

### 3.1. Major legislative changes in EU+ countries

Country	Legislative/regulatory act	Thematic area	Change
<b>Austria</b>			
FrÄG 2018, Aliens Law Amendment Act 2018 <sup>1</sup>	Access to procedure		An adult's application for international protection now includes each of their minor children, present in Austria and without any other type of residence right. When a child is born in Austria with a third-country citizenship after their parents have already applied for asylum, the application for international protection is considered to be lodged on the child's behalf by registering the birth or by informing the BFA (Federal Office for Immigration and Asylum) of the child's birth.
	Access to procedure		The BFA and the law enforcement authorities are now authorised to seize and evaluate the content of applicants' data carriers in order to determine their identity, nationality and travel route.
	Reception of applicants for international protection		Applicants are now required to contribute to the costs of material reception conditions. Therefore, the BFA is authorised to seize any cash in the applicants' possession up to EUR 840 per person, allowing applicants' to retain in cash maximum EUR 120 per person.
	Reception of applicants for international protection		The BFA can now impose territorial restrictions during the admissibility procedure.
	Reception of applicants for international protection		Access to language courses may be approved for applicants whose identity is established, who have been admitted to the asylum procedure and are highly likely to be recognised (based on asylum statistics from the previous year).
	Detention		Applicants may now again be detained when protection of national security or public order so requires, when there is a risk of absconding and detention is considered to be proportionate. (Amendment following the Supreme Administrative Court Ruling No 2017/21/0009 of 5 October 2017).
	Content of protection - Withdrawal of international protection		The BFA can initiate and carry out in an accelerated manner the procedure for withdrawing international protection when there are indications suggesting that the beneficiary has voluntarily re-availed themselves of protection of the country of origin, has voluntarily re-acquired their former nationality or voluntarily re-established themselves in the country of origin. These indications now explicitly include in particular cases when a beneficiary enters the country of origin or apply for and is issued a passport of the country of origin or when the beneficiary takes up gainful employment or starts a business in the country of origin.
Amendments to the Asylum Act 2005, the Aliens Police Act 2005 and the BFA Procedural Law <sup>2</sup>	Procedures at first instance		The BFA has now again six months to decide on an application. An exceptional prolongation to 15 months was in force until 31 May 2018. This is the legal consequence of the expiry of the time limit set out in the previous Article 75(15) of the AsylG, which was introduced with the FRÄG 2016.

<sup>1</sup> AT LEG 01: FrÄG 2018, Aliens Law Amendment Act 2018.

<sup>2</sup> AT LEG 03: Amendments to the Asylum Act 2005, the Aliens Police Act 2005 and the BFA Procedural Law

FrÄG 2017, Aliens Law Amendment Act 2017 <sup>3</sup>	Procedures at second instance	The Federal Administrative Court (BVwG) has again six months to decide on an appeal. An exceptional prolongation to 12 months was in force until 31 May 2018. This is a legal consequence of the expiry of the time limit set out in the previous Article 56(10) BFA-VG, which was introduced with Aliens Law Amendment Act 2017 the FRÄG 2017.
Amendment of 14 February 2018 to the Safe Countries of Origin Regulation <sup>4</sup>	Country of origin information	Armenia, Benin and Ukraine were added to the list of safe countries of origin (14 February 2018).
Amendment of 20 June 2018 to the Safe Countries of Origin Regulation <sup>5</sup>	Country of origin information	Senegal and Sri Lanka were defined as safe countries of origin (20 June 2018).

## Belgium

Law of 21 November 2017, amending the Asylum Act and the Reception Act (entry into force on 22 March 2018) <sup>6</sup>	Access to procedure	The amendment introduces the concept of making, registering and lodging the application for international protection as described under Article 6 of the recast APD. As a main rule, a foreign national needs to make an application at the Immigration Office in Brussels as soon as possible and within 8 working days after arrival in Belgium. The Immigration Office has to then register the application with three working days (which can be extended to ten working days in exceptional circumstances). In principle, the Immigration Office provides applicants the possibility to lodge their application either immediately after registration or as soon as possible within 30 days from making the application.
	Access to procedure	The law clarifies that in the framework of the duty to cooperate, applicants have to submit as soon as possible all information, documents or other elements concerning their identity, nationality, age, the reason for applying for asylum and the travel itinerary. If there are good reasons to assume that the applicant withholds relevant information, documents or other elements which are essential for the assessment of the asylum application, the applicant can be invited to submit these elements without delay, whatever the information carrier is. The refusal of the applicant to submit these elements without satisfactory justification can be considered as an indication of the refusal to comply with the duty to cooperate. The originals of national or international identity documents can now be also retained during the asylum procedure, and the amendments clarify the rules for returning these documents.
	Reception of applicants for international protection	The Reception Act now clearly states that every applicant for international protection is entitled to material reception conditions from the moment of making the application for international protection.
	Reception of applicants for international protection, procedures at	All groups of vulnerable persons mentioned in the recast RCD (non-exhaustive list) are now explicitly included in domestic law as well. Fedasil now assesses both the special reception needs and any special procedural needs and can make recommendations to the Immigration Office and the CGRS concerning the latter aspect, with consent of the

<sup>3</sup> AT LEG 02: FrÄG 2017, Aliens Law Amendment Act 2017.

