the legislative decree transposing the Qualification Directive recast.<sup>(268)</sup> The Ministry of Labour and Social Policy, which is responsible for integration of beneficiaries of international protection in **Poland**, also restarted works on the integration strategy in December 2014. The strategy paper should be finalised in 2015.<sup>(269)</sup>

Legal frameworks for integration and national practices were revised in several aspects. An amendment to the Asylum Act in **Croatia** introduced a procedure for evaluation of previously achieved competencies and education for beneficiaries of international protection who do not possess any certificates to prove their competencies, which otherwise would have hindered their access to employment.<sup>(270)</sup> Since 2014, the State Integration Programme (SIP) in the **Czech Republic** has been amended to apply to all beneficiaries of international protection; hence beneficiaries of subsidiary protection are entitled to the same scope of services as recognised refugees.<sup>(271)</sup> In **Poland** in 2014 the changes in the law on social assistance entered into force. According to the new provisions, reunited family members of beneficiaries of international protection in Poland are eligible for integration support in the form of the individual integration programmes.<sup>(272)</sup> In **Hungary** a new refugee integration system was introduced from 1 January 2014. The integration measures for beneficiaries of international protection (refugees and beneficiaries of subsidiary protection) are based on individual integration contracts, which contain a tailor-made 'integration package' with all rights, obligations, and support for beneficiaries of international protection. Under the contract beneficiaries receive services provided by the family assistance services and financial assistance provided by the refugee authority. As a consequence of these changes there has been a welcome shift from camp-based integration to a community-based one.<sup>(273)</sup> A new integration facility was opened adjacent to the reception centre for asylum seekers in Havirov (North-East Moravia), increasing the total number of integration facilities in the **Czech Republic** to four.<sup>(274)</sup>

Specifically in the area of family reunification, there were opposing developments in 2014 in individual Member States. The Refugee Law was amended in March 2014 in **Cyprus** to transpose the recast QD, whereby the beneficiaries of subsidiary protection were excluded from family reunification and additional requirements were put in place for refugees, raising concerns from civil society<sup>(275)</sup> and UNHCR<sup>(276)</sup>. In **Spain**, the concept of family members was broadened (including the adult responsible for the beneficiary of international protection when the beneficiary is a minor and unmarried), and abolishing the requirement of dependence in the case of the descendants minors.

Of interest are developments in country-specific forms of protection that do not fall under the Qualification Directive and rights linked to those statuses. In response to the increased number of applicants, **Denmark** passed amendments to the Danish Aliens Act on 3 February 2015, introducing a 'temporary subsidiary protection status' for persons originating from countries in conflict or violence and increasing the scope of situations where

<sup>(267)</sup> 'While the adoption of a strategy itself is a positive initiative, inasmuch as it facilitates long-term planning, this decision proved to be counterproductive in the specific context, and the result therefrom was an absolute – either intentional or unintentional – denial of any integration support. Thus, throughout 2014, the beneficiaries of international protection in Bulgaria were put in a situation where they had to ensure their initial and subsequent integration in the Bulgarian society by means of their own efforts, funds and capacity, and the limited assistance from non-governmental and volunteer organizations and initiatives.' *Bulgarian Council on Refugees and Migrants, Monitoring Report on the Integration of Beneficiaries of International Protection in the Republic of Bulgaria in 2014* (Dec 2014), available at: [http://www.bcrm-bg.org/docs/monitoring\\_integration%20refugees\\_2014-EN.docx](http://www.bcrm-bg.org/docs/monitoring_integration%20refugees_2014-EN.docx), p. 5. No financial and human resources for its implementation were provided. Many refugees and beneficiaries of subsidiary protection continue to leave Bulgaria for Western European countries. (UNHCR input).

<sup>(268)</sup> UNHCR input.

<sup>(269)</sup> UNHCR input.

<sup>(270)</sup> UNHCR input.

<sup>(271)</sup> The change reflects the latest significant amendment no.103/2013 Coll. to the Asylum Act which lifted differences in the scope of the services provided to recognised refugees and beneficiaries of subsidiary protection and entered into effect as of 1.5.2013. See also UNHCR input.

<sup>(272)</sup> UNHCR input.

<sup>(273)</sup> Section 32/C, 32/D of Act LXXX of 2007 on Asylum. See also UNHCR input.

<sup>(274)</sup> The other facilities are located in Brno - Židenice, Jaroměř, and Předlice (UNHCR input).

<sup>(275)</sup> Family reunification only concerns family links established before arriving to Cyprus and applications must be submitted within the first three months of granting of refugee status. ECRE Asylum Information Database (AIDA) Report on Cyprus – Highlights, [http://www.asylumineurope.org/sites/default/files/resources/one-pager\\_cy.pdf](http://www.asylumineurope.org/sites/default/files/resources/one-pager_cy.pdf).

<sup>(276)</sup> UNHCR, Press Release, UNHCR regrets the lowering of international protection standards in the Republic of Cyprus (16 April 2014), available at: [http://www.unhcr.org/cy/fileadmin/user\\_upload/Images/Protection/Press\\_release/Pressreleaselawchanges\\_April\\_-\\_story.pdf](http://www.unhcr.org/cy/fileadmin/user_upload/Images/Protection/Press_release/Pressreleaselawchanges_April_-_story.pdf).

cessation of subsidiary protection is possible. <sup>(277)</sup> In **Switzerland**, as of February 2014, persons who made ‘sur place’ claims receive only ‘provisional admission’ and are also excluded from many of the rights normally granted to refugees, which UNHCR identified as a major concern <sup>(278)</sup>. In **Cyprus**, amendments to asylum law removed humanitarian status (granted when requirements for the refugee or subsidiary protection status were not fulfilled, yet return was not feasible for humanitarian reasons). Beneficiaries of humanitarian status will now have to re-apply for a different form of protection, which raised concerns from civil society <sup>(279)</sup> and UNHCR <sup>(280)</sup>.

Stakeholders, including NGOs and UNHCR, undertook monitoring activities and published reports on integration-related issues in Member States. The report from the *Participatory Assessment on refugee integration opportunities and challenges in Lithuania* <sup>(281)</sup> was launched on 17 September 2014 at the Seimas (Parliament) of the Republic of **Lithuania**. <sup>(282)</sup> UNHCR undertook a monitoring of the integration of beneficiaries of subsidiary protection in **Austria**, identifying specific challenges faced by beneficiaries of subsidiary protection in Austria. <sup>(283)</sup> UNHCR and the University of Lucerne conducted an in-depth study about the labour market integration of refugees and provisionally admitted persons in **Switzerland** and identified key challenges with regard to recognition of diplomas, language courses, discrimination, and family reunification. The UNHCR report (‘Nitkellmu?’ <sup>(284)</sup>) published in 2014 jointly with aditus foundation reveals that many refugees in **Malta** are working in unregulated conditions and paid below minimum salary requirements. Issues were also noted regarding integration opportunities in **Spain**. <sup>(285)</sup>

## 4.13. Return

Effective return of failed asylum seekers is an integral part of a credible asylum system. EU law on return is covered in the remit of general immigration/aliens law. For the practical functioning of the CEAS, whether a failed asylum applicant is effectively returned to their country of origin is of essential interest, since an inability to return may constitute a major pull factor.

Return procedures include voluntary return (whereby a person complies with a return decision and can be provided with support by the Member States inter alia in terms of covering the travel costs of return) and forced return (whereby a person is returned by the public authorities of the Member State to their country of origin or to another country where they have a legal title to stay).

A person who has formally been refused international protection may still be granted leave to remain in the Member State (outside of the scope of the asylum law and under national migration and residence law) if their return is not feasible, e.g. for technical reasons or because of the situation in the country of origin. Therefore, return policies remain in line with developments in the current situation in the countries of origin or other factors.

<sup>(277)</sup> Beneficiaries of the new status will initially receive a one-year residence permit, which may be extended, and will not be allowed to initiate family reunification proceedings during the first year. While the new status could be granted to asylum seekers of any nationality falling within the criteria, specific reference is made in the explanatory memorandum to persons fleeing Syria.

<sup>(278)</sup> Provisional admission has to be renewed on an annual basis and rights connected to the status fall short of the rights granted to refugees in terms of family reunification, but also in comparison to subsidiary protection in other countries with regard to freedom of movement, freedom to work, social allowances, and the right to travel in the Schengen area. UNHCR fact sheet ‘Provisional admission’, available at: [http://www.unhcr.ch/no\\_cache/unhcr/in-der-schweiz/fluechtlingsland-schweiz.html?cid=11425&did=10105&sechash=2397e678](http://www.unhcr.ch/no_cache/unhcr/in-der-schweiz/fluechtlingsland-schweiz.html?cid=11425&did=10105&sechash=2397e678).

<sup>(279)</sup> ECRE Asylum Information Database (AIDA) Report on Cyprus – Highlights [http://www.asylumineurope.org/sites/default/files/resources/one-pager\\_cy.pdf](http://www.asylumineurope.org/sites/default/files/resources/one-pager_cy.pdf).

<sup>(280)</sup> UNHCR, UNHCR Observations on the Refugee (Amending) Laws No.2 & No. 3 of 2013, p. 17, available at: [http://www.unhcr.org.cy/fileadmin/user\\_upload/Images/2013/FutureofSyria/Syria\\_photo\\_gallery/UNHCR\\_initial\\_Observations\\_on\\_the\\_Refugee\\_Amending\\_Law\\_No.3\\_of\\_2014.pdf](http://www.unhcr.org.cy/fileadmin/user_upload/Images/2013/FutureofSyria/Syria_photo_gallery/UNHCR_initial_Observations_on_the_Refugee_Amending_Law_No.3_of_2014.pdf).

<sup>(281)</sup> UNHCR, Integration of refugees in Lithuania: Participation and Empowerment (Oct-Nov 2013), available at: [http://www.unhcr-northerneurope.org/uploads/tx\\_news/UNHCR\\_Integration\\_of\\_refugees\\_in\\_Lithuania.pdf](http://www.unhcr-northerneurope.org/uploads/tx_news/UNHCR_Integration_of_refugees_in_Lithuania.pdf). It was a result of a joint exercise undertaken by a Multi-Functional Team that included representatives from the UNHCR, the Ministry of Social Security and Labour, the Lithuanian Red Cross Society and Caritas Vilnius, and involved group discussions with beneficiaries of international protection.

<sup>(282)</sup> As a follow up to the findings of the report, the Ministry of Social Security and Labour agreed to include beneficiaries of international protection into the National Integration Strategy and Action Plan, and facilitated the process of their direct placement in urban communities following the grant of international protection status.

<sup>(283)</sup> Findings of the report indicate the limited residence permit issued to beneficiaries of subsidiary protection, limited access to some social benefits and the one-year waiting period for family reunification. All protection holders experience increasing difficulties in finding proper housing after recognition, mainly due to the increase in the number of beneficiaries of international protection (mainly Syrians) (UNHCR input).

<sup>(284)</sup> UNHCR and aditus foundation, Nitkellmu? Refugee Integration Perspectives in Malta (Dec 2013), available at: [http://www.unhcr.org.mt/media/com\\_form2content/documents/c8/a629/f40/Nitkellmu\\_report.pdf](http://www.unhcr.org.mt/media/com_form2content/documents/c8/a629/f40/Nitkellmu_report.pdf).

<sup>(285)</sup> Spanish Forum for the Social Integration of Immigrants Report on the status of integration of immigrants and refugees in Spain (June 2014), available (in Spanish) at: [http://www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/Documento\\_N\\_4\\_Informe\\_2014.pdf](http://www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/Documento_N_4_Informe_2014.pdf).

Some information on return concerning former applicants for international protection, whose right to remain has ceased, can be drawn from data collected by Frontex.<sup>(286)</sup> Last year once again saw more decisions to return made than actual effective returns. This implies that following a decision being made to return a person, certain difficulties to conduct return arise.<sup>(287)</sup> This has been a stable trend over the years since data collection began. In 2014, about 36 % of the total number of returns reported was declared as related to an unsuccessful asylum application.

EASO is working to develop and improve information about the return of failed asylum seekers. It has drafted guidance for Member States regarding the practical application of Art. 10(d) of the Eurodac regulation that enters into force in July 2015 and which requires Member States to update the Eurodac record when they ensure that an asylum-seeker's right to remain has ceased and is effectively returned. It will also include a dedicated indicator on this phenomenon in Stage III of EPS.

From January to July 2014 the Fedasil in **Belgium** conducted a thorough evaluation of the return pathway for voluntary return introduced in the Reception Act in the beginning of 2012.<sup>(288)</sup> Through a wide range of stakeholders, findings led to 21 recommendations to improve the return pathway. An implementation plan for the recommendations was established to be executed in 2015. **France** established statistical data collection of rejected applicants for international protection. On 1 April 2014 amendments to the **Danish** Repatriation Act entered into force aiming at improving the possibilities for refugees and immigrants who want to return to their home countries. To optimize the return-related cooperation, the **German** Federal and Länder governments implemented a coordination centre *integriertes Rückkehrmanagement* (IRM) (Integrated return management). The office of the IRM is situated within the Federal Office for Migration and Refugees. The kick off for the IRM took place on 17 December 2014. The aim is to meet all goals regarding reintegration and voluntary or forced return that might be of interest for a person with the obligation to leave the country with a uniform and coherent approach of all public/official stakeholders within Germany (Federal Government and Länder Governments and authorities). To reach this goal the different practices, problems and procedures related to return are mapped. Based on the result of the mapping procedure proposals for best practises are developed to reach a consensus for the IRM between the Federal Government and the Länder Governments.

As a result of restructuring, **Austria's** Federal Office for Immigration and Asylum (BFA) is now the single competent authority for asylum issues, including matters of return. This allows faster, simpler and more effective procedures on return.

## 4.14. Elements of comparability

In the context of practical implementation of the CEAS, EASO examined a number of elements that could be used as relevant criteria to compare the situation in individual Member States, as well as elements that are less suitable as points of reference in describing issues of international protection. The main goal of this exercise is to contribute to evidence-based discussion. This is a preliminary analysis and further in-depth research is required to study the phenomena in more detail.

As a starting point, it should be noted that there are significant differences between Member States in terms of basic features, such as size of population<sup>(289)</sup>, as well as other relevant characteristics: area, population density, gross domestic product (GDP), and geographical location (at the external border of the European Union or otherwise). Population, area, and density of population are particularly relevant when describing the context. The table below shows how the ranking of EU+ countries changes depending on the indicator chosen. France, Spain, and Sweden have the largest areas but the highest density of population is registered in Belgium and the Netherlands.

<sup>(286)</sup> Analysis of Frontex Risk Analysis Network data provided to EASO on 21 April 2015.

