

# Input by civil society organisations to the Asylum Report 2023

Fields marked with \* are mandatory.

Dear Colleagues,

The production of the *Asylum Report 2023* is currently underway. The annual [Asylum Report series](#) presents 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, policies or practices in 2022 (and early 2023) 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, 2023 contributions will be published on the EUAA webpage. For reference, contributions to the 2022 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 Asylum Report 2023 by Friday, 3 February 2023.\***

## 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 2022 and new or remaining challenges; and
- Changes in policies or practices, transposition of legislation or institutional changes during 2022.

Please ensure that your responses remain within the scope of each section. Thus, kindly refrain from including information that goes beyond the thematic focus of each section or is not related to recent developments.

## Contributions by topic

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### **1. Access to territory and access to the asylum procedure (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)**

Access to territory may prove difficult for persons without a visa, especially at the border in Ceuta and Melilla, where Moroccan authorities forcibly prevent migrants from access to the border posts (ref. 1) while Spanish authorities push back those who try to access from elsewhere.

Border pushbacks were deemed lawful in 2020 by the ECHR decision N.D. and N.T v. Spain (ref. 2) and by the Spanish Constitutional Court in the decision 172/2020 (ref. 3) on condition they are applied individually, allowing for an effective remedy and conducted within the boundaries of international law.

According to the Spanish Government (ref. 4) 1179 persons had managed to overcome the physical border by the end of May. The figure for the whole year is undisclosed but bound to be higher, and suggests that thousands of people did not make it as pushbacks are not documented.

It must be stressed that this number is one of the highest in recent years (1425 persons did cross in all 2018, 437 in 2019, 97 in 2020 and 1081 in 2021), and does not account for the incident occurred in June, when a breach attempt in Melilla ended with at least 23 dead migrants, more than 100 injured police officers and migrants (ref. 5) and no less than 470 unlawful pushbacks according to the Spanish Ombudsman (ref. 6). The Council for the Elimination of Racial or Ethnic Discrimination condemned the use of excessive force against Sudanese and Chadian nationals who should have been granted access to the asylum procedure (ref. 7).

In conclusion, thousands of refugees and vulnerable migrants including unaccompanied children may not be identified and may be removed without due access to procedure in Spain's African land borders.

#### Access to the Asylum Procedure

Even though article 6 of the Directive 2013/32/EU states that the registration shall take place at most 3 days after the application is made, said registration requires an online appointment that comes in very short supply and that can only be made in Spanish (ref. 8).

By design this procedure entails that persons in need of international protection must overcome language barriers and a digital gap only to receive the commonplace response of "no appointments available".

Because this is a precondition for accessing the reception system and asylum seekers have little to no support at this stage, often they are forced to hire private professionals or to pay more than 100€ for an

appointment.

On top of that, it must be noted that the Spanish Reception System does not take in asylum seekers unless they apply within 6 months of their entry in the EU, and thus the difficulties in accessing the procedure greatly hinder access to reception conditions as well. Besides, many asylum seekers have no identification documents, which are necessary to register in the city council and consequently to access basic services such as the health system (emergency assistance is provided).

Upon registration, asylum seekers in Spain receive another appointment to lodge their application and are issued a document that expires on that second date. The delay between registration and lodging of the application varies between a few months and more than a year, and adds up to the time already spent trying to access the procedure.

Even though the Spanish authorities assign an identification number to every registered applicant, the document issued at this point doesn't yet disclose it. It must be noted that there is no particular legal reason for this, and that this document used to include this identification number. Yet again this interferes with access to other rights and basic services for those applicants lacking a passport.

Because of the time elapsed between registration and the interview, it is not uncommon that, before finally lodging their application, asylum seekers move to a different province where they may find support or because they are relocated to reception facilities elsewhere. In that case the applicant must still travel to the province where he/she initially made the application or restart the process and incur once again in all the previously described troubles. This has been a major issue for vulnerable applicants and/or those who initially applied in the Canary Islands, as flights may be expensive and require a passport which asylum seekers may not have access to. The UNHCR and NGO are making continuous efforts to solve this with little involvement from the administration and mixed results so far.

