

# Input by civil society to the 2021 EASO Asylum Report

Fields marked with \* are mandatory.

D e a r

C o l l e a g u e s ,

The production of the *EASO Asylum Report 2021* is currently underway. The annual [Asylum Report series](#) present a comprehensive overview of developments in the field of asylum at the regional and national levels.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, UNHCR and researchers. To this end, we invite you, our partners from civil society, academia and research institutions, to share with us your reporting on developments in asylum law, policy or practice in 2020 (and early 2021) by topic as presented in the online survey.

Please note that the EASO Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain. Your input can cover practices of a specific EU+ country or the EU as a whole. You can complete all or only some of the sections.

All submissions are publicly accessible. For transparency, 2021 contributions will be published on the EASO webpage. Contributions to the 2020 EASO Asylum Report by civil society organisations can be accessed [here](#), under 'Acknowledgements'. All contributions should be appropriately referenced. You may include links to supporting material, such as analytical studies, articles, reports, websites, press releases or position papers. If your organisation does not produce any publications, please make reference to other published materials, such as joint statements issued with other organisations. Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

The content of the EASO Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EASO's work in multiple ways and inform reports and analyses beyond the Asylum Report.

Your input matters to us and will be much appreciated!

**Nina Gregori** - EASO Executive Director

\*Please complete the online survey and submit your contribution to the 2021 EASO Asylum Report by **Thursday, 25 February 2021**.\*

## Instructions

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Before completing the survey, please review the list of topics and types of information that should be included in your submission.

For each response, only include the following type of information:

- New developments and improvements in 2020 and new or remaining challenges; and
- Changes in policies or practices, transposition of legislation or institutional changes during 2020.

Please ensure that your responses remain within the scope of each section.

## Contributions by topic

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**1. Access to territory and access to asylum procedures (including first arrival to territory and registration, arrival at the border, application of the non-refoulement principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)**

**2. Access to information and legal assistance (including counselling and representation)**

**3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)**

**4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)**

Due to Covid 19 and the travel restrictions Denmark was in several cases not able to carry out Dublin-transfers within the time limits of the Dublin-regulation and therefore had to refrain from transfer and accept to process the asylum applications in Denmark.

**5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)**

A change of law was made in 2020 providing the legal basis for deciding that a rejected asylum seeker or an asylum seeker in the Dublin procedure can be forced to submit to a test for covid 19 or a similar disease if such a test is considered necessary for deportation.

**6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions - housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)**

**7. Detention of applicants for international protection (including detention capacity – increase /decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)**

The covid 19 travel restrictions and the challenges to arrange flights to both Dublin-countries and home countries, combined with reluctance from Danish authorities to release detainees even when return prospects deteriorated significantly, caused prolonged detention periods during 2020.

**8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decisionmaking, timeframes, case management - including backlog management)**

The Danish Government has declared that they will propose a change of the Danish Aliens Act and significantly alter Danish asylum procedures. The intent is to transfer asylum seekers from Denmark to a yet unknown third country where asylum processing will take place. The third country is also expected to provide protection if such is needed and to take care of return procedures in case protection is not deemed necessary. An agreement is not yet made with a third country, but the Danish Government is proposing changes in the Danish Aliens Act to have the legal base ready for when such an agreement might be finalized.

**9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management - including backlog management)**

**10. Availability and use of country of origin information (including organisation, methodology, products, databases, fact-finding missions, cooperation between stakeholders)**

**11. Vulnerable applicants (including definitions, special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)**

**12. Content of protection (including access to social security, social assistance, healthcare, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)**

The strong public focus on the temporary nature of protection in Denmark and the revocations of residence permits of refugees – both Syrian and other nationalities – have been leading to a high level of anxiety among refugees in Denmark.

Refugees with temporary protection status has gained right to secondary education free of charge equal to other refugees.

### **13. Return of former applicants for international protection**

A new Danish authority, The Return Agency, was established to increase focus on return of rejected applicants for international protection, and a new law focusing entirely on return has been drafted but not yet proposed to Parliament. The Return Agency has taken over a lot of tasks formerly carried out by the police and has also partly taken over counselling of rejected asylum seekers. Counselling of rejected asylum seekers is now shared between the Return Agency and DRC Danish Refugee Council, who continues to provide impartial counselling.