<sup>(287)</sup> These difficulties can be based on a wide range of issues: for example, third countries to which a return is planned may become too unsafe to return to, there may be no EU or MS bilateral readmission agreement in place with the third country of origin concerned or it may be in place but is ineffective, or the persons to be returned may no longer have valid travel documents.

<sup>(288)</sup> In Belgium former asylum applicants are assigned to specialised return places for up to one month intensive return counselling.

<sup>(289)</sup> Under Article 238 of the Treaty on the Functioning of the European Union, the Council of the European Union uses the 'double majority voting' whereby a decision requires the support of a certain percentage of the members of the Council of the European Union who must at the same time represent at least a certain percentage of the EU's citizens (Consolidated version of the Treaty on the Functioning of the European Union <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012E/TXT>).

Malta is a unique case with the smallest area and highest density while almost 70 % of the population of the EU+ is concentrated in only six Member States (Germany, France, United Kingdom, Italy, Spain, and Poland).

**Table 2: Population, area and population density of EU+ countries**

2014	Population as of 1st of January	Rank	Total area (km <sup>2</sup> )	Rank	Population density	Rank
<b>Reporting country</b>						
Germany	80 767 463	(1)	357 134	(4)	226	(5)
France	65 835 579	(2)	543 966	(1)	121	(12)
United Kingdom	64 308 261	(3)	248 530	(9)	259	(4)
Italy	60 782 668	(4)	301 339	(8)	202	(7)
Spain	46 512 199	(5)	498 511	(2)	93	(18)
Poland	38 017 856	(6)	312 679	(7)	122	(11)
Romania	19 947 311	(7)	238 394	(10)	84	(20)
Netherlands	16 829 289	(8)	41 542	(24)	405	(2)
Belgium	11 203 992	(9)	30 526	(26)	367	(3)
Greece	10 903 704	(10)	131 958	(11)	83	(21)
Czech Republic	10 512 419	(11)	78 865	(16)	133	(9)
Portugal	10 427 301	(12)	89 089	(14)	117	(13)
Hungary	9 877 365	(13)	93 023	(13)	106	(15)
Sweden	9 644 864	(14)	438 575	(3)	22	(28)
Austria	8 506 889	(15)	83 880	(15)	101	(17)
Switzerland	8 139 631	(16)	41 285	(25)	197	(8)
Bulgaria	7 245 677	(17)	110 898	(12)	65	(24)
Denmark	5 627 235	(18)	42 895	(23)	131	(10)
Finland	5 451 270	(19)	338 433	(5)	16	(29)
Slovakia	5 415 949	(20)	49 037	(21)	110	(14)
Norway	5 107 970	(21)	323 779	(6)	16	(30)
Ireland	4 605 501	(22)	69 798	(17)	66	(23)
Croatia	4 246 809	(23)	56 594	(20)	75	(22)
Lithuania	2 943 472	(24)	65 300	(18)	45	(25)
Slovenia	2 061 085	(25)	20 272	(27)	102	(16)
Latvia	2 001 468	(26)	64 562	(19)	31	(26)
Estonia	1 315 819	(27)	45 227	(22)	29	(27)
Cyprus	858 000	(28)	9 251	(28)	93	(19)
Luxembourg	549 680	(29)	2 586	(29)	213	(6)
Malta	425 384	(30)	316	(30)	1 346	(1)
<b>EU+</b>	<b>520 072 110</b>		<b>4 728 244</b>		<b>110</b>	

A common way to look at the asylum situation is to compare the total number of applicants for international protection in each Member State. However, to obtain a picture of the net effect, those figures should be contrasted with the number of persons who at the end of the process were granted a form of protection in the Member State concerned<sup>(290)</sup>. This approach is even more justified in view of the large number of rejected asylum claims in the EU: more than 60 % in 2014 and even more in the years before situations of conflict such as the one in Syria occurred.

From 2009-2013, 550 000 applicants in the EU+ were granted protection out of approximately 2 million. This divergence between total number of applicants and positive decisions, observable in all EU+ countries but at varying rates, is mainly due to negative decisions, withdrawn applications, Dublin cases, and pending cases.

<sup>(290)</sup> Including all holders of protection statuses, including refugee status, subsidiary protection and humanitarian protection.



**Table 3: Applicants <sup>(291)</sup>, beneficiaries of protection and withdrawn applications in EU+**

2014	Applicants for international protection	Beneficiaries granted protection	Withdrawn applications	2010- 2014	Applicants for international protection	Beneficiaries granted protection	Withdrawn applications
<b>Reporting country</b>				<b>Reporting country</b>			
Germany	202 645	47 555	8 190	Germany	508 545	121 750	22 065
Sweden	81 180	33 025	5 020	France	302 070	66 410	1 375
Italy	64 625	20 625	1 555	Sweden	240 810	95 095	23 790
France	64 310	14 815	575	Italy	158 895	69 950	2 570
Hungary	42 775	550	18 150	United Kingdom	142 385	70 930	13 180
United Kingdom	31 745	14 065	2 370	Belgium	129 805	30 440	10 500
Austria	28 035	:	:	Switzerland	112 300	41 805	12 130
Netherlands	24 495	13 250	495	Austria	88 415	23 085	9 465
Switzerland	23 555	15 575	2 525	Netherlands	80 340	42 985	2 205
Belgium	22 710	8 515	1 785	Hungary	67 610	1 920	19 990
Denmark	14 680	5 770	1 235	Norway	53 815	29 200	2 145
Norway	13 205	5 865	60	Poland	47 435	3 200	10 070
Bulgaria	11 080	7 020	195	Greece	46 815	6 620	31 130
Greece	9 430	3 850	19 225	Denmark	36 905	14 595	8 260
Poland	8 020	740	5 520	Bulgaria	21 525	10 080	770
Spain	5 615	1 600	645	Spain	18 825	4 355	1 085
Finland	3 620	2 375	300	Finland	15 925	9 045	1 915
Cyprus	1 745	1 220	480	Cyprus	9 280	2 295	2 830
Romania	1 545	775	110	Romania	8 155	3 485	665
Ireland	1 450	495	1 690	Malta	7 740	5 460	775
Malta	1 350	1 295	560	Luxembourg	7 200	505	1 800
Luxembourg	1 150	130	150	Ireland	6 575	1 150	3 670
Czech Republic	1 145	765	55	Czech Republic	4 105	2 260	330
Croatia	450	25	255	Slovakia	2 530	665	1 305
Portugal	440	40	30	Lithuania	2 505	225	805
Lithuania	440	70	150	Portugal	1 665	395	50
Slovenia	385	45	215	Slovenia	1 545	160	790
Latvia	375	25	185	Croatia	1 525	105	995
Slovakia	330	175	135	Latvia	1 180	145	515
Estonia	155	20	25	Estonia	425	65	65
<b>EU+</b>	<b>662 680</b>	<b>200 275</b>	<b>71 880</b>	<b>EU+</b>	<b>2 126 850</b>	<b>658 380</b>	<b>187 240</b>

The ranking of EU+ Member States based on total applicants and total granted protection differ: from 2010-2014, the top five Member States for total applications were Germany, France, Sweden, Italy, and the UK while in terms of number of beneficiaries the top five were Germany, Sweden, the UK, Italy, and France. The figures on withdrawn applications are very significant. For instance, in 2014 Hungary registered a high influx, but 42 % of applications were withdrawn, meaning that the net influx in Hungary was around 60 % of what is commonly listed in the statistics. For Poland, the disparity is even greater. On the other hand, Italy had a less than a 3 % withdrawal rate, meaning perhaps that, contrary to general perception, applicants who register in the country await their decision there.

<sup>(291)</sup> Ireland does not have a single protection procedure. The applications for international protection (1450) are refugee status applications only. Ireland received a further 250 applications for subsidiary protection during 2014. However, these applications would at some stage have made an earlier application for refugee status and would have been counted in the asylum figures for the relevant year of application. For Norway, the numbers for applicants for international protection include family members that have a right to refugee status derived from the refugee already in Norway.

Combining the universally recognised factor of population and the number of recognised applicants provides the following picture.

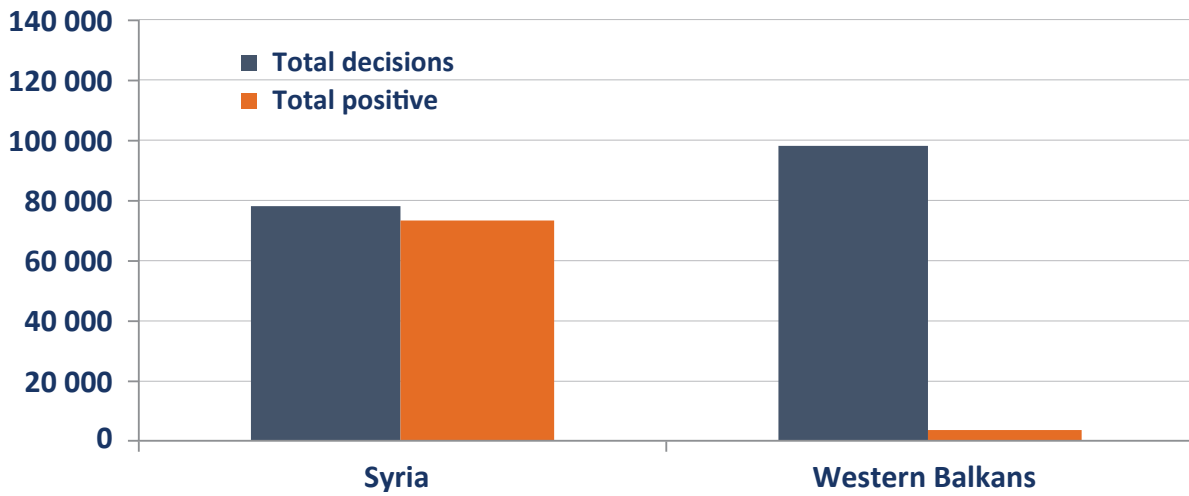
**Table 4: Applicants and beneficiaries of protection (per million inhabitants) in EU+**

2014	per million of inhabitants			
	Applicants for international protection	Rank	Beneficiaries of protection	Rank
<b>Reporting country</b>				
Sweden	8 417	(1)	3 424	(1)
Hungary	4 331	(2)	56	(19)
Austria	3 296	(3)	:	:
Malta	3 174	(4)	3 044	(2)
Switzerland	2 894	(5)	1 913	(3)
Denmark	2 609	(6)	1 025	(6)
Norway	2 585	(7)	1 148	(5)
Germany	2 509	(8)	589	(10)
Luxembourg	2 092	(9)	237	(14)
Cyprus	2 034	(10)	1 422	(4)
Belgium	2 027	(11)	760	(9)
Bulgaria	1 529	(12)	969	(7)
Netherlands	1 455	(13)	787	(8)
Italy	1 063	(14)	339	(13)
France	977	(15)	225	(15)
Greece	865	(16)	353	(12)
Finland	664	(17)	436	(11)
United Kingdom	494	(18)	219	(16)
Ireland	315	(19)	107	(17)
Poland	211	(20)	19	(25)
Latvia	187	(21)	12	(27)
Slovenia	187	(22)	22	(24)
Lithuania	149	(23)	24	(23)
Spain	121	(24)	34	(21)
Estonia	118	(25)	15	(26)
Czech Republic	109	(26)	73	(18)
Croatia	106	(27)	6	(28)
Romania	77	(28)	39	(20)
Slovakia	61	(29)	32	(22)
Portugal	42	(30)	4	(29)
<b>EU+</b>	<b>1 274</b>		<b>385</b>	

Practical evidence shows that recognition rate is directly related to applicants' country of origin.<sup>(292)</sup> Some countries of origin have a high recognition rate due to the situation in those countries and others have a low recognition rate. This can also explain the difference in recognition rates between Member States. Some have more applicants from a country with a high recognition rate and others have a lower recognition rate because they have a large number of asylum seekers from a country with a relatively safe situation.

<sup>(292)</sup> All Member States differ in terms of top 10 countries of origin for applicants and for beneficiaries. For instance, France has a totally different caseload to the other main receiving EU+ countries while Estonia does not feature any of the top 10 countries of origin of other EU+ countries. In Germany the main country of origin is Serbia with a very high number of negative decisions. Additionally, even within the same country of origin, there can be different types of applicants seeking protection for different reasons. The statistics show that in the majority of EU+ countries the workload is concentrated on very few countries of origin while in other EU+ countries (i.e. Germany, Ireland, the UK, Belgium, and France) the three top countries of origin count for a reduced percentage of the overall number of applicants. (In France, for example, applications from the top three countries of origin account for 22 % of the total influx).

**Figure 47: Recognition rate is directly related to applicants' country of origin.**  
**First instance decisions and positive first instance decisions for selected citizenships in EU+, 2010-2014**



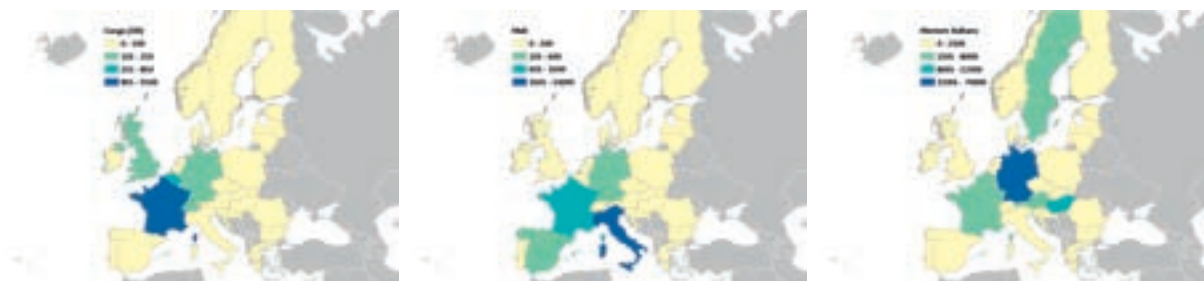
The total number of applicants is a relevant factor impacting each national asylum administration while the number of beneficiaries is significant to understand the socio-economic impact of their integration. When comparing Member States it is clear that the caseload profile of applicants received has to be taken into account. The type of applicant has an impact in terms of resources needed to determine the claim. Different outcomes to the procedure demand different resources. Returning unfounded or unsuccessful applicants to their country of origin requires resources in the short-term while providing relevant rights and benefits where protection is granted puts pressure on resources in the longer term.