Troubles may follow when lodging the application, especially for those without adequate legal support, as the police may request burdensome requirements such as a written statement, translated documents or proof of residence in the province. The Ministry of the Interior issued an Order in April 2021 to address these issues, but compliance with it has been uneven.

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

Legal assistance is mandatory in border procedures and applications made in immigration detention centers, and is a right granted upon request in all other procedures. Because applicants are largely uninformed about their right to free legal assistance before lodging their application, many asylum seekers outside the reception system apply on their own, which weakens their cases. Even when free legal assistance is actually requested from the local Bar Association, public defenders are usually summoned only hours before the lodging of the application and thus may lack sufficient knowledge of their client's claim.

Although every Bar Association has a number of specialized lawyers on call, the ones attending to asylum seekers are taken from the pool of local migration law practitioners who may or may not have sufficient knowledge of the international protection legal framework.

There is room for improvement in this respect and the administration as well as most Bar Associations should address these shortcomings, perhaps after the example given by UNHCR along with the Almería, Madrid and Murcia Bar Associations, who've just started piloting their own International Protection Legal Assistance Offices (reference 9).

## **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)**

Interpretation services are outsourced to private contractors that offer a sufficient geographic coverage in as many languages as possible and under a price cap. As a by-product of this, interpreters often lack specialized training (as they are called up to translate statements in criminal cases, court hearings, return procedures and asylum claims regardless), and unprofessional behavior is not all that uncommon (we have witnessed translators being judgemental, posing questions on their own or making mistakes with the interpreting because they ignore the matter at hand).

Still, there is a lack of interpreters in some places, particularly at the borders, and in some languages, especially those spoken by minorities. Because of this, sometimes interviews are conducted in languages other than the applicant's, such as French in the case of sub-Saharan asylum seekers. Owing to the reduced availability of interpreters, on occasion this service is provided by phone, which deprives the communication of its non-verbal aspects and also adds another layer to the aforementioned malpractices as it allows some interpreters to carry out the service along with other tasks (such as driving, taking care of dependent minors, etc.).

Finally, we must point out that before the lodging of an application the asylum seeker may not have had access to interpretation services at all, as those are only provided within the asylum reception system or at the police stations. Thus, many migrants in need of international protection (even those in other reception resources such as Humanitarian Reception or "C.A.T.E.S." -Temporary Reception Centers-) can't properly convey their needs nor prepare their applications. It is imperative to allocate a budget to that end also in the other reception programs because in the current state of affairs in Spain many asylum seekers only get access (if at all) to proper reception conditions after they have lodged their applications. This situation has begot the surge of alternative interpretation services such as the one provided by the UNHCR in the Canary Islands to assist migrants who have just arrived by boat which is being widely used by the NGO with presence in the area (reference 10).

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

In 2022 Spain received 12.525 requests to take back applicants from other member states and accepted about one quarter of those (reference 11).

As of 2019 asylum seekers taken back to Spain after Dublin procedures do have access to reception conditions upon return, provided that they meet the other criteria to access the system, and because of that we have seen a number of cases in 2022. In some cases, the concerned member states have not properly notified the return decision to the applicants, who have struggled to get access to the Spanish reception system, which shows the need for better coordination among member states.

To boot, the aforementioned delays in registering asylum applications imply that potentially thousands of migrants who have irregularly entered the EU through a Spanish border have not been registered in EURODAC, all of which also has implications in the framework of Dublin procedures.

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

After the order issued in April 2021 by the Ministry of Interior (Instrucción de la Secretaría de Estado de Seguridad y de la Subsecretaría para la formalización de solicitudes de protección internacional, 30 April 2021), provisions related to the lodging of applications of vulnerable asylum seekers are in place. Despite this, implementation is still underway as in our experience many police officers don't know of its existence and on top of that lack proper training in addressing the special needs of vulnerable applicants.

