

Developments in asylum procedures in EU+ countries in response to the situation in Afghanistan

Background

The security situation in Afghanistan changed rapidly as the Taliban began to take over the country following the withdrawal of U.S. and international forces in 2021.¹ To manage the protection needs of Afghan citizens, EU institutions and EU+ countries introduced special measures during the rapidly evolving situation, for example evacuation efforts involving several states.²

Based on official, public sources, Situational Update No 7 provides an overview of how the security situation in Afghanistan has impacted policies and practices in several EU+ countries, from the suspension of returns to changes in asylum and reception procedures for Afghan applicants and the type of protection status granted. Rather than presenting an exhaustive list of developments, the key findings summarise the main trends which have been noted. For a comprehensive overview, please consult [Annex I - Timeline of developments as reported by national authorities, international organisations and civil society organisations in EU+ countries](#) and [Annex II - Case law related to Afghan nationals](#).

All information was collected through independent research of publicly-available sources, including press releases, official statements, announcements and reports which cover developments as reported by national authorities, international organisations and civil society organisations. Links to the official sources are provided. Media reports have not been included. The reference period is mainly August-October 2021.

Key findings

1. Evacuations

Following the withdrawal of international forces in August 2021, evacuation efforts involving several states³ took place. [Belgium](#), [Denmark](#), [France](#), [Finland](#), [Germany](#), [Italy](#), [Netherlands](#), [Norway](#), [Lithuania](#), [Poland](#), [Romania](#), [Spain](#) and [Switzerland](#) have published updates on ongoing or concluded operations, including data on the number on evacuees.

¹ EASO, Afghanistan – Security Situation Update, Country of Origin Information Report, September 2021.

² EASO, Afghanistan – Security Situation Update, Country of Origin Information Report, September 2021, p. 14.

³ EASO, Afghanistan – Security Situation Update, Country of Origin Information Report, September 2021, p. 14.

2. Implications on the asylum procedure

Procedures used for evacuees

EU+ countries adopted different approaches to the **submission and processing of asylum applications by Afghan evacuees**. For instance, in [Norway](#), 676 Afghans were granted protection based on the **status of resettled refugees**. In [Switzerland](#), 132 Afghans were also admitted to Switzerland's resettlement programme and accorded refugee status without undergoing the regular asylum procedure.

In other countries, evacuees have undergone a **fast-track procedure**. In the [Netherlands](#), the asylum procedure was shortened for Afghan citizens, and applicants were registered and identified by the Immigration and Naturalisation Service (IND) and KMar. They were also screened in the context of public order and national security. A group of approximately 20 IND employees were tasked with processing the applications. As of 18 October 2021, one-quarter of all evacuees have received an asylum decision, while interviews were ongoing in reception centres.

Similarly, in [Lithuania](#), the Migration Department announced that all persons evacuated from Afghanistan, such as translators who have worked with Lithuanian soldiers, military personnel, EU and UN personnel and their family members, would be granted protection, and the first permanent residence permits have already been issued. In Finland and Poland, evacuees follow the asylum procedure.

In contrast, the [Danish](#) government has sent a new law for consultation to provide a 2-year residence permit to evacuated Afghans who worked as interpreters for the Armed Forces, local staff for the Danish Embassy in Kabul or who are particularly vulnerable because of ties with NGOs.