<sup>4</sup> AT LEG 05: Amendment of 14 February 2018 to the Safe Countries of Origin Regulation.

<sup>5</sup> AT LEG 06: Amendment of 20 June 2018 to the Safe Countries of Origin Regulation.

<sup>6</sup> BE LEG 02: Law of 21 November 2017, Amending the Asylum Act and the Reception Act (Entry into Force on 22 March 2018).

	first instance, Vulnerable applicants	applicant. The criterion for assessing the child's best interest is further specified under Article 37 of the Reception Act.
	Reception of applicants for international protection	In exceptional cases, applicants can be accommodated in emergency structures 'only for a reasonable period for as short as possible' (instead of the previous time limit of ten days) when there is a mass influx and the usual reception capacity is full. The law underlines now that their basic needs still need to be always met.
	Reception of applicants for international protection	The Reception Act now provides for the possibility to reduce or withdraw material reception conditions in all cases defined by the recast RCD. Fedasil's decision needs to be motivated individually in fact and in law and should take into consider the specific situation of the person concerned and the principle of proportionality. It is clarified that the reduced material reception conditions should still guarantee a dignified living standard for the applicant, which is not defined as a fixed standard: Fedasil needs to assess this case-by-case.
	Detention	The Immigration Act now clearly stipulates that no foreigner can be detained for the sole reason that they applied for asylum and it clarifies the possible grounds for detention for applicants for international protection, at the border and on the Belgian territory. The designation of a mandatory residence was introduced as an alternative to detention (not yet applicable, as its implementation still needs to be further detailed in a Royal Decree). The law now also provides for a clear definition and criteria for determining whether there is a risk of absconding.
	Special procedures	Existing procedure of not taking into consideration an application was formally transformed into an admissibility procedure as foreseen in Article 33 of the recast APD. The grounds for applying the accelerated procedure were extended to all ground provided in Article 31 of the recast APD. The amendment also introduced the concept of safe third country into national legislation.
	Procedures at first instance	The applicant or his lawyer can now ask for a copy of the personal interview report within two working days from the interview and send their observations to the CGRS within eight days from the report's reception.
	Procedures at first instance	Accompanied minors now explicitly have the right to lodge a separate asylum application in their own name and/or to request to be separately interviewed from their parents. Exceptions exist in the framework of accelerated procedures.
	Content of protection - Acquisition of citizenship	The period between the application for international protection and the recognition as a refugee is now taken into account for the calculation of the duration of legal residence prior to applying for nationality.
Law of 17 December 2017, amending the Immigration Act (entry into force on 22 March 2018) <sup>7</sup>	Procedures at second instance	The amendment's aim is the simplification and harmonisation of time limits to lodge an appeal. It also stipulates that the appeals against a decision of the CGRS are suspensive and on the merits. Regarding the suspensive effect, there are exceptions in some specific cases of subsequent applications.
Royal Decree of 2 September 2018 laying down the regime and the operating	Reception of applicants for international protection	Entry into force on 1 October 2018. The Royal Decree implements Article 19 of the Reception Act and lays down detailed rules for performing announced and unannounced room checks.

<sup>7</sup> BE LEG 03: Law of 17 December 2017, Amending the Immigration Act (Entry into Force on 22 March 2018).

rules applicable to the reception facilities and the modalities concerning room inspections <sup>8</sup>		
Ministerial Decree of 21 September 2018 to establish the house rules for reception facilities <sup>9</sup>	Reception of applicants for international protection	Entry into force on 1 October 2018. The Ministerial Decree implements Article 19 of the Reception Act and lays down the rights and obligations of the residents - including the rules they have to comply with and the possible sanctions for breaching these rules -, the organisation of the reception facility and the modalities of information provision.

### Croatia

Law amending the Law on International and Temporary Protection <sup>10</sup>	Procedures at second instance	The appeal does not have a suspensive effect for some additional types of first instance decisions: granting of refugee status, rejecting refugee status and granting subsidiary protection status, rejecting a beneficiary's request for accommodation, recognising a beneficiary's right to accommodation and obliging the person to contribute to the costs of accommodation, ending a beneficiary's right to accommodation.
	Content of protection - Accommodation	The amendment establishes an explicit right to accommodation for beneficiaries of international protection and describes the modalities of the provision of accommodation. The responsibility for providing accommodation for beneficiaries of international protection is moved to the Central State Office for Reconstruction and Housing Care.
Decision adopting the Protocol on the treatment of unaccompanied children <sup>11</sup>	Vulnerable applicants - UAM	The Protocol further clarifies the rules for unaccompanied children's guardianship and establishes the Interdepartmental Commission for the protection of unaccompanied children.