As previously stated, legal assistance in border procedures and detention centers is provided through the local Bar Associations and referred to immigration lawyers on the same day of the interview. Apart from such short notice, public defenders are not necessarily trained on international protection nor assistance to vulnerable persons, so the standard of service wildly varies depending on the experience of the lawyer commissioned to the task.

On another note, Venezuelans are still being granted temporary residence permits on humanitarian grounds within the frame of the international protection procedure. However, the criteria have gradually moved from the initial 2019 position, and we are concerned by the number of cases rejected on the basis of their departure from a third country before arriving to Spain, without regard to their status in said country, that is regardless of whether they could be legally returned there or not.

Lastly, in this section we will also deal with the Temporary Protection procedure. The Spanish Legal Framework is:

- 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.
- Spanish Royal Decree 1325/2003, of 24 October 2003, approving the regulation for giving temporary protection in the event of a mass influx of displaced persons.
- Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection.
- Orders 169 and 170 issued the 9th of march by the Ministry of the Presidency, Relations with the Courts and Democratic Memory, allowing for third country nationals with temporary residence in Ukraine who cannot safely return to their country of origin.

Due to the extraordinary amount of people in need of temporary protection and their fast pace of displacement, this status has been quasi-automatically recognised as cases have not been individually studied. In practice police officers have denied access to procedure to non-Ukrainian nationals following undisclosed and disparately applied criteria that have also varied with time. As of 31 October 2022, the Spanish General Police Commissioner for Immigration and Borders issued instructions exempting the nationals from Afghanistan, Armenia, Azerbaijan, Belarus, Burkina Faso, Georgia, Kazakhstan, Kirgizstan, Mali, Moldova, Central African Republic, Russia, Syria, Tajikistan, Turkmenistan, Uzbekistan and Yemen with a Ukrainian residence permit of proving they cannot safely return home.

While this improves their situation, we must stress that the police are not competent to allow or deny access to due procedure and that people who have suffered this denial of access have no written decision to appeal and have been given no formal means to convey this situation to the competent authorities (the Spanish Asylum Office or OAR).

## **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)**

The Spanish reception system has been historically developed without due normative support, as the Spanish Asylum Law is procedure driven and contains but a few general provisions regarding the reception of refugees. This regulation gap has been filled with a Handbook and its Annex that have not always been publicly accessible and have suffered several changes, sometimes via email from the Inclusion Ministry. This year the Spanish government approved the Royal Decree 220/2022, of 29 March 2022, containing the Regulation of the International Protection Reception System, which is a welcome development. Nonetheless, the Handbook is still in place and is being applied by the Inclusion Ministry even in matters such as denying access to the reception conditions on grounds not set forth in the Regulation.

Among the changes brought by the Royal Decree are the admission of stateless applicants to the initial assessment and referral phase and restricting access to the second phase to persons whose applications have already been granted. The second phase implies access to the private housing market, but the allowances to that end generally do not meet the housing market prices. Because this change has extended the mean stay in the public shelters it has had the added effect of reducing the reception system capacity, which already had trouble in coping with current demand, and therefore the waiting time to access it keeps rising.

Adding to that, article 2.b of the Directive 2013/33/EU laying down standards for the reception of applicants for international protection grants access to the reception conditions to applicants of international protection or statelessness, where “applicant” means a third-country national who has made an application still to receive a final decision. On 15 of December 2022 the Ministry of Inclusion issued an order addressing this issue among other things. The order stated that persons with a negative first instance decision who were awaiting a second instance procedure could stay or re-enter the reception system. This was amended shortly after allowing for re-entry (presumably after a protracted queue and a relocation) but not extended stay. We are concerned about the implications of this, especially for vulnerable persons with ongoing medical treatments or minors in the middle of a school year.

To conclude, applicants waiting for a second instance decision should’ve always kept their right to work per article 15.3 of the Directive 2013/33, yet for long this has been a contentious issue with the administration. Finally, by the end of the year the Ministry for Inclusion, Social Security and Migrations took notice of a Spanish Ombudsman recommendation and will not withdraw access to the labor market during appeals procedures (reference 12).