**Map 7: Recognition rate in main countries of origin of applicants in the EU+**

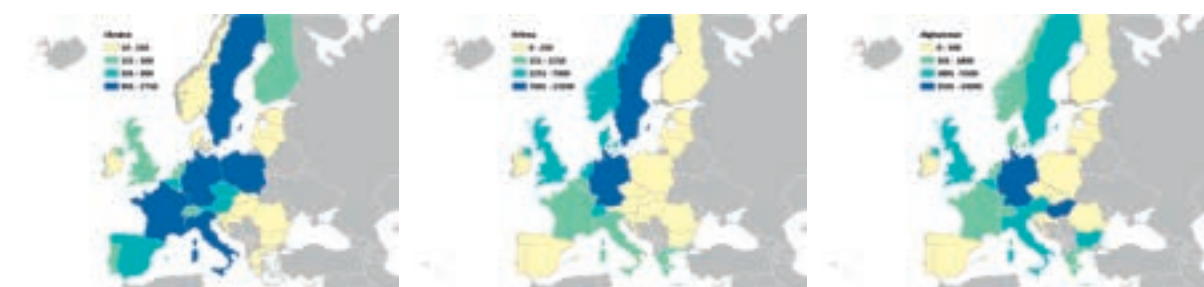


Analysis shows that for some countries of origin the influx mainly (i.e. +50 %) concentrates on a few EU+ countries. For example, applicants from the Western Balkans are reported for more than 75 % of cases in Germany and the same applies to applicants from Mali (reported 76 % in Italy) and the Democratic Republic of the Congo (applying mainly in France and Belgium). The main influxes from top countries of origin concentrate in three Member States (Germany, France, and Sweden); nevertheless, the remaining influxes are spread across almost all EU+ countries.

**Map 8: Number of applicants for international protection from selected citizenship in the EU+**



Some other groups show no distinct pattern or sometimes change destination quickly, as is the case for applicants from Eritrea, Ukraine, and Afghanistan.



There are many reasons why applicants choose to travel to certain EU+ countries such as historical/colonial ties and the presence of an already vested community, and facilitation by criminal networks. EASO also focused on diaspora as a potential factor for applicants in choosing a particular destination country. There is no common definition of diaspora in the context of asylum and the data collection on diaspora is limited. For the purpose of its analysis, EASO adopted the definition used by the European Commission, EMN, and IOM, which refers to four key elements: the existence of a link between the country of origin and the host country; migrants; migrants who have acquired the host country citizenship; and migrants' offspring.

A definite link between the country of origin and the host country is difficult to establish and therefore challenging to measure with statistics. As information on migrants' offspring at EU level is scarce, the analysis focused on migrants and migrants who have acquired the host country citizenship.

Four indicators for the diaspora analysis and its relation to applications for international protection have been investigated: the resident population; acquisition of citizenship; protection of beneficiaries (positive decisions); and detected irregular stayers. Those indicators have been scrutinised in connection with the top 30 countries of origin and the top destination countries in the EU+. In addition, a closer look by pairs - meaning the relation between a specific country of origin and a specific country of destination - was followed in order to reach more significant preliminary findings.

The overall results of this exercise were inconclusive and no dominating trend could be identified. For instance, the pairs Germany-Serbia or Germany-Russian Federation seem to highlight that a large influx of applicants can be related to the existence of large diaspora but unrelated to the level of protection granted. However, with the pairs Italy-Nigeria, Sweden-Somalia, Germany-Afghanistan, the high level of protection granted might have contributed to a large diaspora building up. For certain pairs (Germany-Turkey, Spain-Morocco, Italy-Albania, France-Algeria),

the overall resident population does not necessarily mirror the large numbers of applicants. Neither does the acquisition of nationality.

For some countries a high level of protection runs in parallel to a high level of applications. This may indicate the existence of a certain continuity or trend effect (Germany-Syria, Germany-Iraq, Sweden-Syria, Sweden-Eritrea). Some pairs, however, go against this pattern and show a low inflow of applicants for international protection in 2014 in spite of the high level of protection granted between 2009 and 2013 (Norway-Somalia, Italy-Somalia, Germany-Iraq). Further analysis reveals further inconsistencies: for instance, Germany and Sweden, which were the main receiving countries for Syrian applicants in 2014, and with a high recognition rate, were also the EU+ countries ranking the highest on diaspora indicators. However, France, which ranked third on diaspora indicators for Syrians, was only the 9<sup>th</sup> receiving country. Looking at applicants from Ukraine, although Portugal and Hungary ranked high in terms of diaspora, they received low numbers of Ukrainian applicants; similarly, for Eritrea, France and Italy ranked high for diaspora indicators but they received a low number of applicants. For the Democratic Republic of the Congo, the analysis showed that France was the main receiving country for those applicants in 2014 and scored the highest in the diaspora indicators. But Belgium and Germany, which also ranked very high on diaspora indicators, received a very low number of applicants from DRC. A final example relates to the influx from Albania. Italy hosts by far the largest numbers of Albanians in the EU+ but receives a very low number of asylum applicants from Albania. This is probably because other legal means for immigration are preferred to lodging an application for international protection.

In certain cases, diaspora would appear to explain the choice of the destination State within the EU+, while in other situations it does not seem to be a primary factor. As stressed above, this was a preliminary analysis and further in-depth research is needed to reveal potential patterns and links. It is clear that such patterns would be strongly specific to a country of origin and a particular EU+ country and as such cannot be easily extrapolated. EASO is engaging in further in-depth research on the push and pull factors, which will be carried out in the next two years.



## 5. Conclusion

As the statistical section of this report indicates, in 2014 EU+ countries again experienced high numbers of persons applying for international protection with a 43 % rise compared to 2013. In parallel, the stock of cases pending at the end of 2014 reached more than 500 000. While overall the numbers at EU+ level grew, individual EU+ countries noted increases and decreases in the volume of applications they received, leading to significant discrepancies in the workload faced by their asylum administrations.

While each case has its own individual merits, it should be underlined that the five top countries of origin at EU+ level display very different characteristics and require different responses. The key element of any response should be flexibility to new challenges as they arise, combined with consistent attitudes and common understanding of all stakeholders. New statistical data and analysis from EASO has contributed to a better understanding of the complex nature of asylum across the EU+ and should be instrumental in creating practical solutions to address main challenges.

Throughout 2014, EASO worked closely with the EU+ countries and other stakeholders on many levels to enhance practical cooperation and through this process noted several very positive developments. However, many areas still require additional action to ensure full respect for fundamental rights and to guarantee that the CEAS operates in a fair and efficient manner. Against that backdrop, in 2014 EU+ countries were faced with the ever-growing challenge of arrivals by sea. This put pressure on a number of EU+ countries and often led to the tragic loss of migrant lives as they attempted to reach Europe.

The European Agenda on Migration aims to better manage migration through four main pillars, one of which is a strong common asylum policy. Achieving this goal would involve new measures to monitor full implementation of the CEAS and evaluation of the Dublin system, as well as instruments to combat misuse of the system, and reflection of potential innovative ways of establishing a single asylum decision process.

Practical measures are an integral part of the immediate response. This includes support to frontline Member States with a 'hot spot' approach and proposed relocation measures, with EASO playing a central role in these developments. 2015 brings new impetus to the development of the CEAS.





# ANNEXES

## A. List of Abbreviations

AF	Afghanistan
AL	Albania
AM	Armenia
AMIF	Asylum, Migration and Integration Fund
APD	Asylum Procedures Directive
AST	Asylum Support Teams
BA	Bosnia and Herzegovina
BAMF	Federal Office for Migration and Refugees (Germany)
BD	Bangladesh
BFA	Federal Office for Immigration and Asylum (Austria)
CADA	Centre d'Accueil de Demandeurs d'Asile (France)
CD	Democratic Republic of Congo
CEAS	Common European Asylum System
CGRS	Office of the Commissioner General for Refugees and Stateless Persons (Belgium)
CJEU	Court of Justice of the European Union
CN	China
CNDA	Court Nationale du Droit d'Asile / National Asylum Appeal Court (France)
COI	Country of Origin Information
DZ	Algeria
EASO	European Asylum Support Office
ECHR	European Convention on Human Rights
ECRE	European Council on Refugees and Exiles
ECTHR	European Court of Human Rights
EMN	European Migration Network
EPS	Early warning and Preparedness System
ER	Eritrea
ERF	European Refugee Fund
EU	European Union
Fedasil	Federal Agency for the Reception of Asylum Seekers (Belgium)
FIS	Finnish Immigration Service
FGM	Female Genital Mutilation
FYROM	The Former Yugoslav Republic of Macedonia
FRONTEX	EU Agency for the Management of Operational Cooperation at the External Borders
GE	Georgia
GM	Gambia
GN	Guinea
ICMC	International Catholic Migration Commission
IDP	Internally Displaced Person
IOM	International Organisation for Migration
IQ	Iraq

IR	Iran
IS	Islamic State
ISIS	Islamic State in Iraq and Sham
LGBT	Lesbian, Gay, Bisexual, Transgender
LK	Sri Lanka
MS	Member State(s)
NG	Nigeria
NGO	Non-governmental Organisation
OFPRA	Office français de Protection des Réfugiés et Apatrides
ORAC	Office of the Refugee Applications Commissioner (Ireland)
PK	Pakistan
QD	Qualification Directive
RS	Serbia
RSD	Refugee Status Determination
RU	Russian Federation
SMB	Swedish Migration Board
SN	Senegal
SO	Somalia
SY	Syrian Arab Republic
UA	Ukraine
UAM	Unaccompanied Minor
UASC	Unaccompanied Asylum Seeking Children
UNHCR	United Nations High Commissioner for Refugees

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## C. Key terms

### **Accelerated procedure**

The process that examines applications for international protection in an expedited manner.

### **Admissibility procedure**

The process that determines whether an application should be further processed with regard to its merit or dismissed.

### **Asylum acquis**

All rights and obligations that are binding on EU Member States with regard to asylum and migration.

### **Asylum Procedure Directive (APD)**

EU directive that guarantees access to a fair and efficient asylum procedure.

### **Asylum Support Team (AST)**

Experts deployed by EASO to Member States whose asylum and reception systems are under particular pressure.

### **Common European Asylum System (CEAS)**

A framework of agreed rules establishing a common approach to international protection across the EU.

### **Country of origin**

The country of nationality or, for stateless persons, of former habitual residence.

### **Dublin procedure**

The process that determines which Member State is responsible for examining an application for international protection.

### **Early warning and Preparedness System (EPS)**

An EASO mechanism that helps Member States deal with the most recent data on the fluctuating flows of applicants for international protection.

### **Humanitarian protection**

A form of protection granted for various reasons according to national law.

**Internally Displaced Persons (IDPs)**

People who have been forced to flee their homes and who have not crossed an internationally recognised State border.

**Internal Flight Alternative (IFA)**

The option for someone to seek/access protection in a safe place within their own country.

**Push/pull factors**

The issues that motivate an applicant to leave their country and the corresponding ones that prompt them to travel to a specific Member State.

**Qualification Directive (QD)**

EU directive that outlines conditions to grant protection and types of rights linked to it.

**Reception Conditions Directive (RCD)**

EU directive that ensures a certain standard of reception conditions for applicants across the EU and respect for their fundamental rights.

**Recognition rate**

The number of positive decisions on applications for international protection as a proportion of the total number of decisions.

**Refoulement**

The return by a state of an individual to another state where they may be persecuted.

**Refugee status**

The recognition by a Member State of a third-country national or stateless person as a refugee.

**Subsidiary protection**

Alternative protection given to a third-country national or stateless person who does not qualify as a refugee but needs protection for certain reasons.

**'Sur place' refugee**

A person granted refugee status while already in a Member State based on protection needs arising from events that occurred after they left their country of origin.

**Third-country national**

Someone who is not an EU citizen.

**Unaccompanied minor (UAM)**

A minor who arrives in a Member State unaccompanied by the adult responsible for them.

**Vulnerable persons**

This includes, but is not limited to, unaccompanied minors, disabled people, pregnant women, victims of human trafficking and torture or violence.

## D. Statistics

### Disclaimer

Figures used in this Report relate to annual datasets published on the Eurostat website on 6 May 2015 and collected in the framework of Regulation (EC) 862/2007, unless otherwise stated.

The data used for this publication is provided to Eurostat by the Ministries of Interior, Justice or immigration agencies of the Member States. Data is based entirely on relevant administrative sources. Apart from statistics on new asylum applicants, this data is supplied by Member States according to the provisions of Article 4 of the Regulation (EC) 862/2007 of 11 July 2007 on Community statistics on migration and international protection.

It should be noted that the indicators on asylum applicants, first time asylum applicants, and withdrawn applications are collected by Eurostat on a monthly basis. Similarly, indicators on first instance decisions: refugee status granted, subsidiary protection status granted, authorization to stay for humanitarian reasons granted, and rejections are submitted to Eurostat on a quarterly basis.

It is important to note that the Eurostat Technical Guidelines for the data collection<sup>(293)</sup> were amended in December 2013 and subsequently entered into force in the reference month of January 2014. The change affects the backward comparability of 2014 data. The main changes in the Eurostat Technical Guidelines for the data collection that affect the above comparison are:

- clarification of the first time and repeated applicant concepts;
- addition of an instruction on how persons subject to a Dublin procedure should be counted in the pending cases table;
- instruction not to report cases where another Member State assumed responsibility as negative asylum decisions;
- clarification of the concept of humanitarian protection.

For the aforementioned indicators, the annual figures presented in the following annexes are computed as the aggregation of data submitted to Eurostat throughout the year on a monthly (or quarterly) basis.

The figures presented in this publication are provisional and may be subject to update or revision from the Member States.

Data made available on the Eurostat website are rounded to the nearest 5. As such, aggregates computed on the basis of rounded figures may slightly deviate from the actual total.

Also, please be advised that a '0' may not necessarily indicate a real zero value but could also represent a value or '1' or '2'.

<sup>(293)</sup> [http://epp.eurostat.ec.europa.eu/cache/ITY\\_SDDS/Annexes/migr\\_asyapp\\_esms\\_an3.pdf](http://epp.eurostat.ec.europa.eu/cache/ITY_SDDS/Annexes/migr_asyapp_esms_an3.pdf).