### Cyprus

IPAC Law <sup>12</sup>	Procedures at second instance	The law established the International Protection Administrative Court (IPAC), responsible for examining appeals against negative asylum decisions, including Dublin transfer decisions and decisions reducing or withdrawing material reception conditions
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### Czech Republic

Act No 258/2017 Coll. <sup>13</sup>	Access to information and legal assistance	Free legal aid was established for both citizens and foreigners with insufficient income before and during administrative procedures. Special rules apply for foreigners in detention.
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<sup>8</sup> BE LEG 05: Royal Decree of 2 September 2018 Laying down the Regime and the Operating Rules Applicable to the Reception Facilities and the Modalities Concerning Room Inspections.

<sup>9</sup> BE LEG 06: Ministerial Decree of 21 September 2018 to Establish the House Rules for Reception Facilities.

<sup>10</sup> HR LEG 01: Law amending the Law on International and Temporary Protection.

<sup>11</sup> HR LEG 03: Decision Adopting the Protocol on the Treatment of Unaccompanied Children.

<sup>12</sup> CY LEG 01: IPAC Law.

<sup>13</sup> CZ LEG 01 : Act No 258/2017 Coll.

Decree 68/2019 Coll. <sup>14</sup>	Special procedures - Safe countries of origin	The proposal suggests including further 12 countries of origin on the national list: Algeria, Ghana, Morocco, Senegal, Tunisia, India, Georgia (except Abkhazia and South Ossetia), Moldova (except Transnistria), Ukraine (except Crimea and parts of Doneck and Luhansk under a control of separatists), Australia, Canada and New Zealand. The entry into force of the revision is expected in the first quarter of 2019.
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## Denmark

Act No 174 of 27/02/2019 <sup>15</sup>	Content of protection	From 1 March 2019 refugees and their family member are granted a temporary residence permit instead of a permanent one. The Immigration Service also changes its criteria for assessing the circumstances for revoking the residence permits granted to refugees and their family members, making it possible to revoke the permit in a wider range of cases. Refugees and their family members are entitled to reside abroad for a shorter period of time: their residence permits expire after six months of residence outside of Denmark. The Danish Immigration Service is now responsible to initiate the process of reviewing the residence permit, and refugees do not have to apply for extension anymore. The amendment enables the Ministry of Immigration and Integration to set a monthly ceiling on the number of residence permits delivered for family reunification with refugees, when the number of asylum applications increases considerably over a short period of time.
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## Finland

Proposal amending the Aliens Act, HE 273/2018 vp <sup>16</sup>	Content of protection	The amendment aims to ensure that unaccompanied minors who are beneficiaries of international protection would be considered minors for the purposes of requesting family reunification, if they have submitted the application for international protection when still minors, but the decision on the residence permit application based on family ties is made after reaching adulthood. (Aligning legislation with the CJEU ruling C-550/16)
	Special procedures - Subsequent applications, Return	The amendment is based on the recast APD and suggests establishing an explicit obligation for applicants to present a valid reason for not having submitted the new elements and facts at an earlier stage, when they make a subsequent application. A decision to refuse entry (issued on the basis of the first negative decision on the application) could still be enforced despite a subsequent application if the subsequent application does not fulfil the criteria for admissibility and it has been submitted only for the purpose of delaying the return.
	Access to procedure	The proposal puts forward new provisions concerning the seizure of applicants' travel documents.
Act amending the Aliens Act, 501/2016 <sup>17</sup>	Procedures at first instance	The amendment explicitly states that the time limit for processing applications for international protection is six months, as a main rule, which can be further extended in specific circumstances. The changes implement the relevant provisions of the recast APD.

## France

<sup>14</sup> CZ LEG 02: Decree 68/2019 Coll.

<sup>15</sup> DK LEG 01: Act No 174 of 27 February 2019.

<sup>16</sup> FI LEG 02: Proposal amending the Aliens Act, HE 273/2018 vp.

<sup>17</sup> FI LEG 01: Act amending the Aliens Act, 501/2016.