## **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)**

After the CJEU ruling C-36/20 PPU on June 2020 (reference 13) migrants can also convey their need of international protection before the court deciding on their internment in a detention center. Because those decisions in Spain are made by investigating judges who specialize in criminal law, knowledge of this ruling is not widespread, and more training is needed for both judges and lawyers taking part in these procedures.

## **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)**

2022 has been the year with the highest number of asylum applications in Spain, with over 118.000 registered applicants, about 70% of which come from Venezuela and Colombia (reference 14). This figure shows the strain the Spanish administration is facing, although one must bear in mind that the number of persons willing to apply for international protection is much higher as described in the first section of this contribution.

Interviews are the most decisive element of any application and frequently the determining authority will have no other information to base its decision on. Contrary to what article 14 of the Directive 2013/32/EU, most interviews are not conducted by the personnel of the determining authority, but by police officers without proper training, in a less than optimal environment and without adequate legal counsel or information conditions. Many applicants are not given copies of their own statements.

Applicants may submit additional information, allegations and further clarification to the Spanish Asylum Office (or OAR). This has to be done online or through a public registry that will ultimately submit the documents in an online platform whose failures are noteworthy, as reception of the submitted documents by the determined authority is not guaranteed.

The OAR is understaffed and very rarely meets the 6 months maximum threshold for an ordinary asylum procedure set in the Spanish law, except in cases where the applicant belongs to certain nationalities (mainly Mali, Venezuela and Colombia) and in which the decision will be generic most of the time.

This impacts the quality of the procedure as it can take years to conclude, and keeps applicants in an interim position, with limited access to rights and to proper documentation. In fact, due to the existing appointment system applicants face serious trouble renewing their documents, which are an essential protection against refoulement and to access the job market and the allowances of the reception system without having to prove their status to their employers or social workers.

Finally, it must be stated that Spain is amongst the countries with the lowest recognition rate in the EU, which this year has improved up to a 16%, and a 23% of recognition of humanitarian residences mostly issued to nationals of Venezuela. The other 61% will have to appeal before the Interior Ministry and/or the courts. Those appeals should have an automatic suspensive effect as per article 46 of Directive 2013/32/EU, but this has not been fully accepted by the Spanish administration, and applicants are burdened with asking the OAR for certificates stating that their appeal is yet unresolved, which of course the administration very rarely does.

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

Judicial review is slow and quite restricted in its scope, as plaintiffs cannot introduce new facts nor evidence. Jurisprudence used to be also very restrictive in granting interim measures to protect the appellant against refoulement and allow him or her to remain in Spain.

On this respect we welcome the recent decision by the Spanish Supreme Court 1582/2022, of 29 of November, that recognises the automatic suspensive effect of appeals on the same basis that the CJEU C-181/16 decision, of 19 of June 2018 (reference 15).

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

As we have stated in previous inputs to the EASO Annual Report, databases lack comprehensive, updated and multilingual country of origin information and they lack the accessibility and user-friendliness stakeholders require. Resources such as refworld.org and ecoi.net are adequate, but most of the information is only available in English. There is an imbalance between countries with a high volume of COI reports and those with little to no information.

This also transfers to first instance decisions, as we have detected some cases where the Spanish determining authority keeps using outdated country of origin information.

**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)**

Articles 20 and 21 of the Reception Directive and article 24 of the Procedure Directive mandate states to set forth procedural guarantees and to screen whether the applicants present special reception needs. Procedurally, the Interior Ministry issued an Order in April 2021 that includes provisions to interview vulnerable applicants. As we have previously stated, procedural guarantees should be put in place much before the lodging of an application to avoid the pushback of refugees, vulnerable migrants and separated children. Nonetheless, many vulnerable applicants apply undetected as interviewing officers are often unaware of said directions and lack proper training.