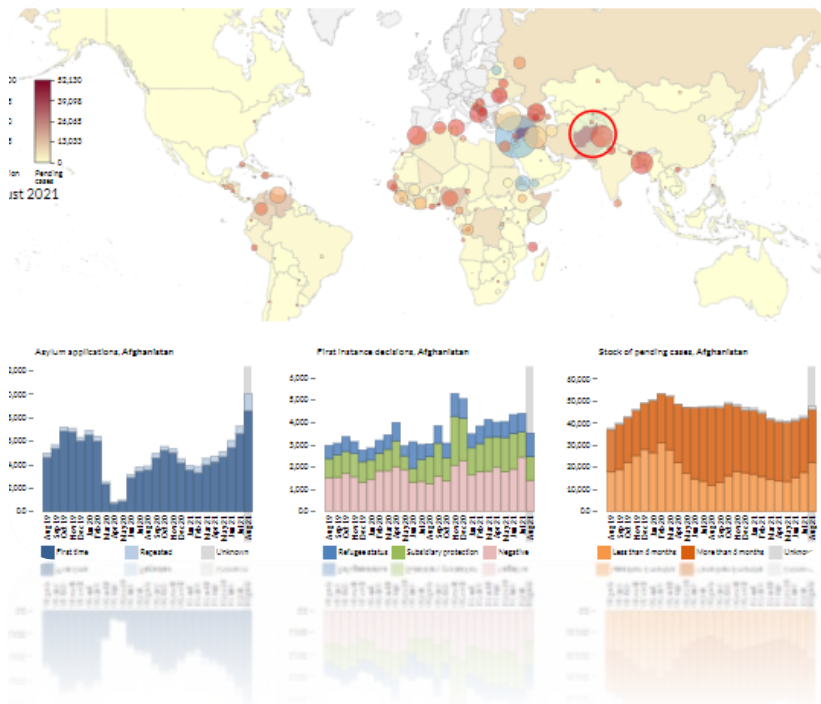
In [Finland](#), a total of 85 asylum seekers arrived on evacuation flights from Afghanistan. The vast majority of evacuees (227 Afghan citizens) were evacuated based on a government decision providing humanitarian protection and granting them a residence permit directly.

Increased number of applications

The [Netherlands](#) noted an **increase in asylum applications** lodged by evacuees as a result of providing clear information on the asylum procedure. At the same time, many countries witnessed a significant number of subsequent applications by Afghan citizens, possibly linked to the unstable security situation in Afghanistan and the suspension of returns (for example in [Belgium](#) and the [Netherlands](#)).

In contrast, [Finland](#) has recently (11 November 2021) noted that the situation in Afghanistan has not had an impact on the number of Afghan applicants in the country.

Based on [EASO's Latest Asylum Trends – August 2021](#), Afghans lodged more than 10,000 applications in EU+ countries in August (+38% from July). The vast majority were first-time applications. [Read more here](#).



Access to information

To address information needs, authorities have created **dedicated sections on their websites**, for example in [Denmark](#), [Finland](#), the [Netherlands](#), [Norway](#), [Poland](#) and [Sweden](#)).

Country of origin information and guidance

During the rapidly-evolving situation, some national authorities quickly produced information on the situation in Afghanistan in order to inform the decision-making process. In Sweden, the Migration Agency published a new **country of origin report** (Version 1.0) on Afghanistan which covers the security situation, including the human rights situation and certain potential risk groups. It also issued a legal position on the opportunities for Afghan citizens to obtain passports.

In November 2021, Finland issued [new country guidelines](#) for decision-making on asylum and residence permit applications for Afghan citizens.

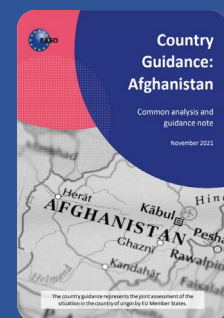
EASO COI Information Report on Afghanistan

In September 2021, EASO published a Country of Origin Information (COI) Information Report,¹ [Afghanistan - Security Situation Update](#). The updated **report** covers the overall security situation in Afghanistan from 1 March to 31 August 2021.



Country Guidance: Afghanistan

The [new update](#) was published on 11 November 2021. It represents Member States' joint assessment of the situation in Afghanistan in relation to international protection needs and focuses on the impact of the Taliban takeover.



(Partial) suspension of decision-making on applications for international protection

In [Belgium](#), [Denmark](#) (Refugee Appeals Board) and [Luxembourg](#), **decision-making on asylum applications and the notification of decisions for Afghan applicants** were suspended due to the lack of sufficient information.

The IND in [the Netherlands](#) extended the decision timeframe of ongoing applications and applications submitted as of 26 August 2021 to 18 months (normally it is 6 months).

[Sweden](#) and [Finland](#) halted the issuance of rejection decisions for Afghan applicants since July 2021.