Law of 10 September 2018 <sup>18</sup>	Access to procedure	The time limit in the framework of the regular procedure to make an application on the territory is reduced to 90 days from 120 days. Applications made passed this time limit are considered late applications and they are examined under the accelerated procedure.
	Reception of applicants for international protection	<p>The centres for reception and assessment of the situation (CAES, centres d'accueil et d'examen des situations) are officially created.</p> <p>In order to better distribute asylum applicants on all the French territory, when the proportion of asylum applicants residing in one region exceeds a certain level, the applicant may be sent to a region other than the one where they initiated their administrative procedures.</p> <p>Material reception conditions are now subject to the applicant's acceptance of the proposed accommodation or, when relevant, the identified region of orientation.</p>
	Reception of applicants for international protection	Asylum applicants have access to the labour market six months after the lodging of the asylum application, compared to the previous nine months.
	Dublin system	The time limit is fifteen days for appealing against the decision to transfer the applicant to the State responsible for examining the application.
	Procedures at first instance	Applicants with disabilities may now request OFPRA's permission to be accompanied by a health professional or a representative of an NGO for their interview.
	Procedures at first instance	The asylum application is now considered to be submitted in the name of the applicant and their children.
	Procedures at first instance	The notification of decisions and the summons to the personal interview with OFPRA can be sent by the mean of electronic process.
	Procedures at first instance	The closure of the application is automatic, if the application is not submitted to the OFPRA within 21 days of being registered (or eight days, when the OFPRA asks the applicant to complete the file), unless there are legitimate reasons for the delay.
	Procedures at first instance; Procedures at second instance	The applicant is heard during the procedures at first instance and at second instance in the language they indicated to the administrative authority when their asylum application was registered. When the applicant did not make such a choice at the time of registration or when the request cannot be met, they are heard in a language which they have sufficient knowledge of.
	Procedures at second instance	The law removes the automatic suspensive nature of appeals to the CNDA for certain categories of foreign nationals under the accelerated procedure (nationals of safe countries of origin, certain reviews, persons whose presence constitutes a serious threat to the public order). In these cases, a removal measure or obligation to leave French territory (OQTF, obligation de quitter le territoire français) may be issued as soon as the OFPRA's decision to reject the claim is notified. The person concerned may ask the administrative judge, in the context of their appeal against the OQTF, to restore the suspensive effect of the appeal. The execution of the removal order will only be suspended if the administrative judge grants this request, either until the expiry

<sup>18</sup> FR LEG 01: Law of 10 September 2018.

		of the period of appeal to the CNDA or, if such an appeal has been submitted, until the CNDA announces its decision.
	Procedures at second instance	The possibility for the CNDA to use video conferencing is extended, under strict conditions.
	Procedures at second instance	The new law extends the competence of single judge formations ruling within five weeks: decisions concerning the withdrawal of international protection based on exclusion or public order matters now fall in their competence.
	Detention	It is now possible to request the judge to exceptionally extend the detention for two additional periods of fifteen days, when an asylum application is submitted late in detention, raising the maximum duration of detention to 90 days. The appeal will not automatically have a suspensive effect and it will be up to the administrative judge to suspend the execution of the removal order until the CNDA reaches a decision.
	Content of protection - Residence permits	The right of residence for beneficiaries of international protection and stateless people as well as members of their families is enhanced by: <ul style="list-style-type: none"> <li>- issuing a four-year multi-year residence permit for beneficiaries of subsidiary protection and stateless persons and for members of their families;</li> <li>- automatically issuing a ten-year residence permit after four years of legal residence as part of the four-year multi-year permit.</li> </ul>
	Content of protection - Family reunification	The scope of family reunification is extended for minor beneficiaries of international protection: together with the parents, their minor siblings may also join.
	Content of protection - Language learning, Employment	The amendment strengthens the scope of the Republican Integration Contract: it clarifies that the state has the duty to offer support for social orientation, language learning and individual counselling path facilitating employment and overall integration.
	Content of protection – Withdrawal of international protection	The law extends the possibility of refusing or ending refugee status in cases where the person has been convicted of an act of terrorism or sentenced to ten years' imprisonment in an EU Member State or a third country on a list established by Decree (Iceland, Liechtenstein, Norway and Switzerland).
Law of 10 September 2018 Decree of 14 December 2018 <sup>19</sup>	Procedures at second instance	Applications for legal aid must be submitted within 15 days of notification of the OFPRA decision. The time limit for appealing OFPRA's decision is interrupted until the decision on legal aid is given.
Law of 10 September 2018 Decree of 28 December 2018 <sup>20</sup>	Reception of applicants for international protection	Material reception conditions can be withdrawn when the applicant does not accept the proposed accommodation, when the applicant fails to comply with the requirements of the authorities responsible for asylum, or when the applicant has submitted several asylum applications under different identities.  The Decree of 28 December 2018 on material reception conditions introduces the possibility of using a payment card to pay the asylum seeker's allowance.

<sup>19</sup> FR LEG 03: Decree of 14 December 2018.

<sup>20</sup> FR LEG 04: Decree of 28 December 2018.