Regarding unaccompanied minors, the UN Committee on the Rights of the Child (CRC) has once again denounced the procedure for determining the age of minors in Spain because of its unreliability and because it is contrary to the principle of the best interests of the child (reference 16).

As in previous occasions, minors may be transferred to Immigration Detention Centers even if they produce documentation from their countries of origin stating their status as minors. In fact, from our casework we can attest that it is not uncommon that the Spanish police question passports from sub-Saharan countries initiating criminal procedures for forgery against their holders when they intend to use them as proof of age. While these cases are pending, the documents are not recognised as valid. Spanish authorities have a complete disregard for official documents from those countries and, instead, decide to test those minors through a medical procedure that, as the CRC has many times stated, is not reliable and violates international human rights law. This situation persists despite the number of CRC decisions adopted in the past few years.

Moreover, many asylum seekers arriving on the Canary Islands who tell the authorities they are minors are not registered by them and neither are they subjected to age determination procedures that comply with international human rights standards.

It should also be highlighted that many unaccompanied children arriving in Ceuta and Melilla prefer to declare themselves as adults because of the deficiencies of the minors' protection system and the restriction of movement to which they are subject in the two autonomous cities. This means that unaccompanied children prefer to be transferred to the Spanish peninsula as adults, thereby not being able to access the protection system there, instead of remaining as children in Ceuta and Melilla. Once in the mainland, these children find it difficult to prove they are minors as they have already been registered and documented as adults.

With regard to the adapted reception conditions, the Ministry of Inclusion does account for vulnerable applicants, and allocates more resources to families with minors, persons with mental disorders, with addictions or serious illnesses. It has put in place protocols to detect and refer victims of gender-based violence and also has a National Referral Mechanism for identifying and referring potential victims of human trafficking.

With that said, more special reception facilities are needed to assist persons with mental health issues, and also other collectives such as migrant LGTBQI+ persons are in dire need of specialized resources. Lastly, an unmet need of ours has been external resources to conduct Istanbul protocol studies on victims of torture and violence.

**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 level of protection of the Spanish asylum system is, by general standards, satisfactory, albeit with some deficiencies. These include:

- 1) discrimination to access to housing, a problem faced by persons in situation of vulnerability, especially migrant and racialized population
- 2) discrimination in the labour market, because the employer does not know the identification documentation of applicants for international protection and the legislation that authorizes them to work. There are also many difficulties to remain in the labor market, because if they are working and their documentation expires, the employer does not know that this does not entail the loss of their authorization to work. This also entails the fact that they are disenrolled from employment services because their documentation has expired and they cannot get an appointment to renew it.
- 3) the link between access to social benefits and census registration, this being precisely an administrative competence transferred to a regional level, which poses obstacles when someone moves from one territory to another.
- 4) discrimination in accessing banking services: applicants of international protection face major difficulties in trying to open an account with their documentation as it is often not recognized by banking companies.

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

As already stated, the legal status of former applicants of international protection appears to have changed as the courts and, timidly, the reception authorities, are shifting from a position that gave standing to first instance decisions regardless of whether they were definitive or not, to a position that assumes the automatic suspensive effect of appeals against a decision denying an asylum claim.

We note that stateless persons have no protection against refoulement unless they are granted a temporary residence permit, unofficially known as green card, which is not mandatory under Spanish law. The Supreme Court decision we have just mentioned is no precedent for applicants of statelessness status, as it strictly applies to international protection.

Finally, we must point out the also recent streak of decisions by the Spanish Supreme Court regarding Temporary Protection. Currently people from Ukraine are protected from refoulement even if they have not applied for a residence, as the High Court has stated in reversing a return decision against a Ukrainian national with a criminal record (references 17 and 18).

### **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)**

Spain made a commitment to receive up to 1200 resettled refugees in 2022 (reference 19). Our casework indicates that resettled family units often leave the reception system in order to leave with relatives in Spain or abroad, and even after being informed of the consequences (Dublin Regulation, suspension of aid, etc.). It seems that these persons were not prepared and that the program did not properly address their different needs (family network in another city or country, lack of fellow nationals within the region they are, etc.). It is important to highlight challenges related to resettled families: they sometimes come with very high expectations of how the system works and offers (this should be addressed beforehand at origin).