## Annex D1: Asylum applicants in the EU+ by Member States and main citizenship, 2010-2014

	2014					% chg. on last year	Share in EU+	per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>	<b>Citizenship</b>									
Germany	48 475	53 235	77 485	126 705	202 645	⬆️ +60	31%	2 509	Syria (20%)	
Sweden	31 850	29 650	43 855	54 270	81 580	⬆️ +50	12%	8 417	Syria (38%)	
Italy	10 000	40 315	17 335	26 620	64 625	⬆️ +143	10%	1 063	Nigeria (16%)	
France	52 725	57 330	61 440	66 265	64 310	⬆️ -3	9.7%	977	Congo (DR) (9%)	
Hungary	2 095	1 690	2 155	18 895	42 775	⬆️ +126	6.5%	4 331	Kosovo (50%)	
United Kingdom	24 335	26 915	28 800	30 585	31 745	⬆️ +4	4.8%	494	Pakistan (13%)	
Austria	11 045	14 420	17 415	17 500	28 035	⬆️ +60	4.2%	3 296	Syria (28%)	
Netherlands	15 100	14 590	13 095	13 060	24 495	⬆️ +88	3.7%	1 455	Syria (36%)	
Switzerland	15 425	23 615	28 400	21 305	23 555	⬆️ +11	3.6%	2 894	Eritrea (29%)	
Belgium	26 080	31 910	28 075	21 030	22 710	⬆️ +8	3.4%	2 027	Syria (12%)	
Denmark	5 065	3 945	6 045	7 170	14 680	⬆️ +105	2.2%	2 609	Syria (49%)	
Norway	10 015	8 990	9 675	11 950	13 205	⬆️ +11	2.0%	2 583	Eritrea (25%)	
Bulgaria	1 025	890	1 385	7 145	11 080	⬆️ +15	1.7%	1 529	Syria (56%)	
Greece	10 275	9 310	9 575	8 225	9 430	⬆️ +5	1.4%	865	Afghanistan (18%)	
Poland	6 540	6 885	10 750	15 240	8 020	⬆️ -47	1.2%	211	Russia (50%)	
Spain	2 740	3 420	2 565	4 485	5 615	⬆️ +25	0.8%	121	Syria (27%)	
Finland	3 085	2 915	3 095	3 210	3 620	⬆️ +13	0.5%	664	Iraq (23%)	
Cyprus	2 875	1 770	1 655	1 255	1 745	⬆️ +39	0.3%	2 094	Syria (57%)	
Romania	885	1 720	2 510	1 495	1 545	⬆️ +3	0.2%	77	Syria (40%)	
Ireland	1 935	1 290	955	945	1 450	⬆️ +53	0.2%	315	Pakistan (20%)	
Malta	175	1 890	2 080	2 245	1 350	⬆️ -40	0.2%	3 174	Libya (31%)	
Luxembourg	780	2 150	2 090	1 070	1 150	⬆️ +7	0.2%	2 092	Bosnia and Herzegovina (15%)	
Czech Republic	775	750	740	695	1 345	⬆️ +65	0.2%	109	Ukraine (45%)	
Croatia	:	:	:	1 075	450	⬆️ -38	0.1%	106	Algeria (17%)	
Portugal	155	275	295	500	440	⬆️ -12	0.1%	42	Ukraine (35%)	
Lithuania	495	525	645	400	440	⬆️ +10	0.1%	149	Georgia (26%)	
Slovenia	240	355	295	270	385	⬆️ +43	0.1%	187	Syria (23%)	
Latvia	65	340	205	195	375	⬆️ +92	0.1%	187	Georgia (47%)	
Slovakia	540	490	730	440	330	⬆️ -25	0.0%	61	Afghanistan (29%)	
Estonia	35	65	75	95	155	⬆️ +65	0.0%	118	Ukraine (59%)	
<b>Citizenship</b>	<b>Reporting country</b>									
Syria	5 600	9 240	25 670	52 745	128 020	⬆️ +143	19%	5 604	Germany (32%)	
Eritrea	8 050	10 450	11 995	20 295	47 140	⬆️ +132	7%	7 443	Germany (28%)	
Afghanistan	22 250	30 245	30 390	27 835	42 745	⬆️ +54	6%	1 399	Germany (23%)	
Kosovo	15 155	10 685	10 925	21 180	38 445	⬆️ +82	6%	21 323	Hungary (56%)	
Serbia	18 850	15 635	21 060	22 745	31 170	⬆️ +37	3%	4 361	Germany (87%)	
Pakistan	9 420	16 470	20 100	31 195	22 355	⬆️ +5	3%	123	Italy (32%)	
Iraq	16 950	16 105	13 860	11 325	21 880	⬆️ +93	3%	655	Germany (43%)	
Nigeria	9 130	15 295	10 620	13 955	21 230	⬆️ +52	3%	122	Italy (48%)	
Russia	19 575	18 935	25 000	42 255	20 225	⬆️ -52	3%	141	Germany (27%)	
Somalia	16 090	15 255	17 265	18 810	19 060	⬆️ +1	3%	1 816	Germany (30%)	
Albania	1 965	3 190	7 750	11 335	17 160	⬆️ +51	3%	3 926	Germany (47%)	
Stateless	2 805	2 820	3 930	10 405	16 800	⬆️ +61	3%	n.a.	Sweden (47%)	
Ukraine	855	980	1 155	1 120	14 390	⬆️ +1185	2%	316	Germany (19%)	
Mali	1 050	4 140	2 675	6 995	13 130	⬆️ +88	2%	858	Italy (73%)	
Gambia	1 405	1 785	2 130	4 055	11 920	⬆️ +194	2%	6 446	Italy (72%)	
Other	135 655	170 410	168 810	178 015	196 955	⬆️ +11	30%	n.a.	Germany (30%)	
<b>EU+</b>	<b>284 840</b>	<b>341 645</b>	<b>373 365</b>	<b>464 325</b>	<b>662 680</b>	<b>⬆️ +43</b>		<b>1274</b>	<b>Germany (31%)</b>	

## Annex D2: First time asylum applicants by Member States and main citizenship, 2010-2014

Reporting country	2010-2014					% chg. on last year	Share in EU+	per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>									<b>Citizenship</b>	
Germany	41 245	45 680	64 410	109 375	172 945	⬆️ +58	29%	2,141	Syria (23%)	
Sweden	31 785	29 630	43 835	54 255	74 980	⬆️ +38	13%	7,774	Syria (40%)	
Italy	10 000	40 320	17 170	25 720	63 655	⬆️ +147	11%	1,047	Mali (15%)	
France	48 030	52 140	54 265	60 475	58 845	⬆️ -3	9.9%	894	Congo (DR) (9%)	
Hungary	-	-	-	18 565	41 215	⬆️ +122	6.9%	4,173	Kosovo (51%)	
United Kingdom	22 615	25 870	27 885	29 640	31 070	⬆️ +5	5.2%	483	Pakistan (32%)	
Austria	-	-	-	-	25 675	-	4.3%	3,028	Syria (30%)	
Switzerland	13 420	19 230	25 775	19 315	21 940	⬆️ +14	3.7%	2,695	Eritrea (31%)	
Netherlands	13 290	11 560	9 660	9 815	21 780	⬆️ +122	3.7%	1,294	Syria (40%)	
Denmark	5 065	3 945	6 045	7 170	14 535	⬆️ +103	2.4%	2,583	Syria (50%)	
Belgium	21 565	25 355	18 335	11 965	14 045	⬆️ +17	2.4%	1,254	Syria (19%)	
Norway	9 270	8 520	9 210	11 430	12 705	⬆️ +11	2.1%	2,487	Eritrea (25%)	
Bulgaria	-	705	1 230	6 980	10 805	⬆️ +55	1.8%	1,491	Syria (57%)	
Greece	-	9 310	9 575	7 860	7 585	⬆️ -3	1.3%	696	Afghanistan (20%)	
Poland	4 330	4 985	9 175	13 970	5 610	⬆️ -60	0.9%	148	Ukraine (38%)	
Spain	2 550	2 970	2 350	4 285	5 460	⬆️ +27	0.9%	117	Syria (27%)	
Finland	-	-	2 905	2 985	3 490	⬆️ +17	0.6%	640	Iraq (23%)	
Romania	-	1 695	2 420	1 405	1 500	⬆️ +7	0.3%	75	Syria (40%)	
Cyprus	2 835	1 745	1 590	1 150	1 480	⬆️ +29	0.2%	1,725	Syria (51%)	
Ireland	1 915	1 280	940	940	1 440	⬆️ +53	0.2%	313	Pakistan (20%)	
Malta	145	1 865	2 060	2 205	1 275	⬆️ -42	0.2%	2,997	Libya (33%)	
Luxembourg	-	1 915	2 000	990	1 030	⬆️ +4	0.2%	1,674	Bosnia and Herzegovina (16%)	
Czech Republic	380	485	505	490	905	⬆️ +85	0.2%	86	Ukraine (46%)	
Portugal	155	275	290	500	440	⬆️ -12	0.1%	42	Ukraine (35%)	
Lithuania	370	405	560	250	385	⬆️ +54	0.1%	131	Georgia (29%)	
Croatia	-	-	-	1 045	380	⬆️ -64	0.1%	89	Syria (16%)	
Latvia	60	335	190	185	365	⬆️ +97	0.1%	182	Georgia (45%)	
Slovenia	195	305	260	240	355	⬆️ +48	0.1%	172	Syria (25%)	
Slovakia	315	320	550	290	230	⬆️ -21	0.0%	42	Afghanistan (33%)	
Estonia	30	65	75	95	145	⬆️ +53	0.0%	110	Ukraine (38%)	
<b>Citizenship</b>									<b>Reporting country</b>	
Syria	4 270	7 330	22 260	49 150	124 890	⬆️ +154	21%	5,467	Germany (31%)	
Eritrea	7 650	10 010	11 690	19 935	46 275	⬆️ +132	8%	7,307	Germany (29%)	
Afghanistan	17 750	24 235	23 390	22 575	39 135	⬆️ +73	7%	1,281	Germany (23%)	
Kosovo	12 480	8 210	7 770	17 765	34 595	⬆️ +95	6%	18,187	Hungary (60%)	
Pakistan	5 980	14 985	17 405	19 450	20 680	⬆️ +6	3%	114	Italy (34%)	
Serbia	15 615	11 740	15 340	15 330	20 310	⬆️ +32	3%	2,842	Germany (85%)	
Nigeria	7 375	13 770	9 415	12 275	19 970	⬆️ +63	3%	115	Italy (49%)	
Somalia	14 460	13 265	15 720	17 705	17 255	⬆️ -3	3%	1,644	Germany (32%)	
Albania	1 115	2 950	7 115	10 830	16 345	⬆️ +51	3%	5,644	Germany (48%)	
Stateless	2 300	2 455	3 580	9 990	16 280	⬆️ +63	3%	n.a.	Sweden (46%)	
Iraq	13 485	13 485	11 935	9 290	15 265	⬆️ +64	3%	457	Germany (35%)	
Russia	13 605	13 185	18 030	35 815	14 365	⬆️ -60	2%	100	Germany (31%)	
Ukraine	565	765	920	890	13 870	⬆️ +1 458	2%	305	Germany (19%)	
Mali	935	4 035	2 565	6 795	12 965	⬆️ +91	2%	847	Italy (75%)	
Gambia	1 185	1 570	1 965	3 835	11 685	⬆️ +205	2%	6,325	Italy (73%)	
Other	110 745	148 875	144 150	151 930	172 330	⬆️ +13	29%	n.a.	Germany (29%)	
<b>EU+</b>	<b>229 570</b>	<b>290 910</b>	<b>313 265</b>	<b>403 600</b>	<b>596 270</b>	<b>⬆️ +48</b>		<b>1147</b>	<b>Syria (21%)</b>	



## Annex D3: Pending cases at the end of the year in the EU+ by Member States and main citizenship, 2010-2014

Reporting country	2014					% chg. on last year	Share in EU+	per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>	<b>Citizenship</b>									
Germany	45 610	57 905	80 255	133 855	221 005	⬆️ +65	43%	2 736	Syria (11%)	
Sweden	18 550	18 110	22 795	27 675	54 285	⬆️ +96	11%	5 628	Syria (35%)	
Italy	4 090	19 515	11 345	13 655	45 790	⬆️ +235	9%	753	Nigeria (17%)	
France	18 670	22 850	24 480	38 915	56 520	⬆️ -6	7.1%	555	Congo (DR) (11%)	
Greece	55 980	14 100	39 460	49 800	31 990	⬆️ -36	6.2%	2 928	Pakistan (30%)	
United Kingdom	14 845	15 140	18 845	22 940	31 400	⬆️ +37	6.1%	488	Pakistan (12%)	
Switzerland	12 170	15 695	20 375	19 215	19 195	⬆️ -0	3.7%	2 358	Eritrea (33%)	
Hungary	300	360	385	1 885	15 685	⬆️ +732	3.1%	1 588	Kosovo (69%)	
Belgium	31 925	40 330	26 165	17 520	15 325	⬆️ -13	3.0%	1 368	Russia (8%)	
Denmark	1 215	1 910	1 555	1 485	8 240	⬆️ +455	1.6%	1 464	Syria (39%)	
Spain	2 710	2 670	2 790	4 345	7 525	⬆️ +73	1.5%	162	Mali (25%)	
Bulgaria	1 530	1 385	1 270	5 650	6 750	⬆️ +19	1.3%	932	Afghanistan (39%)	
Norway	4 930	4 155	2 925	2 755	4 465	⬆️ +62	0.9%	874	Eritrea (32%)	
Ireland	5 150	4 210	5 530	5 805	3 635	⬆️ -4	0.7%	789	Nigeria (17%)	
Poland	2 175	2 625	2 380	1 990	2 685	⬆️ +35	0.5%	71	Ukraine (40%)	
Finland	3 090	3 170	2 515	3 495	1 795	⬆️ -28	0.4%	329	Iraq (25%)	
Cyprus	2 360	-	1 225	-	1 775	n.a.	0.3%	2 069	Syria (60%)	
Luxembourg	680	1 655	2 090	1 670	1 370	⬆️ -18	0.3%	2 492	Kosovo (12%)	
Malta	25	180	745	905	695	⬆️ -23	0.1%	1 634	Somalia (17%)	
Czech Republic	715	560	565	510	535	⬆️ +73	0.1%	51	Ukraine (34%)	
Romania	15	50	55	545	390	⬆️ +13	0.1%	20	Syria (29%)	
Latvia	55	235	190	195	255	⬆️ +31	0.0%	127	Georgia (47%)	
Slovakia	290	255	340	170	220	⬆️ +29	0.0%	41	Afghanistan (30%)	
Lithuania	180	175	175	125	175	⬆️ +40	0.0%	59	Afghanistan (31%)	
Croatia	-	-	-	235	120	⬆️ -49	0.0%	28	Algeria (8%)	
Slovenia	155	155	195	100	110	⬆️ +10	0.0%	53	Afghanistan (18%)	
Estonia	20	15	15	40	100	⬆️ +150	0.0%	76	Ukraine (45%)	
Portugal	15	30	10	60	30	⬆️ -30	0.0%	3	Ukraine (67%)	
Austria	21 995	20 530	21 740	22 175	-	n.a.	n.a.	n.a.	-	
Netherlands	13 050	10 415	-	-	-	n.a.	n.a.	n.a.	-	
<b>Citizenship</b>	<b>Reporting country</b>									
Syria	7 770	9 385	16 660	28 940	61 315	⬆️ +112	12%	2 684	Germany (40%)	
Eritrea	4 705	4 545	7 380	13 270	35 810	⬆️ +170	7%	5 654	Germany (44%)	
Afghanistan	24 065	28 630	33 985	34 320	33 825	⬆️ -1	7%	1 107	Germany (51%)	
Pakistan	21 555	19 795	27 990	31 810	31 035	⬆️ -2	6%	170	Greece (31%)	
Kosovo	9 490	7 315	5 925	9 650	23 310	⬆️ +142	5%	12 928	Hungary (47%)	
Serbia	11 520	11 985	10 970	14 940	23 015	⬆️ +54	4%	3 220	Germany (53%)	
Nigeria	8 345	9 060	8 830	11 700	20 055	⬆️ +71	4%	116	Italy (39%)	
Russia	15 010	14 140	14 900	25 300	18 855	⬆️ +25	4%	131	Germany (59%)	
Iraq	23 515	19 680	19 885	19 165	17 675	⬆️ +34	3%	529	Germany (56%)	
Somalia	9 470	9 635	9 560	13 765	15 770	⬆️ +24	3%	1 509	Germany (53%)	
Albania	2 035	2 735	4 385	9 310	13 525	⬆️ +45	3%	4 670	Germany (52%)	
Bangladesh	8 865	6 295	8 800	11 525	13 505	⬆️ +17	3%	87	Greece (38%)	
Iran	10 840	11 180	13 165	13 970	12 835	⬆️ -8	3%	166	Germany (54%)	
Mali	275	1 205	1 595	4 605	10 150	⬆️ +120	2%	663	Italy (64%)	
Ukraine	850	745	805	885	10 095	⬆️ +1 041	2%	222	Germany (27%)	
Other	102 995	106 985	109 690	138 130	171 145	⬆️ +24	33%	n.a.	Germany (41%)	
<b>EU+</b>	<b>261 345</b>	<b>251 380</b>	<b>288 395</b>	<b>374 300</b>	<b>511 950</b>	<b>⬆️ +37</b>		<b>984</b>	<b>Syria (12%)</b>	

