

# Input by civil society to the 2022 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 *Asylum Report 2022* 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 2021 (and early 2022) by topic as presented in the online survey.

Please note that the 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, 2022 contributions will be published on the EUAA webpage. For reference, contributions to the 2021 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 Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA's work in multiple ways and inform reports and analyses beyond the Asylum Report.

Your input matters to us and will be much appreciated!

\*Please complete the online survey and submit your contribution to the 2022 Asylum Report by **Monday, 21 February 2022**.\*

[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 2021 and new or remaining challenges; and
- Changes in policies or practices, transposition of legislation or institutional changes during 2021.

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)**

Abogacía Española has given several trainings to lawyers to give legal assistance in this area in different regions across the country, as e.g. Canary Islands and Cartagena, among others. A special course for Canary Islands were delivered by HELP Programme (Council of Europe) in partnership with UNHCR.

### **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)**

It remains very poor. There is a lack of interpreters for the languages or dialects most commonly used by asylum seekers. Sometimes other migrants are taking to conduct the translation avoiding all the procedural safeguards.  
Interpreters are not trained in specific language skills to deal with children or other relevant needs during interviews.

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

During the last year, the OAR issued Dublin-based refugee rejection decisions without applying the Dublin procedure or notifying the asylum seeker or his/ her representative (lawyer) of the Dublin decision or procedures, without applying Article 26 of Dublin III.

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

**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)**

**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)**

Problems to access appointments to interviews, huge delays due to supposed covid situation, but in fact due to a bad organisation. Due to delays, asylum seekers access late to certain rights as the access to labour market. There is a very bad quality of interviews held by police officers in the regions (interviews held by police officers not the central administration), sometimes there is no strict guarantee of confidentiality. There is no follow-up of those interviews by the "instructors" in the OAR, so the asylum application sometimes are just a resume in one page of an interview that has taken few hours. No guarantee that persons were accompanied by a lawyer at first instance even if under the Spanish law it might be possible but the administration prevent to have legal assistance during interviews.

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

The procedures at 2nd instance are taking long time (aprox.2 years) to get a judgement and normally there are written procedures, (no hearings). There is no automatic suspensive effect yet.

**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)**

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

**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)**

**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 [EUAA Case Law Database](#))**

**17. Other important developments in 2021**

**References and sources**

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

Guidance to lawyers to assist migrants/refugees arriving by sea :  
<https://www.abogacia.es/wp-content/uploads/2021/08/WEB-GUIA-LLEGADAS-MARITIMAS.pdf>

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

Please upload your file

The maximum file size is 1 MB

## Contact details

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### \* Name of organisation

Abogacía Española

### Name and title of contact person

Noemi Alarcon, member of the Migration Committee of Abogacia Española (CGAE)

### \* Email

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

## Useful links

[EASO Asylum Report 2021 \(https://euaa.europa.eu/easo-asylum-report-2021\)](https://euaa.europa.eu/easo-asylum-report-2021)

[Executive Summary -EASO Asylum Report 2021 \(https://euaa.europa.eu/executive-summary-asylum-report-2021\)](https://euaa.europa.eu/executive-summary-asylum-report-2021)

[Bibliography for the EASO Asylum Report 2021 \(https://euaa.europa.eu/sites/default/files/EASO\\_Asylum\\_Report\\_2021-Bibliography.pdf\)](https://euaa.europa.eu/sites/default/files/EASO_Asylum_Report_2021-Bibliography.pdf)

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

[National asylum developments database \(https://euaa.europa.eu/national-asylum-developments-database\)](https://euaa.europa.eu/national-asylum-developments-database)

[EASO Asylum Report 2021 Key Findings \(https://euaa.europa.eu/sites/default/files/key\\_findings.pdf\)](https://euaa.europa.eu/sites/default/files/key_findings.pdf)

[EU+ and Country Data \(https://euaa.europa.eu/sites/default/files/europe-country-data-2020.pdf\)](https://euaa.europa.eu/sites/default/files/europe-country-data-2020.pdf)

## **Background Documents**

[Input by civil society to the 2022 Asylum Report.docx](#)

## **Contact**

[Contact Form](#)