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

Currently Spain is allowing international protection applicants to ask for relocation to other EU member states (based on our casework, mainly Afghan, Syrian and Guinean nationals who ask for relocation to France or Germany).

**16. National jurisprudence on international protection in 2022 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))**

Audiencia Nacional, Sala de lo Contencioso-Administrativo, Sec. 5ª, 478/2022, February 24: <https://goo.su/n51r1>

A Ukrainian family was refused asylum but granted subsidiary protection (second level of international protection) on the grounds that, at the present time and in the present circumstances, Ukraine cannot offer guarantees for their protection, as there is a risk of serious harm to them.

Tribunal Supremo, Sala de lo Contencioso-Administrativo, Sec. 1ª, STS 1582/2022, November 29: <https://goo.su/kv4i>

The right to live and work of an applicant for international protection whose application for international protection has been rejected and is under administrative appeal should be recognised. This ruling entails that the work permit associated with the asylum application is not lost when the asylum application is rejected, but is understood to remain in force until there is a final resolution.

Tribunal Supremo, Sala de lo Contencioso-Administrativo, Sec. 5ª, STS 4365/2022, November 29: <https://goo.su/aKmDE>

Adoption of precautionary measures aimed at extending the benefits provisionally granted during the administrative procedure for asylum seekers and, specifically, with regard to authorisation to reside and work in Spain.

Tribunal Supremo, Sala de lo Contencioso-Administrativo, Sec. 5ª, STS 1632/2022, December 12: <https://www.poderjudicial.es/search/AN/openDocument/d1ce0e63649475e4a0a8778d75e36f0d/20221230>  
Ukrainian nationals are protected against refoulement even without having formally applied for temporary protection.

**17. Other important developments in 2022**

## References and sources

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**18. Please provide links to references and sources or upload any related material in PDF format**

- 1.- <https://www.hrw.org/news/2022/06/29/morocco/spain-horrific-migrant-deaths-melilla-border>
- 2.- <https://hudoc.echr.coe.int/spa?i=001-201353>
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- 12.- <https://www.defensordelpueblo.es/noticias/ahora-no-posible/>
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- 15.- <https://www.poderjudicial.es/search/AN/openDocument/d6770e38604d8330a0a8778d75e36f0d/20221212>
- 16.- <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPpRiCAqhKb7yhsrJkNDvbfoHwM9UhqMBa653NJ%2Braphd7f1T29H7c2mhzvrMvmGfP5JPqJOS5ARYfjky7RomSWgZy2smuDLgOJHXDRShzHNTXhU%2Bps9i1Np0y>
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- 18.- <https://www.poderjudicial.es/search/AN/openDocument/d1ce0e63649475e4a0a8778d75e36f0d/20221230>
- 19.- <https://www.inclusion.gob.es/en/web/guest/w/el-gobierno-aprueba-el-programa-nacional-de-reasentamiento-de-refugiados-para-2022-por-el-que-se-acogera-a-1.200-personas>

## 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

Convive Fundación Cepaim

Name and title of contact person

- Pau Vidal, Head of Legal of the Reception and International Protection Area  
- Adam Ariche, International Relations Officer (mohamedariche@cepaim.org)

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

## Useful links

[EUAA Asylum Report 2022 \(https://euaa.europa.eu/asylum-knowledge/asylum-report\)](https://euaa.europa.eu/asylum-knowledge/asylum-report)

[Executive Summary -Asylum Report 2022 \(https://euaa.europa.eu/executive-summary-asylum-report-2022\)](https://euaa.europa.eu/executive-summary-asylum-report-2022)

[Sources on Asylum 2022 \(https://euaa.europa.eu/publications/sources-asylum-2022\)](https://euaa.europa.eu/publications/sources-asylum-2022)

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

## Background Documents

[Word template to submit input](#)

## Contact

[Contact Form](#)