## Annex D4: Withdrawn applications in the EU+ by Member States and main citizenship, 2010-2014

	2010-2014					% chg. on last year	Share in EU+	per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>										
Greece	1 325	1 800	4 690	4 090	19 225	⬆️ +370	27%	1 763	Pakistan (28%)	
Hungary	545	150	150	1 195	18 150	⬆️ +1 419	25%	1 838	Kosovo (34%)	
Germany	3 070	3 000	3 055	4 750	8 190	⬆️ +72	11%	101	Serbia (22%)	
Poland	895	750	1 140	1 765	5 520	⬆️ +213	7.7%	145	Russia (69%)	
Sweden	4 250	4 190	5 500	4 825	5 020	⬆️ +4	7.0%	520	Syria (10%)	
Switzerland	1 190	1 700	3 370	3 345	2 525	⬆️ -25	3.5%	310	Tunisia (11%)	
United Kingdom	3 055	2 720	2 420	2 615	2 370	⬆️ -9	3.3%	37	Pakistan (18%)	
Belgium	2 910	1 945	2 155	1 705	1 785	⬆️ +5	2.5%	159	Kosovo (9%)	
Ireland	655	420	390	555	1 690	⬆️ +216	2.4%	367	Nigeria (17%)	
Italy	515	580	105	15	1 555	⬆️ +10 267	2.2%	26	Eritrea (12%)	
Denmark	1 520	1 135	1 365	1 005	1 235	⬆️ -59	1.7%	219	Syria (17%)	
Spain	145	165	150	-	645	-	n.a.	14	Syria (30%)	
France	120	130	245	305	575	⬆️ +89	0.8%	9	Albania (12%)	
Malta	5	60	60	90	560	⬆️ +522	0.8%	1 316	Somalia (32%)	
Netherlands	595	355	335	425	495	⬆️ +16	0.7%	29	Iraq (11%)	
Cyprus	655	620	515	560	480	⬆️ -14	0.7%	559	Syria (18%)	
Finland	510	360	435	310	300	⬆️ -3	0.4%	55	Iraq (23%)	
Croatia	-	-	-	740	255	⬆️ -66	0.4%	60	Syria (24%)	
Slovenia	120	170	110	175	215	⬆️ +23	0.3%	104	Syria (33%)	
Bulgaria	95	105	180	195	195	⬆️ +0	0.3%	27	Iraq (33%)	
Latvia	10	105	130	85	185	⬆️ +118	0.3%	92	Georgia (73%)	
Luxembourg	40	325	930	355	150	⬆️ -58	0.2%	273	Albania (13%)	
Lithuania	210	150	170	125	150	⬆️ +20	0.2%	51	Georgia (47%)	
Slovakia	315	230	340	285	135	⬆️ -53	0.2%	25	Afghanistan (37%)	
Romania	135	135	150	115	110	⬆️ -4	0.2%	6	China (9%)	
Norway	900	740	225	220	60	⬆️ -73	0.1%	12	Morocco (25%)	
Czech Republic	80	75	65	55	55	⬆️ +0	0.1%	5	Ukraine (36%)	
Portugal	5	0	5	10	30	⬆️ +200	0.0%	3	Angola (17%)	
Estonia	0	5	10	25	25	⬆️ +0	0.0%	19	Ukraine (40%)	
Austria	2 965	2 465	2 155	1 880	-	n.a.	n.a.	n.a.	-	
<b>Citizenship</b>										
Afghanistan	1 700	1 245	1 700	1 590	7 850	⬆️ +394	11%	257	Hungary (62%)	
Kosovo	1 365	915	645	1 210	7 035	⬆️ +482	10%	2 902	Hungary (89%)	
Pakistan	730	1 020	2 515	2 615	6 790	⬆️ +156	9%	37	Greece (79%)	
Syria	565	360	615	1 490	6 665	⬆️ +343	9%	289	Hungary (58%)	
Russia	1 990	1 755	1 920	3 840	5 450	⬆️ +42	8%	38	Poland (70%)	
Georgia	1 165	1 030	1 485	1 445	3 400	⬆️ +135	5%	758	Greece (46%)	
Iraq	1 600	1 300	1 575	1 200	2 650	⬆️ +121	4%	79	Greece (39%)	
Serbia	2 300	2 140	2 775	1 620	2 555	⬆️ +58	4%	358	Germany (70%)	
Bangladesh	310	365	995	925	2 125	⬆️ +130	3%	14	Greece (74%)	
Nigeria	1 245	800	810	925	1 875	⬆️ +103	3%	11	Greece (33%)	
Albania	300	270	775	605	1 575	⬆️ +160	2%	144	Greece (32%)	
Bosnia and Herzegovina	155	240	1 155	620	1 330	⬆️ +115	2%	347	Germany (79%)	
Somalia	1 210	925	1 360	1 490	1 320	⬆️ -11	2%	126	Sweden (22%)	
FYROM	1 280	1 040	1 215	705	1 230	⬆️ +74	2%	595	Germany (80%)	
Morocco	215	340	550	965	1 125	⬆️ +17	2%	34	Sweden (30%)	
Other	10 235	10 775	10 590	12 505	19 030	⬆️ +52	26%	n.a.	Greece (24%)	
<b>EU+</b>	<b>26 435</b>	<b>24 570</b>	<b>30 525</b>	<b>33 790</b>	<b>71 880</b>	<b>⬆️ +113</b>		<b>138</b>	<b>Afghanistan (11%)</b>	

## Annex D5: Unaccompanied minors in the EU+ by Member States and main citizenship, 2010-2014

Reporting country	2010-2014					% chg. on last year	Share in EU+	per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>	<b>Citizenship</b>									
Sweden	2 395	2 655	3 575	3 850	7 045	⬆️ +83	28%	730	Afghanistan (22%)	
Germany	1 950	2 125	2 095	2 485	4 400	⬆️ +77	18%	54	Afghanistan (24%)	
Italy	305	815	970	805	2 505	⬆️ +211	10%	41	Gambia, The (38%)	
Austria	600	1 005	1 375	935	1 975	⬆️ +111	8.0%	232	Afghanistan (61%)	
United Kingdom	1 715	1 395	1 125	1 265	1 860	⬆️ +47	7.5%	29	Albania (32%)	
Netherlands	700	485	380	310	960	⬆️ +210	3.9%	37	Eritrea (55%)	
Bulgaria	20	25	60	185	940	⬆️ +408	3.8%	130	Afghanistan (74%)	
Norway	890	860	965	1 070	940	⬆️ -12	3.8%	184	Eritrea (38%)	
Denmark	410	270	355	350	815	⬆️ +133	3.3%	145	Syria (31%)	
Switzerland	220	310	495	355	775	⬆️ +118	3.1%	95	Eritrea (65%)	
Hungary	150	60	185	380	605	⬆️ +59	2.4%	61	Afghanistan (77%)	
Belgium	860	1 385	975	415	530	⬆️ +28	2.1%	47	Afghanistan (28%)	
Greece	145	60	75	325	440	⬆️ +35	1.8%	40	Afghanistan (42%)	
France	610	595	490	385	270	⬆️ -26	1.1%	4	Congo (DR) (30%)	
Finland	315	150	165	160	195	⬆️ +22	0.8%	36	Somalia (26%)	
Poland	230	405	245	255	185	⬆️ -27	0.7%	5	Russia (68%)	
Romania	35	55	135	15	95	⬆️ +533	0.4%	5	Afghanistan (84%)	
Slovenia	25	60	50	30	65	⬆️ +117	0.3%	32	Afghanistan (69%)	
Malta	5	25	105	335	55	⬆️ -84	0.2%	129	Somalia (27%)	
Cyprus	35	15	25	55	50	⬆️ -9	0.2%	58	Syria (50%)	
Ireland	35	25	25	20	30	⬆️ +50	0.1%	7	Albania (33%)	
Luxembourg	20	20	15	45	30	⬆️ -33	0.1%	55	Albania (17%)	
Spain	15	10	15	10	15	⬆️ +50	0.1%	0	Mali (32%)	
Portugal	5	5	10	55	15	⬆️ -73	0.1%	2	Mali (33%)	
Slovakia	5	20	5	5	10	⬆️ +100	0.0%	2	Afghanistan (50%)	
Croatia	:	:	70	55	10	⬆️ -82	0.0%	2	Afghanistan (50%)	
Czech Republic	5	10	5	0	5	:	0.0%	0	Syria (100%)	
Lithuania	10	10	5	0	5	:	0.0%	2	Vietnam (100%)	
Estonia	0	0	0	5	0	⬆️ -100	0.0%	0	:	
Latvia	5	0	0	5	0	⬆️ -100	0.0%	0	:	
<b>Citizenship</b>	<b>Reporting country</b>									
Afghanistan	4 370	5 720	5 725	5 605	6 155	⬆️ +71	25%	201	Sweden (25%)	
Eritrea	435	335	420	1 005	4 475	⬆️ +345	18%	707	Sweden (33%)	
Syria	130	170	425	1 085	3 170	⬆️ +192	13%	139	Sweden (39%)	
Somalia	1 325	815	1 195	1 920	2 335	⬆️ +22	9%	222	Sweden (48%)	
Gambia	55	70	135	220	1 070	⬆️ +386	4%	579	Italy (89%)	
Albania	55	170	350	565	805	⬆️ +42	3%	278	United Kingdom (76%)	
Stateless	95	85	115	380	685	⬆️ +80	3%	n.a.	Sweden (66%)	
Morocco	85	135	350	575	615	⬆️ +7	2%	19	Sweden (62%)	
Nigeria	210	155	155	155	405	⬆️ +161	2%	2	Italy (68%)	
Iraq	600	440	335	210	380	⬆️ +81	2%	11	Germany (38%)	
Mali	15	110	235	185	375	⬆️ +103	2%	25	Italy (77%)	
Senegal	35	35	55	90	320	⬆️ +256	1%	23	Italy (83%)	
Egypt	25	30	70	180	305	⬆️ +69	1%	4	Germany (48%)	
Algeria	215	235	400	375	300	⬆️ -20	1%	8	Sweden (42%)	
Bangladesh	75	105	145	195	295	⬆️ +51	1%	2	Italy (61%)	
Other	3 980	4 185	3 845	3 305	3 085	⬆️ -7	12%	n.a.	Germany (19%)	
<b>EU+</b>	<b>11 720</b>	<b>12 860</b>	<b>14 000</b>	<b>14 150</b>	<b>24 840</b>	<b>⬆️ +76</b>		<b>48</b>	<b>Afghanistan (25%)</b>	