Law of 20 March 2018 <sup>21</sup>	Dublin system	<p>The non-negligible risk of absconding is defined with twelve alternative criteria relating to the migratory route, attempts at fraud or obstruction, and criteria relating to accommodation conditions.</p> <p>The law now allows for the detention of persons under the Dublin procedure without waiting for a response from the requested Member State and without the need for prior notification of a transfer decision.</p>

## Germany

Third Law amending the Asylum Act <sup>22</sup>	Content of protection - Withdrawal of international protection	The amendment introduces the duty to cooperate for beneficiaries of international protection in the framework of the status review and eventual withdrawal procedure for beneficiaries of international protection.
Draft Act on Second Law for improving the enforcement of the obligation to leave the country <sup>23</sup>	Vulnerable applicants, Access to procedure	Amending Section 42(2), fourth sentence of the Social Code (SGB), Book VIII: The social welfare offices now have the possibility and the duty to lodge an asylum application on behalf of the UAM, when there is a reason to believe that the minor is in need of international protection.
Act on Good Early Childhood Education and Care <sup>24</sup>	Reception of applicants for international protection	The Act provides for reduced day care fees for parents receiving benefits under the Asylum Seekers Benefits Act.

## Greece

L 4540/2018, Reception Act <sup>25</sup>	Reception of applicants for international protection	The amendment further aligned national legislation with the recast RCD.
	Procedures at first instance	Greek-speaking EASO personnel may now undertake administrative actions for processing asylum applications also within the regular procedure in case of urgent need.
	Procedures at first instance; Procedures at second instance	The Director of the Asylum Service or the Director of the Appeals Authority may now create working groups beyond the regular working time in order to increase the number of decisions on applications for international protection and undertake relevant supporting actions, upon Tconsent of the individual staff members.
	Special procedures - Accelerated procedure, Procedures at second instance	The time limit for accelerated procedure is shortened to 30 days. The appeal decision within the accelerated procedure needs to be taken within 40 days.
	Procedures at second instance	The amendment clarifies the deadline for an appeal when the first instance decision cannot be notified, outlines the modalities for notifying the appeal decision and defines the term 'final decision'.

<sup>21</sup> FR LEG 02: Law of 20 March 2018.

<sup>22</sup> DE LEG 01: Third Law Amending the Asylum Act.

<sup>23</sup> DE LEG 02: Draft Act, Geordnete-Rückkehr-Gesetz.

<sup>24</sup> DE LEG 03: KiQuTG.

<sup>25</sup> EL LEG 02: L 4540/2018, Reception Act.

Joint Ministerial Decision No 47094 <sup>26</sup>	Content of protection - Family reunification	The decisions lay down the requirements and procedures for issuing visa for refugees' family members travelling to Greece for family reunification.
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## Hungary

Act VI of 2018 <sup>27</sup>	Special procedures - Admissibility procedures	A new inadmissibility ground was included in the Asylum Act, when the applicant arrive through a country where there is no risk of persecution or serious harm or an appropriate level of protection is provided in the country through which the applicant had arrived to Hungary.
	Procedures at first instance	New exclusion grounds were introduced: applicants are excluded from protection when they had been convicted for at least five years for an intentional crime, convicted for at least three years for certain types of crime or when they are repeated offenders.
	Access to information and legal assistance	A new act aiming to prevent attempts to support migration. It defines as 'organisations supporting illegal migration' any association or foundation registered in Hungary that sponsor or support the irregular entry of an applicant of international protection to the territory of Hungary from financial or property benefits received from abroad.
Government Decree 411/2017 (XII.15) <sup>28</sup> (Entry into force on 1 January 2018)	Providing interpretation services	Applicants, whose gender identity is different from their biological sex registered, can request an interpreter of a specific gender.
	Reception of applicants for international protection	Applicants, whose gender identity is different from their biological sex registered, can request to be assigned to an accommodation based on their gender identity.
Act XLI of 2018 <sup>29</sup>	Access to information and legal assistance	The new act obliges the previously mentioned organisations supporting illegal migration to pay 25 % immigration financing duty based on the financial or property benefit received from abroad.

## Ireland

European Communities (Reception Conditions) Regulations 2018 <sup>30</sup>	Reception of applicants for international protection	The Regulations transpose the recast RCD into Irish law. As a major change, applicants have now access to the labour market after nine months from the date when their application was lodged, if they have not yet received a first instance recommendation from the International Protection Office, and if they have cooperated with the process.
European Union (Dublin System) Regulations 2018 <sup>31</sup>	Dublin system	The Regulations give further effect to the Dublin III Regulation in Ireland.
International Protection Act 2015 (Safe Countries of	Special procedures - Safe countries of origin	The list of safe countries of origin was revised and currently includes: Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia, Georgia, Kosovo, Montenegro, Albania, Serbia, South Africa.