### **14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)**

In the beginning of 2020 around 30 refugees were resettled to Denmark. These were the first refugees resettled to Denmark since 2016. During the end of 2020 and the beginning of 2021 Denmark has been carrying out virtual interviews with around 200 refugees living in Rwanda, expected to be resettled to Denmark in the first half of 2021.

### **15. Relocation (ad hoc, emergency relocation; developments in activities organised under national schemes or on a bilateral basis)**

### **16. National jurisprudence on international protection in 2020 (please include a link to the relevant case law and/or submit cases to the [EASO Case Law Database](#))**

In December 2019, the Refugee Appeals Board (RAB) had found for the first time that the general security situation in Damascus city had sufficiently improved and decided to revoke or not extend residence permits to Syrian refugees (\*). During 2020 the Danish Immigration Service followed along and decided in several cases that the security situation in Damascus could no longer in itself lead to protection, and Syrian asylum applicants and Syrian refugees with residence in Denmark were rejected/had their residence permits revoked. Such decisions were upheld by the Refugee Appeals Board.

Similar decisions were made in February 2021 (\*\*) regarding rural Damascus where the Refugee Appeals Board upheld three decisions from the Danish Immigrations Service stating that the security situation in Rural Damascus could no longer in itself lead to protection in Denmark.

Already in a meeting in December 2020 the Refugee Appeals Board stated that 600-700 cases regarding Damascus area are expected to be reassessed in 2021(\*\*\*). Based on the February 2021 Refugee Appeals Board decisions the Danish Immigration Service will now reassess up to 350 cases regarding Syrian nationals from rural Damascus (\*\*\*\*).

(\*) <https://fln.dk/da/Nyheder/Nyhedsarkiv/2019/17-12-2019>

(\*\*) <https://fln.dk/da/Nyheder/Nyhedsarkiv/2021/18022021>

(\*\*\*) <https://fln.dk/-/media/FLN/Koordinationsudvalg/Referat-af-moede-i-koordinationsudvalget-den-15-december-2020.pdf?la=da&hash=57A5DF27E6B614A43DE97B160376C04571327BE2>

(\*\*\*\*) <https://uim.dk/nyheder/2021/2021-02/omkring-350-syriske-flygtninges-behov-for-beskyttelse-skal-genvurderes>

## 17. Other important developments in 2020

## References and sources

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### 18. Please provide links to references and sources and/or upload the related material in PDF format

### 19. Feedback or suggestions about the process or format for submissions to the EASO Asylum Report

Please upload your file

The maximum file size is 1 MB

## Contact details

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\* Name of organisation

DRC Danish Refugee Council

Name and title of contact person

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\* Email

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I accept the provisions of the EASO [Legal and Privacy Statements](#)

## Useful links

[EASO Asylum Report 2020 \(https://easo.europa.eu/asylum-report-2020\)](https://easo.europa.eu/asylum-report-2020)

[Executive Summary -EASO Asylum Report 2020 \(https://easo.europa.eu/sites/default/files/EASO-Asylum-Report-2020-Executive-Summary.pdf\)](https://easo.europa.eu/sites/default/files/EASO-Asylum-Report-2020-Executive-Summary.pdf)

[Bibliography for the EASO Asylum Report 2020 \(https://easo.europa.eu/sites/default/files/easo-asylum-report-2020-bibliography.pdf\)](https://easo.europa.eu/sites/default/files/easo-asylum-report-2020-bibliography.pdf)

[Summary of legislative, institutional and policy developments in asylum in EU+ countries in 2019 \(https://easo.europa.eu/sites/default/files/easo-asylum-report-eu-developments.pdf\)](https://easo.europa.eu/sites/default/files/easo-asylum-report-eu-developments.pdf)

[Online database with data and latest asylum trends \(https://easo.europa.eu/asylum-trends-easo-asylum-report-2020\)](https://easo.europa.eu/asylum-trends-easo-asylum-report-2020)

[Online database for EU+ developments \(https://easo.europa.eu/eu-developments\)](https://easo.europa.eu/eu-developments)

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