## Annex D6: Refugee status granted at first instance in the EU+ by Member States and main citizenship, 2010-2014

Reporting country	2010-2014					% chg. on last year	Share in EU+	per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>									<b>Citizenship</b>	
Germany	7 755	7 100	8 765	10 910	33 310	⬆️ +205	33%	412	Syria (62%)	
France	4 080	5 340	7 070	9 140	11 980	⬆️ +31	12%	182	Russia (11%)	
Sweden	1 935	2 335	3 745	6 750	10 245	⬆️ +52	10%	1 062	Eritrea (50%)	
United Kingdom	4 495	5 515	6 555	7 525	8 990	⬆️ +28	9.0%	140	Eritrea (24%)	
Belgium	2 700	3 810	3 985	3 910	6 460	⬆️ +65	6.5%	577	Syria (19%)	
Switzerland	5 380	3 675	2 455	3 115	6 140	⬆️ +97	6.2%	754	Eritrea (37%)	
Bulgaria	20	10	20	180	5 165	⬆️ +2 769	5.2%	713	Syria (93%)	
Denmark	660	735	1 035	1 600	3 765	⬆️ +135	3.8%	669	Syria (83%)	
Italy	1 615	1 805	2 050	3 080	3 640	⬆️ +18	3.7%	60	Eritrea (23%)	
Norway	2 975	2 810	3 675	4 490	5 590	⬆️ -20	3.6%	703	Eritrea (53%)	
Netherlands	810	710	630	1 150	2 485	⬆️ +116	2.5%	148	Stateless (52%)	
Greece	60	45	30	255	1 270	⬆️ +398	1.3%	116	Syria (34%)	
Finland	165	160	545	570	490	⬆️ -14	0.5%	90	Iraq (24%)	
Spain	245	335	230	205	385	⬆️ +88	0.4%	8	Syria (31%)	
Romania	40	70	145	385	370	⬆️ -4	0.4%	19	Syria (47%)	
Poland	80	155	85	195	260	⬆️ +35	0.3%	7	Syria (44%)	
Hungary	75	45	70	175	240	⬆️ +37	0.2%	24	Syria (48%)	
Malta	45	70	35	45	190	⬆️ +322	0.2%	447	Libya (71%)	
Ireland	25	60	65	130	130	⬆️ +0	0.1%	28	Syria (15%)	
Luxembourg	55	30	35	110	105	⬆️ -5	0.1%	191	Syria (38%)	
Czech Republic	75	105	50	90	75	⬆️ -17	0.1%	7	Ukraine (33%)	
Cyprus	30	55	80	35	55	⬆️ +57	0.1%	64	Iraq (45%)	
Slovenia	20	15	20	25	30	⬆️ +20	0.0%	15	Somalia (67%)	
Portugal	5	25	15	20	20	⬆️ +0	0.0%	2	Armenia (25%)	
Estonia	10	10	10	5	20	⬆️ +300	0.0%	15	Kosovo (25%)	
Croatia	⋮	⋮	10	5	15	⬆️ +200	0.0%	4	Belarus (33%)	
Lithuania	0	5	15	15	15	⬆️ +0	0.0%	5	Afghanistan (67%)	
Latvia	5	5	5	5	5	⬆️ +0	0.0%	2	Afghanistan (0%)	
Slovakia	5	5	10	5	0	⬆️ -100	0.0%	0	⋮	
Austria	2 055	2 480	2 680	3 160	⋮	⋮	⋮	⋮	⋮	
<b>Citizenship</b>									<b>Reporting country</b>	
Syria	1 050	1 475	5 930	10 325	37 185	⬆️ +260	37%	1 628	Germany (55%)	
Eritrea	4 960	5 430	3 910	7 105	13 810	⬆️ +94	14%	2 181	Sweden (37%)	
Afghanistan	2 435	2 905	3 705	4 900	5 445	⬆️ +11	5%	178	Germany (37%)	
Iraq	5 205	4 630	4 030	3 360	5 130	⬆️ +53	5%	154	Germany (63%)	
Iran	3 515	4 025	4 700	5 385	4 910	⬆️ -12	5%	63	Germany (41%)	
Stateless	465	645	805	1 490	3 500	⬆️ +135	4%	n.a.	Netherlands (37%)	
Somalia	2 645	2 690	2 940	3 515	2 750	⬆️ -22	3%	262	Sweden (28%)	
Sri Lanka	1 390	1 015	1 465	1 570	2 640	⬆️ +68	3%	129	Switzerland (46%)	
Unknown	275	185	265	390	2 465	⬆️ +532	2%	n.a.	Germany (77%)	
Russia	1 925	1 815	2 430	2 720	2 335	⬆️ -14	2%	16	France (55%)	
Pakistan	365	735	1 205	2 245	2 000	⬆️ -11	2%	11	United Kingdom (36%)	
Sudan	750	1 075	1 295	1 150	1 610	⬆️ +40	2%	42	United Kingdom (55%)	
Guinea	580	1 090	955	1 170	1 360	⬆️ +16	1%	116	Belgium (47%)	
Congo (DR)	565	555	1 110	1 470	1 360	⬆️ -7	1%	20	France (71%)	
China	710	835	1 030	880	1 270	⬆️ +44	1%	1	France (54%)	
Other	6 530	6 405	8 310	9 355	11 610	⬆️ +24	12%	n.a.	France (39%)	
<b>EU+</b>	<b>33 435</b>	<b>35 520</b>	<b>44 115</b>	<b>57 275</b>	<b>99 440</b>	<b>⬆️ +74</b>		<b>191</b>	<b>Syria (37%)</b>	

## Annex D7: Subsidiary protection status granted at first instance in the EU+ by Member States and main citizenship, 2010-2014

Reporting country	2010-2014					% chg. on last year	Share in EU+	per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>	<b>Citizenship</b>									
Sweden	5 970	5 350	7 595	16 145	19 095	⬆️ +18	32%	1 980	Syria (76%)	
Netherlands	4 010	4 065	3 325	3 350	9 290	⬆️ +177	16%	552	Syria (53%)	
Italy	1 465	2 265	4 495	5 565	7 625	⬆️ +37	13%	125	Afghanistan (26%)	
Germany	545	665	6 975	7 005	5 175	⬆️ -26	8.7%	64	Syria (63%)	
France	1 015	1 275	1 575	1 565	2 835	⬆️ +81	4.8%	43	Syria (26%)	
Switzerland	1 155	975	505	870	2 640	⬆️ +203	4.4%	324	Eritrea (43%)	
Bulgaria	120	180	150	2 280	1 840	⬆️ -19	3.1%	254	Syria (85%)	
Denmark	520	385	545	1 130	1 625	⬆️ +44	2.7%	289	Syria (53%)	
Belgium	805	1 265	1 565	2 370	1 585	⬆️ -33	2.7%	141	Iraq (30%)	
Finland	1 240	715	775	785	1 415	⬆️ +80	2.4%	260	Iraq (25%)	
Spain	350	630	285	325	1 200	⬆️ +269	2.0%	26	Syria (87%)	
Norway	1 565	765	1 185	995	1 140	⬆️ +15	1.9%	223	Syria (59%)	
Cyprus	370	0	10	125	940	⬆️ +652	1.6%	1 096	Syria (98%)	
Malta	165	690	1 235	1 445	900	⬆️ -38	1.5%	2 116	Syria (38%)	
Greece	20	85	45	175	590	⬆️ +237	1.0%	54	Afghanistan (47%)	
Romania	30	10	85	530	370	⬆️ -30	0.6%	19	Syria (77%)	
Czech Republic	75	200	125	240	285	⬆️ +19	0.5%	27	Ukraine (42%)	
Ireland	5	15	35	20	270	⬆️ +1 250	0.5%	59	Afghanistan (15%)	
Hungary	115	100	240	185	250	⬆️ +35	0.4%	25	Afghanistan (26%)	
Poland	195	155	140	120	165	⬆️ +38	0.3%	4	Russia (61%)	
United Kingdom	145	125	135	70	110	⬆️ +57	0.2%	2	Syria (25%)	
Slovakia	55	80	100	30	95	⬆️ +217	0.2%	18	Afghanistan (42%)	
Lithuania	15	15	40	40	55	⬆️ +38	0.1%	19	Ukraine (45%)	
Portugal	50	40	85	115	20	⬆️ -83	0.0%	2	Guinea (25%)	
Latvia	20	15	20	20	20	⬆️ +0	0.0%	10	Syria (100%)	
Luxembourg	15	5	5	25	15	⬆️ -40	0.0%	27	Iraq (33%)	
Slovenia	0	5	15	15	10	⬆️ -33	0.0%	5	Syria (100%)	
Croatia	:	:	15	15	10	⬆️ -33	0.0%	2	Somalia (50%)	
Estonia	5	5	5	0	0	:	0.0%	0	:	
Austria	1 990	1 605	1 775	1 760	:	:	:	:	:	
<b>Citizenship</b>	<b>Reporting country</b>									
Syria	100	410	10 620	23 130	30 335	⬆️ +31	51%	1 328	Sweden (48%)	
Eritrea	2 210	1 995	1 740	3 800	5 415	⬆️ +43	9%	655	Netherlands (62%)	
Stateless	145	280	765	3 895	4 610	⬆️ +18	8%	n.a.	Sweden (79%)	
Afghanistan	4 170	5 165	4 780	5 055	4 405	⬆️ -13	7%	144	Italy (45%)	
Somalia	7 390	5 455	6 090	4 030	3 285	⬆️ -18	6%	313	Italy (44%)	
Iraq	2 615	2 510	1 585	1 425	2 000	⬆️ +40	3%	60	Italy (28%)	
Pakistan	210	340	235	445	1 065	⬆️ +139	2%	6	Italy (89%)	
China	385	460	170	210	1 020	⬆️ +386	2%	1	Switzerland (94%)	
Nigeria	80	120	245	285	895	⬆️ +214	2%	5	Italy (79%)	
Unknown	160	260	860	515	630	⬆️ +22	1%	n.a.	Germany (63%)	
Albania	25	60	55	150	565	⬆️ +277	1%	195	France (79%)	
Russia	530	465	405	615	420	⬆️ -52	1%	3	Poland (24%)	
Ukraine	20	10	10	20	365	⬆️ +1 725	1%	8	Finland (38%)	
Mali	415	385	2 145	1 040	315	⬆️ -70	1%	21	Italy (86%)	
Kosovo	65	80	80	85	295	⬆️ +247	0%	164	France (61%)	
Other	2 865	3 700	3 270	2 580	3 930	⬆️ +52	7%	n.a.	Italy (29%)	
<b>EU+</b>	<b>21 425</b>	<b>21 715</b>	<b>33 085</b>	<b>47 300</b>	<b>59 565</b>	<b>⬆️ +26</b>		<b>115</b>	<b>Syria (51%)</b>	

## Annex D8: Humanitarian protection status granted at first instance in the EU+ by Member States and main citizenship, 2010-2014

Reporting country	2010-2014					% chg. on last year	Share in EU+	per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>									<b>Citizenship</b>	
Italy	1 220	3 075	15 480	5 750	9 315	⬆️ +62	42%	153	Mali (18%)	
Switzerland	3 280	1 790	1 315	2 405	6 630	⬆️ +176	30%	815	Syria (39%)	
Germany	2 145	1 910	1 400	2 205	2 075	⬇️ -6	9%	26	Afghanistan (49%)	
Sweden	605	1 075	1 060	1 120	1 310	⬆️ +17	3.9%	138	Afghanistan (58%)	
United Kingdom	1 855	1 600	1 155	960	950	⬆️ -1	4.3%	15	Albania (24%)	
Netherlands	3 180	2 050	1 550	1 465	775	⬇️ -47	3.5%	46	Somalia (29%)	
Finland	190	190	240	295	300	⬆️ +2	1.3%	55	Iraq (25%)	
Poland	250	170	290	370	295	⬇️ -20	1.3%	8	Russia (68%)	
Norway	760	435	325	280	175	⬇️ -38	0.8%	34	Afghanistan (29%)	
Malta	15	125	160	115	165	⬆️ +43	0.7%	388	Libya (61%)	
Greece	30	45	20	70	115	⬆️ +64	0.5%	11	Pakistan (39%)	
Denmark	170	190	120	80	90	⬆️ +13	0.4%	16	Afghanistan (39%)	
Slovakia	30	35	80	35	75	⬆️ +114	0.3%	14	Afghanistan (13%)	
Hungary	70	10	40	5	20	⬆️ +300	0.1%	2	Kosovo (50%)	
Czech Republic	20	10	5	15	15	⬆️ +0	0.1%	1	Ukraine (67%)	
Estonia	:	:	:	0	0	:	0.0%	0	:	
Spain	15	20	10	5	0	⬇️ -100	0.0%	0	:	
Romania	0	0	0	5	0	⬇️ -100	0.0%	0	:	
Cyprus	25	15	15	10	0	⬇️ -100	0.0%	0	:	
Lithuania	:	:	:	:	0	:	:	:	:	
Latvia	:	:	:	:	1	:	:	:	:	
Bulgaria	:	:	:	1	1	:	:	:	:	
Ireland	:	:	:	:	1	:	:	:	:	
Slovenia	:	:	:	:	1	:	:	:	:	
Portugal	:	:	:	:	1	:	:	:	:	
Austria	:	:	:	1	1	:	:	:	:	
Belgium	:	:	:	:	1	:	:	:	:	
France	:	:	:	1	1	:	:	:	:	
Luxembourg	:	:	:	:	1	:	:	:	:	
Croatia	:	:	:	:	1	:	:	:	:	
<b>Citizenship</b>									<b>Reporting country</b>	
Afghanistan	2 965	3 220	2 330	2 930	3 520	⬆️ +20	16%	115	Switzerland (44%)	
Syria	150	350	275	585	2 870	⬆️ +391	13%	126	Switzerland (90%)	
Mali	10	70	225	450	1 695	⬆️ +277	8%	111	Italy (99%)	
Nigeria	285	620	4 960	1 160	1 510	⬆️ +30	7%	9	Italy (86%)	
Pakistan	115	325	980	635	1 200	⬆️ +89	5%	7	Italy (89%)	
Somalia	3 045	845	565	1 410	1 135	⬇️ -20	5%	108	Switzerland (49%)	
Gambia	65	65	330	370	1 090	⬆️ +195	5%	589	Italy (98%)	
Senegal	30	50	550	215	755	⬆️ +231	3%	53	Italy (97%)	
Iraq	1 235	770	785	550	660	⬆️ +20	3%	20	Sweden (30%)	
Egypt	15	30	270	205	485	⬆️ +137	2%	6	Italy (89%)	
Eritrea	440	325	165	245	470	⬆️ +92	2%	74	Switzerland (49%)	
Russia	235	230	345	435	440	⬆️ +1	2%	3	Poland (45%)	
Côte d'Ivoire	115	360	1 015	245	355	⬆️ +45	2%	18	Italy (92%)	
Kosovo	285	230	190	205	315	⬆️ +54	1%	175	Switzerland (44%)	
Albania	55	115	120	225	310	⬆️ +38	1%	207	United Kingdom (74%)	
Other	4 740	5 110	10 080	5 240	5 460	⬆️ +4	24%	n.a.	Italy (41%)	
<b>EU+</b>	<b>13 830</b>	<b>12 750</b>	<b>23 270</b>	<b>15 190</b>	<b>22 315</b>	<b>⬆️ +47</b>		<b>43</b>	<b>Afghanistan (16%)</b>	