<sup>26</sup> EL LEG 03: Joint Ministerial Decision No 47094.

<sup>27</sup> HU LEG 04: Act VI of 2018.

<sup>28</sup> HU LEG 07: Government Decree 411/2017. (XII.15.).

<sup>29</sup> HU LEG 05: Act XLI of 2018.

<sup>30</sup> IE LEG 01 : European Communities (Reception Conditions) Regulations 2018.

<sup>31</sup> IE LEG 02 : European Union (Dublin System) Regulations 2018.

Origin) Order 2018 <sup>32</sup>		
<b>Italy</b>		
Immigration and Security Decree <sup>33, 34</sup>	Procedures at second instance	The amendment modifies the rules for legal aid and excludes free legal aid when the applicant has lodged an inadmissible appeal.
	Special procedures - Admissibility procedure	The grounds for taking a decision on inadmissibility are extended to cases when the applicant lodges a subsequent application merely in order to delay or frustrate the enforcement of an imminent return decision.
	Special procedures - Accelerated procedure, Border procedure	The legislation introduces new rules for accelerated procedures, which can now be applied at the border and in transit zones as well under specific circumstances.
	Special procedures - Safe countries of origin	The new law foresees the creation of a list for safe countries of origin.
	Procedures at second instance, Return	The amendment increased the scope of exceptions from the right to remain.
	Procedures at first instance	The law introduced an immediate procedure: the Territorial Commissions have to immediately examine an application and take a decision when the applicant is convicted for a serious criminal offence, even before the judgement becomes final.
	Reception of applicants for international protection	Applicants do not anymore have access to the System for the Protection of Asylum seekers and Refugees (SPRAR). Applicants receive now material reception conditions with a more limited scope in collective reception centres (CARA, CDA) or extraordinary reception centres (CAS). Accordingly, SPRAR has been renamed as System of protection for beneficiaries of international protection and Unaccompanied Foreign Minors (SIPROIMI). UAM applicants may remain in the SIPROIMI until they turn 18.
	Detention, Return	The maximum time limit for detention in a return centre is expended from 90 to 180 days. Applicants may now be detained in hotspots for 30 days for the determination of their identity and nationality when they are rescued at the sea or when they remained on the territory of Italy in an irregular manner. When 30 days is not sufficient for the establishment of their identity and/or nationality, they may be transferred in a return centre for the maximum 180 days.
	Content of protection - Withdrawal of international protection	The amendment extended the list of crimes which may form the basis of excluding from or revoking of international protection.

<sup>32</sup> IE LEG 03: International Protection Act 2015 (Safe Countries of Origin) Order 2018.

<sup>33</sup> IT LEG 01: Immigration and Security Decree.

<sup>34</sup> UNHCR provided comments to the law: UNHCR, [Nota tecnica dell'Ufficio dell'Alto Commissario delle Nazioni Unite per i Rifugiati, Decreto Legge 4 ottobre 2018, No 113](#) (in Italian).

	Content of protection - Forms of protection	The new legislation abrogated one of the national forms of protection called humanitarian protection and introduced instead the special protection residence permit for persons who cannot be expelled based on <i>non-refoulement</i> obligations. It also created different types of new residence permits to be granted in very specific circumstances: victims of domestic violence, victims of labour exploitation, people suffering from exceptionally serious medical conditions and cannot be treated in their country of origin, people who cannot return to their country of origin due to exceptional natural disasters and people carrying out exceptional civil acts.
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## Latvia

Cabinet Regulations No 734 <sup>35</sup>	Reception of applicants for international protection	The amendment allows for the inclusion of additional information in the accommodation centre's control system, such as fingerprints for applicants above 12 years and digital ID photos.
Health Care Financing Law <sup>36</sup> (Entry into force on 1 January 2018)	Content of protection - Statelessness	The right to receive state-funded minimum medical care is extended for persons who have been granted stateless status.

## Lithuania

Law Amending the Law of the Republic of Lithuania on the Legal Status of Aliens <sup>37</sup>	Return	A decision on expulsion can now be issued both by the Migration Department and the State Border Guard Service, depending on which authority established the grounds for expulsion. The police has no longer the competence to issue such decision. Both the Migration Department and the State Border Guard Service have the obligation to provide information about the modalities of voluntary return.
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## Luxembourg

Law on the Grand Ducal Police <sup>38</sup>	Reception of applicants for international protection	The director of the OLAI or the delegate can request the assistance of the police if an applicant or their family refuses to be transferred to another structure in a violent or threatening manner.
Bill No 7238 <sup>39</sup> (Draft law)	Return, Vulnerable applicants - UAM	The proposal would amend several provisions related to return of the Immigration Law, including an amendment noting that a multidisciplinary team needs to evaluate the best interest of the child on a case-by-case basis when a decision is made concerning the return of an unaccompanied minor.
Bill No 7258 <sup>40</sup> (Draft law)	Reception of applicants for international protection	The proposal would amend Law of 16 December 2008 on the reception and integration of foreigners in the Grand Duchy of Luxembourg. It aims to lay down the sanitation, safety, hygiene and habitation standards of reception centres of OLAI into national law.

## Netherlands

Aliens Decree 2000 <sup>41</sup> ,	Special procedures -	The proposal allows for the omission of the personal interview, when the subsequent application is clearly inadmissible.
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<sup>35</sup> LV LEG 02: Cabinet Regulations No 734.

<sup>36</sup> LV LEG 01: Health Care Financing Law.

<sup>37</sup> LT LEG 01: Law Amending the Law of the Republic of Lithuania on the Legal Status of Aliens.

<sup>38</sup> LU LEG 01: Law on the Grand Ducal Police.

<sup>39</sup> LU LEG 02: Bill no 7238.

<sup>40</sup> LU LEG 03: Bill no 7258.

<sup>41</sup> NL LEG 02: Aliens Decree 2000.

Proposal for amendment <sup>42</sup>	Subsequent applications	
Netherlands Nationality Act <sup>43</sup> , Proposal for amendment <sup>44</sup>	Statelessness	The amendment will open up the possibility to naturalise for stateless children born in the Netherlands and without legal residence there
<b>Norway</b>		
Immigration Act, Amendments <sup>45</sup>	Reception of applicants for international protection	In Section 84b the new third paragraph gives the police permission to request detailed information about residents from asylum reception and care centres, without prejudice to confidentiality, if necessary.
	Reception of applicants for international protection	Section 94 (applicant's legal status during processing of the asylum application) has been amended by not making the precondition of having undergone an asylum interview absolute in order to be granted the right to take employment while waiting for the application for protection to be completed. This exception is only granted for certain groups with a high likelihood of being given protection (Section 28).
	Providing interpretation services	A new Section 86a makes it mandatory for interpreters working for the UDI and the Immigration Appeals Board (UNE) to present a police certificate.
	Content of protection	A provision was extended entitling foreign nationals to a new residence permit where there is a documented abuse in the marriage or cohabitation relationship. The provision now encompasses cases where persons in the household other than the beneficiary's partner and/or in-laws outside the household have exhibited abusive behaviour (Section 53).
	Content of protection	In Chapter 8 Expulsion, Sections 66-67 are expanded so that a foreigner can be expelled when he or she has been or would have been excluded from recognition as refugee under Section 31, first to third paragraph.
Immigration Regulations <sup>46</sup> , Amendments	Procedures at second instance	New Section 16-14 in the Immigration Regulations regarding overturning of decisions on asylum by the second instance. The provision lists the formal requirements that must be met in order for the overturn request not to be rejected. The third paragraph of the provision lists which assessment factors will be given particular importance in assessing whether a request for overturning is still to be considered. It follows from Circular G-07/2018 that the provision is not binding for the UDI, as it is addressed to Appeals Board (UNE). The new provision entered into force on 1 June 2018.
	Reception of applicants for international protection	The Ministry of Justice and Public security has made changes to the Immigration Regulations Section 17-24(2). The change applies to asylum seekers who participate in integration programmes. When applying for a temporary work permit for asylum seekers who have been accommodated in an integration reception facility, the immigration authorities may waive the condition in Section 17-24(1) that the applicant must submit an approved travel document or national identity card. The condition of the Immigration Act Section 94(1)(b) that there must be no doubt about the applicant's

<sup>42</sup> Rijksoverheid, [Dutch Ministry of Justice and Security addresses new forms of criminality \(in Dutch\)](#).

<sup>43</sup> NL LEG 01: Netherlands Nationality Act.

<sup>44</sup> Tweede Kamer der Staten-Generaal, [Parliamentary Papers \(Kamerstukken\) II, 2017-2018, 34775-VI, nr. 121](#) (in Dutch).

<sup>45</sup> NO LEG 02: Act of 20 April 2018, Amending the Immigration Act.