## Annex D9: Rejections at first instance in the EU+ by Member States and main citizenship, 2010-2014

	2014					% chg. on last year	Share in EU+	per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>										
Germany	34 855	30 605	41 470	56 040	56 715	↔ +1	27%	702	Serbia (33%)	
France	32 515	37 600	51 165	51 010	53 685	↗ +5	26%	815	Albania (10%)	
United Kingdom	20 170	15 715	14 150	13 895	15 820	↗ +14	8%	246	Pakistan (17%)	
Italy	6 975	16 960	5 255	9 175	14 600	↗ +59	7.1%	240	Nigeria (21%)	
Belgium	12 720	14 735	18 940	15 110	12 290	↘ -19	6.0%	1 097	Russia (9%)	
Greece	3 350	8 490	11 095	12 580	11 335	↘ -10	5.5%	1 040	Pakistan (21%)	
Sweden	19 130	17 895	19 115	20 990	9 255	↘ -56	4.5%	960	Albania (11%)	
Switzerland	7 200	7 805	12 345	10 210	6 390	↘ -37	3.1%	785	Nigeria (11%)	
Netherlands	9 575	8 955	8 160	6 225	6 240	↔ +0	3.0%	371	Syria (8%)	
Hungary	785	740	750	4 180	4 935	↗ +18	2.4%	500	Kosovo (72%)	
Norway	10 160	5 535	5 425	6 015	2 735	↘ -55	1.8%	535	Somalia (13%)	
Denmark	1 935	2 255	2 985	4 155	2 580	↘ -38	1.2%	458	Somalia (14%)	
Spain	2 175	2 405	2 070	1 835	2 035	↗ +11	1.0%	44	Côte d'Ivoire (16%)	
Poland	3 910	2 740	1 960	2 210	1 980	↘ -10	1.0%	52	Russia (50%)	
Finland	2 660	1 535	1 530	1 565	1 070	↘ -32	0.5%	196	Ukraine (18%)	
Romania	355	1 000	1 390	515	845	↗ +64	0.4%	42	Afghanistan (28%)	
Luxembourg	405	980	1 610	1 115	765	↘ -31	0.4%	1 392	Bosnia and Herzegovina (18%)	
Ireland	1 565	1 295	840	695	660	↘ -5	0.3%	143	Nigeria (14%)	
Czech Republic	330	365	540	555	625	↗ +13	0.3%	59	Ukraine (35%)	
Malta	115	720	155	300	475	↗ +58	0.2%	1 117	Gambia, The (19%)	
Bulgaria	375	410	470	355	430	↗ +21	0.2%	59	Iraq (27%)	
Cyprus	2 015	2 560	1 230	635	310	↘ -51	0.2%	361	Vietnam (18%)	
Croatia	-	-	120	165	210	↗ +27	0.1%	49	Algeria (26%)	
Portugal	75	50	130	170	115	↘ -32	0.1%	11	Mali (13%)	
Slovakia	205	100	250	125	110	↘ -12	0.1%	20	Syria (18%)	
Lithuania	175	285	335	120	110	↘ -8	0.1%	37	Georgia (32%)	
Latvia	25	70	120	65	70	↗ +8	0.0%	35	Georgia (57%)	
Slovenia	90	185	175	160	50	↘ -69	0.0%	24	Ukraine (20%)	
Estonia	25	50	45	45	35	↘ -22	0.0%	27	Egypt (14%)	
Austria	10 320	9 155	11 435	11 680	-	-	-	-	-	
<b>Citizenship</b>										
Serbia	12 920	11 330	19 840	15 755	21 890	↗ +29	11%	3 063	Germany (89%)	
Kosovo	10 180	10 040	7 890	11 575	12 655	↗ +11	6%	7 019	France (39%)	
Albania	1 190	1 820	4 215	6 930	12 590	↗ +82	6%	4 347	France (42%)	
Pakistan	5 850	10 150	13 315	15 285	11 725	↘ -23	6%	64	United Kingdom (23%)	
Russia	12 230	11 030	11 845	22 410	9 525	↘ -57	5%	66	France (45%)	
FYROM	4 690	4 775	9 165	7 575	8 200	↗ +8	4%	3 369	Germany (88%)	
Nigeria	8 715	9 135	8 240	9 045	7 765	↘ -14	4%	45	Italy (39%)	
Afghanistan	12 000	13 540	12 405	11 590	7 095	↘ -39	3%	232	Germany (25%)	
Bosnia and Herzegovina	1 590	1 810	5 065	5 230	6 975	↗ +33	3%	1 821	Germany (78%)	
Bangladesh	3 775	6 860	7 925	7 730	6 775	↘ -13	3%	44	France (53%)	
Georgia	5 795	4 495	7 205	6 595	6 095	↘ -8	3%	1 358	France (40%)	
Congo (DR)	3 215	3 445	6 760	6 100	5 975	↔ -2	3%	89	France (76%)	
Mali	375	1 630	885	2 065	4 135	↗ +100	2%	270	Italy (46%)	
China	4 390	4 250	3 895	3 700	3 970	↗ +7	2%	3	France (32%)	
Syria	3 650	2 255	1 805	4 135	3 740	↘ -10	2%	164	Germany (44%)	
Other	93 580	94 575	94 760	96 525	77 335	↘ -20	37%	n.a.	France (27%)	
<b>EU+</b>	<b>184 195</b>	<b>191 200</b>	<b>215 265</b>	<b>231 905</b>	<b>206 485</b>	<b>↘ -11</b>		<b>397</b>	<b>Serbia (11%)</b>	
<b>Reporting country</b>										

## Annex D10: Refugee status granted at second or higher instance in the EU+ by Member States and main citizenship, 2010-2014

Reporting country	2010-2014					% chg. on last year	Share in EU+	per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>									<b>Citizenship</b>	
Germany	1 220	1 690	2 110	2 960	4 330	⬆️ +46	43%	54	Syria (34%)	
United Kingdom	6 010	4 010	3 920	3 770	2 645	⬇️ -30	26%	41	Sri Lanka (18%)	
Greece	35	195	185	315	805	⬆️ +148	8%	74	Afghanistan (18%)	
Sweden	285	455	725	685	750	⬆️ +9	7.5%	78	Iran (23%)	
Belgium	195	425	295	370	440	⬆️ +19	4.4%	39	Guinea (26%)	
Netherlands	90	120	70	450	260	⬇️ -42	2.6%	15	Iran (19%)	
Norway	165	290	285	345	240	⬇️ -30	2.4%	47	Iran (27%)	
Denmark	150	220	250	265	160	⬇️ -40	1.6%	28	Iran (44%)	
Ireland	130	75	45	55	90	⬆️ +64	0.9%	20	Iran (11%)	
Czech Republic	5	115	0	0	80	⬆️	0.8%	8	Ukraine (31%)	
Finland	5	20	90	50	75	⬆️ +50	0.8%	14	Iran (33%)	
Switzerland	70	35	50	50	45	⬇️ -10	0.5%	6	Turkey (33%)	
Hungary	10	5	20	15	20	⬇️ -20	0.2%	2	Afghanistan (25%)	
Italy	70	65	45	5	10	⬆️ +100	0.1%	0	Egypt (50%)	
Cyprus	25	20	5	10	10	⬆️ +0	0.1%	12	Iran (50%)	
Malta	0	0	10	0	10	⬆️	0.1%	24	Libya (50%)	
Romania	85	75	160	390	5	⬇️ -99	0.1%	0	Pakistan (100%)	
Bulgaria	0	0	0	0	5	⬆️	0.1%	1	Afghanistan (0%)	
Poland	0	5	20	5	5	⬆️ +0	0.1%	0	Montenegro (100%)	
Luxembourg	30	40	5	0	5	⬆️	0.1%	9	Kosovo (100%)	
Spain	15	0	10	15	0	⬇️ -100	0.0%	0		
Slovenia	0	0	0	0	0	⬆️	0.0%	0		
Slovakia	0	0	5	0	0	⬆️	0.0%	0		
Portugal	0	0	0	0	0	⬆️	0.0%	0		
Estonia	0	0	0	0	0	⬆️	0.0%	0		
Croatia	⋮	⋮	20	0	0	⬆️	0.0%	0		
Latvia	0	5	5	5	0	⬇️ -100	0.0%	0		
Austria	1 060	1 325	1 240	1 180	⋮	⬆️	⋮	⋮		
France	4 245	4 930	4 290	4 270	⋮	⬆️	⋮	⋮		
Lithuania	0	0	0	0	⋮	⬆️	⋮	⋮		
<b>Citizenship</b>									<b>Reporting country</b>	
Syria	255	675	855	1 115	1 690	⬆️ +52	17%	74	Germany (88%)	
Iran	1 520	1 430	1 750	2 070	1 355	⬇️ -35	14%	17	Germany (42%)	
Afghanistan	910	1 010	1 435	2 095	1 140	⬆️ +46	11%	37	Germany (45%)	
Pakistan	390	550	825	1 270	895	⬇️ -30	9%	5	Germany (49%)	
Iraq	605	625	640	550	870	⬆️ +58	9%	26	Germany (71%)	
Sri Lanka	1 510	1 515	1 265	1 250	520	⬇️ -58	5%	25	United Kingdom (89%)	
Eritrea	300	340	395	315	240	⬇️ -24	2%	38	United Kingdom (29%)	
Somalia	450	370	255	245	210	⬇️ -14	2%	20	Germany (36%)	
Unknown	45	220	145	225	210	⬆️ -7	2%	n.a.	Germany (71%)	
Ethiopia	170	165	140	235	200	⬇️ -18	2%	2	Germany (38%)	
Nigeria	115	125	180	145	190	⬆️ +31	2%	1	United Kingdom (50%)	
Albania	70	60	75	150	180	⬆️ +20	2%	62	United Kingdom (78%)	
Russia	1 320	1 415	1 095	820	160	⬇️ -80	2%	1	Germany (34%)	
Guinea	220	275	205	290	155	⬇️ -47	2%	13	Belgium (74%)	
Sudan	360	505	270	225	145	⬆️ -36	1%	4	United Kingdom (45%)	
Other	5 805	5 010	4 295	4 220	1 815	⬇️ -57	18%	n.a.	United Kingdom (35%)	
<b>EU+</b>	<b>13 885</b>	<b>14 115</b>	<b>13 845</b>	<b>15 240</b>	<b>10 000</b>	⬆️ -34		<b>19</b>	<b>Syria (17%)</b>	



## Annex D11: Subsidiary protection granted at second or higher instance in the EU+ by Member States and main citizenship, 2010-2014

Reporting country	2010-2014					% chg. on last year	Share in EU+	2014 per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>									<b>Citizenship</b>	
Germany	235	350	1 135	950	935	↓ -2	27%	12	Syria (42%)	
Sweden	710	725	1 450	990	800	↓ -19	23%	83	Syria (53%)	
Netherlands	390	1 140	:	435	340	↓ -22	10%	20	Eritrea (39%)	
Greece	5	80	90	220	295	↑ +34	8.6%	27	Afghanistan (49%)	
Czech Republic	20	260	25	15	295	↑ +1 867	8.6%	28	Ukraine (41%)	
Cyprus	5	5	15	55	205	↑ +273	6.0%	239	Syria (95%)	
Denmark	155	200	180	285	130	↓ -54	3.8%	23	Afghanistan (35%)	
Norway	70	85	290	175	110	↓ -37	3.2%	22	Syria (45%)	
United Kingdom	210	175	140	120	85	↓ -29	2.5%	1	Afghanistan (12%)	
Finland	35	215	145	75	60	↓ -20	1.7%	11	Iraq (33%)	
Italy	0	0	270	60	35	↓ -42	1.0%	1	Egypt (43%)	
Romania	30	35	115	535	30	↓ -94	0.9%	2	Afghanistan (33%)	
Belgium	85	50	50	60	50	↓ -50	0.9%	3	Congo (DR) (17%)	
Malta	0	0	5	0	25	:	0.7%	59	Somalia (40%)	
Switzerland	40	30	30	15	15	↑ +0	0.4%	2	Eritrea (33%)	
Bulgaria	20	15	20	35	15	↓ -57	0.4%	2	Iran (33%)	
Poland	35	55	25	25	15	↓ -40	0.4%	0	Russia (67%)	
Hungary	15	40	90	55	15	↓ -57	0.4%	2	Afghanistan (33%)	
Ireland	:	:	:	:	5	:	0.2%	1	Afghanistan (0%)	
Luxembourg	5	10	0	10	5	↓ -50	0.2%	9	Serbia (100%)	
Spain	5	20	5	0	0	:	0.0%	0	:	
Slovenia	0	0	0	0	0	:	0.0%	0	:	
Slovakia	5	5	5	5	0	↓ -100	0.0%	0	:	
Portugal	0	0	0	0	0	:	0.0%	0	:	
Estonia	0	0	0	0	0	:	0.0%	0	:	
Croatia	:	:	10	0	0	:	0.0%	0	:	
Latvia	0	5	0	0	0	:	0.0%	0	:	
Austria	375	460	300	240	:	:	:	:	:	
France	1 035	1 195	1 390	1 180	:	:	:	:	:	
Lithuania	0	0	0	5	1	:	:	:	:	
<b>Citizenship</b>									<b>Reporting country</b>	
Syria	45	135	1 810	1 785	1 215	↓ -32	35%	53	Sweden (35%)	
Afghanistan	530	1 000	910	940	560	↓ -40	16%	18	Germany (38%)	
Somalia	510	990	330	380	215	↓ -43	6%	20	Germany (49%)	
Iraq	325	360	135	205	210	↑ +2	6%	6	Germany (24%)	
Stateless	50	95	125	195	185	↓ -5	5%	n.a.	Sweden (62%)	
Ukraine	10	20	5	10	130	↑ +1 200	4%	3	Czech Republic (92%)	
Eritrea	45	105	85	85	100	↑ +18	3%	16	Netherlands (65%)	
Russia	250	295	265	230	90	↓ -61	3%	1	Germany (44%)	
Iran	160	130	135	145	70	↓ -52	2%	1	Germany (29%)	
Pakistan	20	25	85	60	55	↓ -8	2%	0	Greece (56%)	
Unknown	30	90	145	95	50	↓ -47	1%	n.a.	Germany (60%)	
Egypt	0	5	60	65	35	↓ -46	1%	0	Italy (43%)	
Albania	50	70	90	85	30	↓ -65	1%	10	Sweden (50%)	
Cuba	5	10	0	5	30	↑ +500	1%	3	Czech Republic (100%)	
Congo (DR)	55	55	80	95	25	↓ -74	1%	0	Belgium (20%)	
Other	1 355	1 715	1 400	1 140	380	↓ -67	12%	n.a.	Netherlands (22%)	
<b>EU+</b>	<b>3 480</b>	<b>5 150</b>	<b>5 775</b>	<b>5 540</b>	<b>3 445</b>	<b>↓ -38</b>		<b>7</b>	<b>Syria (95%)</b>	

## Annex D12: Humanitarian protection granted at second or higher instance in the EU+ by Member States and main citizenship, 2010-2014