<sup>46</sup> NO LEG 04: Immigration Regulations.

		identity also applies in cases where there are grounds for exempting from the requirement for documented identity. This temporary regulatory amendment entered into force on 14 May 2018 and is terminated on 14 May 2021.
	Vulnerable applicants	The Immigration Regulations Section 8-8 regulating temporary residence permit for single, minor asylum seekers over the age of 16 years has been changed. The provision now contains a list of different factors that should be emphasised when assessing whether an ordinary or time-limited permit should be granted. Section 8-8a is a new and temporary provision regulating the new processing for foreigners who have been granted a temporary residence permit pursuant to Section 8-8 of the Regulations. The changes entered into force on 1 February 2018.
	Content of protection	The Immigration Regulations have been amended in connection with the amendment to Immigration Act Section 53. Continuation of a residence permit on an independent basis, effective 1 November 2018. New letter f in paragraph 10-8, fourth paragraph, exempts applicants who receive a residence permit on an independent basis pursuant to Section 53, first paragraph, letter b from the requirement for future income.
Act of 15 June 2018, amending the Introduction Act <sup>47</sup>	Reception of applicants for international protection	The 175 hours of Norwegian language training and 50 hours of social studies have become mandatory for applicants above 16 years residing in a reception centre. The training is offered free of charge and the municipalities hosting reception centres are under the obligation to offer the courses. Families with children and unaccompanied minor applicants without a documented identity now also have the right and obligation to participate in these courses.

## Portugal

Organic Law No 2/2018 <sup>48</sup>	Content of protection - Acquiring citizenship	The residence requirement for naturalisation was reduced from six to five years.
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## Romania

Law 247 of 5 November 2018 <sup>49</sup>	Detention	Irregular migrants claiming to be a minor, without a proof of their actual age, are considered to be an adult when there are serious doubts about their minority and may be subject to administrative detention for the purposes of removal from Romanian territory, pending the results of the age assessment.
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## Slovakia

Act No 198/2018 Coll. <sup>50</sup>	Procedures at first instance	The amendment enabled non-governmental organisations to represent applicants (and third-country nationals in general) in administrative proceedings (such as the asylum procedure at first instance) as legal entities.
	Procedures at first instance	The Asylum Act now explicitly states that the time limit for processing applications for international protection is six months, as a main rule, which can be further extended in specific circumstances. The changes implement the relevant provisions of the recast APD.

<sup>47</sup> NO LEG 03: Act of 15 June 2018, Amending the Introduction Act.

<sup>48</sup> PT LEG 01: Organic Law No 2/2018.

<sup>49</sup> RO LEG 01: Law 247 05/11/2018.

<sup>50</sup> SK LEG 02: Act No 198/2018 Coll.

	Procedures at first instance	The Ministry of the Interior must request a position both from the Slovak Information Service and the Military Intelligence on the asylum application of applicants above 14 years. The time limit for replying to this request was extended to 20 days.
	Content of protection - Withdrawal of international protection	The amended Asylum Act includes new circumstances under which international protection status can be revoked or ended.
Act No 191/2018 Coll. <sup>51</sup>	Content of protection	Beneficiaries of subsidiary protection are now included in the scope for receiving financial benefits compensating for serious physical disabilities.

## Sweden

	Dublin system	Article 27 (3) c) of the Dublin III Regulation on remedies was transposed to national law.
Law on the responsibility for the integration of newly arrived migrants <sup>52</sup> (Entry into force on 1 January 2018)	Content of protection	The new legislation aims to harmonise to a greater extent the relevant regulations for newly arrived migrants with the regulations applicable to domestic job seekers.
Law (2018:756) amending the Law on temporary limitations on the possibility of obtaining a residence permit in Sweden <sup>53</sup>	Content of protection - National forms of protection	The amendment allowed UAMs whose asylum application was rejected to apply under certain conditions for a residence permit for studies at upper secondary schools. The last day for applications was 30 September 2018.
Law (2018:346) amending the Law on the reception of asylum seekers and others <sup>54</sup>	Vulnerable applicants - UAM	The new rules on the placement of UAM applicants allow municipalities to place a child in another municipality only when these two municipalities have previously concluded an agreement on the placement.

## Switzerland

AsyIA <sup>55</sup> (Entry into force of amendments on 1 March 2019)	Procedures at first Instance	The provisions concerning the new asylum procedures enter into force, following the adoption of the new Asylum Act in September 2015, the referendum in June 2016 and the pilot projects carried out in Zurich, Boudry (Canton of Neuchâtel) and Chevrolles (Canton of Fribourg) throughout 2018.
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## United Kingdom

<sup>51</sup> SK LEG 01: Act No 191 Coll.

<sup>52</sup> SE LEG 01: Law on the responsibility for the integration of newly arrived migrants.

<sup>53</sup> SE LEG 03: Law (2018:756) amending the Law on temporary limitations on the possibility of obtaining a residence permit in Sweden.

<sup>54</sup> SE LEG 02: Law (2018:346) amending the Law on the reception of asylum seekers and others.

<sup>55</sup> CH LEG 01: AsyIA.

Immigration  
Rules<sup>56</sup>,  
Amendments

Content of  
protection -  
National forms of  
protection

Two new forms of leaves were created for children transferred to the UK (either under Section 67 of the Immigration Act, or after the clearance of the Calais camp).

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<sup>56</sup> UK LEG 01: Immigration Rules.