Reporting country	2010-2014					% chg. on last year	Share in EU+	per million inhabitants	Highest share	Sparkline
	2010	2011	2012	2013	2014					
<b>Reporting country</b>									<b>Citizenship</b>	
Germany	1 005	1 340	1 775	2 045	1 730	↓ -13	31%	21	Afghanistan (49%)	
United Kingdom	1 405	3 060	2 845	1 085	1 285	↑ +21	23%	20	China (10%)	
Sweden	255	640	715	705	830	↑ +18	15%	86	Afghanistan (3%)	
Greece	0	135	235	365	775	↑ +112	14.1%	71	Pakistan (26%)	
Norway	170	335	365	485	610	↑ +26	11.1%	119	Afghanistan (42%)	
Netherlands	195	290	55	190	100	↓ -47	1.8%	6	Syria (15%)	
Switzerland	325	285	220	150	100	↓ -33	1.8%	12	PRoM (20%)	
Finland	30	40	45	50	30	↓ -40	0.5%	6	Nigeria (33%)	
Czech Republic	25	10	0	5	15	↑ +200	0.3%	1	Ukraine (67%)	
Spain	∴	∴	30	5	10	↑ +100	0.2%	0	Algeria (30%)	
Italy	100	260	470	5	5	⇒ +0	0.1%	0	Afghanistan (0%)	
Hungary	0	5	5	0	5	∴	0.1%	1	Afghanistan (0%)	
Cyprus	80	45	25	25	5	↓ -80	0.1%	6	Iran (100%)	
Denmark	0	0	0	0	0	∴	0.0%	0	∴	
Slovakia	0	0	0	0	0	∴	0.0%	0	∴	
Romania	0	0	0	0	0	∴	0.0%	0	∴	
Poland	15	40	25	10	0	↓ -100	0.0%	0	∴	
Malta	0	0	5	0	0	∴	0.0%	0	∴	
Croatia	∴	∴	∴	0	0	∴	0.0%	0	∴	
Estonia	∴	∴	∴	0	0	∴	0.0%	0	∴	
Ireland	∴	∴	∴	∴	∴	∴	∴	∴	∴	
Bulgaria	∴	∴	∴	∴	∴	∴	∴	∴	∴	
Slovenia	0	∴	∴	∴	∴	∴	∴	∴	∴	
Portugal	∴	∴	∴	∴	∴	∴	∴	∴	∴	
France	∴	∴	∴	∴	∴	∴	∴	∴	∴	
Luxembourg	0	∴	∴	∴	∴	∴	∴	∴	∴	
Austria	∴	∴	∴	∴	∴	∴	∴	∴	∴	
Belgium	∴	∴	∴	∴	∴	∴	∴	∴	∴	
Lithuania	∴	∴	∴	0	∴	∴	∴	∴	∴	
Latvia	∴	∴	∴	∴	∴	∴	∴	∴	∴	
<b>Citizenship</b>									<b>Reporting country</b>	
Afghanistan	630	1 145	1 230	1 595	1 285	↓ -19	23%	42	Germany (65%)	
Pakistan	50	195	150	130	355	↑ +173	6%	2	Greece (58%)	
Iraq	300	500	535	310	325	⇒ +3	6%	10	Germany (42%)	
Nigeria	180	165	425	175	240	↑ +37	4%	1	United Kingdom (42%)	
Russia	170	175	190	195	225	↑ +15	4%	2	Germany (44%)	
Georgia	25	20	45	60	185	↑ +208	3%	41	Greece (88%)	
Albania	15	45	60	110	155	↑ +41	3%	54	Greece (39%)	
Kosovo	65	160	225	155	150	⇒ -3	3%	83	Sweden (40%)	
China	100	490	340	100	150	↑ +50	3%	0	United Kingdom (87%)	
Sri Lanka	80	230	270	125	135	↑ +8	2%	7	United Kingdom (56%)	
Serbia	195	150	170	125	125	⇒ +0	2%	17	Germany (52%)	
Turkey	115	180	220	90	110	↑ +22	2%	1	United Kingdom (45%)	
Ethiopia	50	110	95	145	105	↓ -28	2%	1	Norway (43%)	
Iran	145	260	240	250	105	↓ -58	2%	1	Norway (29%)	
India	25	65	95	40	90	↑ +125	2%	0	United Kingdom (78%)	
Other	1 530	2 555	2 450	1 470	1 745	↑ +19	52%	n.a.	United Kingdom (28%)	
<b>EU+</b>	<b>3 710</b>	<b>6 490</b>	<b>6 840</b>	<b>5 115</b>	<b>5 500</b>	<b>↑ +8</b>		<b>11</b>	<b>Afghanistan (23%)</b>	

## Annex D13: Rejections at second or higher instance in the EU+ by Member States and main citizenship, 2010-2014

						2014			Highest share	Sparkline
	2010	2011	2012	2013	2014	% chg. on last year	Share in EU+	per million inhabitants		
<b>Reporting country</b>										
Germany	5 315	21 200	24 420	30 705	37 340	⬆️ +22	43%	462	Serbia (31%)	
Sweden	11 575	11 375	13 060	10 575	10 755	⬆️ +2	12%	1 115	Somalia (8%)	
United Kingdom	14 345	10 415	8 285	8 730	8 735	⬆️ +0	10%	136	Pakistan (18%)	
Belgium	7 700	9 985	12 160	11 060	7 480	⬇️ -32	8.6%	668	Congo (DR) (12%)	
Norway	9 675	7 940	7 175	9 425	7 470	⬇️ -21	8.5%	1 462	Eritrea (11%)	
Greece	5	215	1 115	2 990	5 785	⬆️ +93	6.6%	521	Pakistan (28%)	
Switzerland	3 880	5 245	5 545	3 185	2 295	⬇️ -28	2.6%	282	Sri Lanka (12%)	
Denmark	790	1 810	1 085	1 110	1 495	⬆️ +35	1.7%	266	Somalia (25%)	
Poland	60	2 175	900	1 000	1 360	⬆️ +36	1.6%	36	Russia (70%)	
Spain	1 550	1 100	1 100	1 085	905	⬇️ -17	1.0%	19	Nigeria (22%)	
Hungary	165	275	290	625	800	⬆️ +28	0.9%	81	Kosovo (49%)	
Netherlands	675	1 205	645	820	745	⬇️ -9	0.9%	44	Afghanistan (9%)	
Luxembourg	180	325	900	660	725	⬆️ +10	0.8%	1 319	Kosovo (30%)	
Czech Republic	380	365	415	395	395	⬆️ +0	0.5%	38	Ukraine (39%)	
Cyprus	2 870	3 110	1 500	875	275	⬇️ -69	0.3%	321	Egypt (16%)	
Malta	325	505	415	135	225	⬆️ +67	0.3%	529	Nigeria (20%)	
Romania	420	1 180	1 945	625	135	⬇️ -78	0.2%	7	Afghanistan (11%)	
Ireland	2 840	1 250	645	525	115	⬇️ -78	0.1%	25	Nigeria (30%)	
Croatia	-	-	100	95	110	⬆️ +16	0.1%	26	Algeria (23%)	
Portugal	20	20	65	100	95	⬇️ -5	0.1%	9	Guinea (21%)	
Slovenia	15	70	35	60	65	⬆️ +8	0.1%	32	Serbia (31%)	
Slovakia	170	0	65	110	55	⬇️ -50	0.1%	10	Syria (27%)	
Finland	45	65	50	55	45	⬇️ -18	0.1%	8	Iraq (22%)	
Latvia	15	10	40	45	35	⬇️ -22	0.0%	17	Georgia (86%)	
Italy	1 260	1 175	445	20	10	⬇️ -50	0.0%	0	Nigeria (50%)	
Bulgaria	15	5	0	5	5	⬆️ +0	0.0%	1	Afghanistan (0%)	
Estonia	5	10	5	0	5	-	0.0%	4	Afghanistan (0%)	
Austria	9 105	7 540	6 415	5 435	-	-	-	-	-	
France	17 800	28 425	30 570	32 100	-	-	-	-	-	
Lithuania	65	30	215	30	-	-	-	-	-	
<b>Citizenship</b>										
Serbia	4 265	9 195	11 030	11 290	12 720	⬆️ +13	15%	1 790	Germany (31%)	
FYROM	955	3 385	4 250	5 625	5 445	⬆️ -3	6%	2 636	Germany (52%)	
Pakistan	3 105	3 325	5 655	7 195	4 870	⬇️ -32	6%	27	Greece (34%)	
Russia	5 985	7 630	6 930	5 875	4 845	⬇️ -18	6%	34	Germany (43%)	
Afghanistan	4 285	5 815	7 025	6 340	4 170	⬇️ -34	5%	136	Germany (30%)	
Bosnia and Herzegovina	565	870	2 200	3 030	4 065	⬆️ +34	5%	1 062	Germany (86%)	
Albania	540	625	1 980	1 990	3 830	⬆️ +92	4%	1 323	Germany (41%)	
Kosovo	3 825	7 755	6 270	4 845	3 790	⬇️ -22	4%	2 102	Germany (50%)	
Somalia	2 085	1 525	1 585	2 565	2 550	⬆️ -1	3%	243	Sweden (33%)	
Iraq	6 310	6 195	4 460	4 025	2 390	⬇️ -41	3%	72	Germany (33%)	
Nigeria	4 830	4 235	3 160	3 285	2 295	⬇️ -30	3%	13	United Kingdom (22%)	
Iran	3 215	3 275	2 960	3 175	2 215	⬇️ -30	3%	29	Norway (25%)	
Georgia	1 710	1 890	2 250	3 010	1 940	⬇️ -36	2%	432	Germany (44%)	
Bangladesh	2 090	2 960	5 530	5 085	1 725	⬇️ -66	2%	11	Greece (34%)	
China	2 605	3 120	3 310	2 810	1 955	⬇️ -52	2%	1	United Kingdom (58%)	
Other	45 210	53 195	49 010	52 395	29 225	⬇️ -44	33%	n.a.	Germany (23%)	
<b>EU+</b>	<b>90 990</b>	<b>115 035</b>	<b>117 605</b>	<b>122 575</b>	<b>87 465</b>	<b>⬇️ -29</b>		<b>168</b>	<b>Serbia (15%)</b>	

## Annex D14: Resettled persons in the EU+ by Member States and main citizenship, 2010-2014

						2014			Highest share	Sparkline
	2010	2011	2012	2013	2014	% chg. on last year	Share in EU+	per million inhabitants		
<b>Reporting country</b>										<b>Citizenship</b>
Sweden	1 790	1 620	1 680	1 820	2 045	⬆️ +12	27%	232	Syria (27%)	
Norway	1 095	1 270	1 230	955	1 285	⬆️ +35	17%	252	Syria (61%)	
Finland	545	585	730	675	1 090	⬆️ +61	14%	200	Syria (39%)	
Netherlands	430	540	430	310	790	⬆️ +155	10%	47	Syria (31%)	
United Kingdom	720	455	1 040	965	645	⬆️ -33	8.4%	10	Somalia (37%)	
France	360	130	100	90	450	⬆️ +400	5.9%	7	Syria (52%)	
Austria	0	0	0	0	390	⬆️	5.1%	46	Syria (100%)	
Denmark	495	515	470	515	345	⬆️ -33	4.5%	61	Syria (36%)	
Germany	525	145	305	280	280	⬆️ +0	3.7%	3	Iraq (38%)	
Spain	⋮	⋮	80	0	125	⬆️	1.6%	3	Syria (100%)	
Ireland	20	45	50	85	95	⬆️ +12	1.2%	21	Syria (95%)	
Romania	40	0	0	0	40	⬆️	0.5%	2	Iraq (100%)	
Belgium	⋮	25	0	100	35	⬆️ -65	0.5%	3	Syria (85%)	
Luxembourg	5	0	0	0	30	⬆️	0.4%	33	Syria (100%)	
Portugal	35	30	15	0	15	⬆️	0.2%	1	Côte d'Ivoire (100%)	
Hungary	⋮	0	0	0	10	⬆️	0.1%	1	Syria (100%)	
Greece	⋮	0	0	0	0	⬆️	0.0%	0	⋮	
Croatia	⋮	⋮	⋮	0	0	⬆️	0.0%	0	⋮	
Lithuania	⋮	0	5	0	0	⬆️	0.0%	0	⋮	
Estonia	0	0	0	0	0	⬆️	0.0%	0	⋮	
Latvia	0	0	0	0	0	⬆️	0.0%	0	⋮	
Malta	0	0	0	0	0	⬆️	0.0%	0	⋮	
Slovakia	0	0	0	0	0	⬆️	0.0%	0	⋮	
Slovenia	0	0	0	0	0	⬆️	0.0%	0	⋮	
Bulgaria	⋮	⋮	0	0	0	⬆️	0.0%	0	⋮	
Cyprus	0	⋮	⋮	0	0	⬆️	0.0%	0	⋮	
Switzerland	0	0	0	0	0	⬆️	0.0%	0	⋮	
Czech Republic	40	0	25	0	0	⬆️	0.0%	0	⋮	
Poland	⋮	⋮	0	0	0	⬆️	0.0%	0	⋮	
Italy	55	0	0	0	0	⬆️	0.0%	0	⋮	
<b>Citizenship</b>										<b>Reporting country</b>
Syria	35	5	75	260	3 030	⬆️ +1 065	40%	133	Norway (26%)	
Afghanistan	360	370	1 065	765	865	⬆️ +13	11%	28	Sweden (62%)	
Congo (DR)	465	490	545	875	765	⬆️ -13	10%	11	Sweden (28%)	
Eritrea	630	1 130	655	560	710	⬆️ +27	9.3%	112	Sweden (43%)	
Somalia	755	805	755	1 025	630	⬆️ -39	8.2%	60	United Kingdom (38%)	
Iraq	1 350	485	430	355	370	⬆️ +4	4.8%	11	United Kingdom (31%)	
Ethiopia	190	370	580	95	215	⬆️ +126	2.8%	2	United Kingdom (37%)	
Sudan	50	185	355	270	175	⬆️ -35	2.3%	5	Finland (43%)	
Stateless	300	290	200	165	140	⬆️ -15	1.8%	n.a.	Germany (43%)	
Iran	255	300	165	330	120	⬆️ -64	1.6%	2	Finland (71%)	
Colombia	25	0	170	405	110	⬆️ -73	1.4%	2	Denmark (91%)	
Unknown	70	50	0	0	85	⬆️	1.1%	n.a.	Netherlands (82%)	
Sri Lanka	20	75	50	50	80	⬆️ +60	1.0%	4	Germany (73%)	
Pakistan	0	10	65	55	40	⬆️ -27	0.5%	0	Netherlands (88%)	
China	15	5	5	10	30	⬆️ +200	0.4%	0	Netherlands (67%)	
Other	1 635	890	1 045	575	305	⬆️ -47	4.0%	n.a.	Sweden (32%)	
<b>EU+</b>	<b>6 155</b>	<b>5 360</b>	<b>6 160</b>	<b>5 795</b>	<b>7 670</b>	<b>⬆️ +32</b>		<b>15</b>	<b>Syria (40%)</b>	





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