Resettlement

[Finland](#), [Italy](#), [Ireland](#) and [Switzerland](#) increased the quota for resettling Afghan citizens. The SMA in Sweden requested the government to temporarily change the rules for resettlement to enable and accelerate the process of resettling Afghan refugees.

3. Specific arrangements in reception

In [Spain](#), a temporary care and reception facility (for a maximum of 72 hours) was set up at Torrejon Military Air Base (in Madrid) for Afghan citizens evacuated from Afghanistan. The facility, which has a capacity for 800 people and includes separate spaces for women and children, and men, served as an arrival hub for refugees arriving to the air base in order to be transferred to other EU+ countries. A new sponsorship pilot project was launched to involve municipalities in the integration of the Afghan nationals arriving within the framework of the Operation Antigone.

Law Decree No 139 (Article 7) in [Italy](#) established 3,000 new places for families in SAI reception centres through a dedicated national fund for asylum policies and services to address challenges brought by the situation in Afghanistan. Similarly, Fedasil in Belgium made efforts to enhance reception capacity.

In the [Netherlands](#), evacuees were initially accommodated in emergency accommodation centres where the initial steps of the asylum procedure took place, before being transferred to reception, while the COA announced an increase in the number of extra reception places.

In [Norway](#), evacuated Afghans move to their settlement municipality in September, where their background and competencies will be mapped for integration purposes, according to the usual procedures. The [Finnish Immigration Service](#) coordinated the reception of Afghan evacuees who were accommodated initially in reception centres and later moved to municipalities after the issuance of a residence permit.

4. Suspension of returns and deportations procedures

Due to the deterioration in the security and human rights situation, several EU+ countries – for instance [Germany](#), [Finland](#), the [Netherlands](#), [Norway](#), [Sweden](#) (July) and [Switzerland](#) – announced the suspension of returns to Afghanistan, impacting international protection procedures.

On 17 August, UNHCR issued a [non-return advisory](#) for Afghanistan [calling States](#) to suspend forced returns of Afghan nationals, including those who have had their asylum claims rejected. Similarly, the Commissioner noted in her [Statement on the situation in Afghanistan at the extraordinary meeting of Interior Ministers](#) that “the situation in Afghanistan is clearly not safe and it will not be safe for some time. Therefore, we cannot force people to return to Afghanistan”.

5. Jurisprudential developments

Several cases from courts and tribunals at the [national and European levels](#) focus on Afghan nationals addressing challenges encountered in return procedures, halting deportations, detention in the absence of viable returns and protection statuses. Read [Annex II - Case law related to Afghan nationals](#).

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Annex I: Timeline⁴ of developments as reported by national authorities, international organisations and civil society organisations in EU+ countries

11.11 Finland: The [Finnish Immigration Service](#) has drawn up new guidelines for the decision-making on Afghan citizens' asylum and residence permit applications. For the time being, Afghan citizens are not issued with negative decisions that would lead to removal from the country. During January-October of this year, 356 Afghans have applied for asylum in Finland. Of the applications submitted, 196 are first applications and 160 are subsequent applications. So far, the situation in Afghanistan does not show in the number of applicants. At the moment, 530 Afghan citizens are waiting for an asylum decision.

08.11 Finland: The [Finnish Immigration Service](#) announced that the number of asylum seekers remained low. A total of 85 asylum seekers arrived in Finland on the evacuation flights from Afghanistan.

18.10 Netherlands: The IND [published monthly statistics](#) (period September 2021). The number of asylum applications made by evacuees in the month of September is 1,104 (of 1,199 applications in total). The number of repeated asylum applications in September was 79 for Afghan nationals (out of total 207 repeated applications).

18.10 Netherlands: The [IND announced](#) that 560 Afghan evacuees received an asylum decision, approximately one-quarter of all evacuees. In August, the Netherlands evacuated around 2,000 people from Afghanistan who would be entitled to asylum. The asylum procedure was shortened for this group of applicants as they are registered and identified by the IND and KMar. They are also screened in the context of public order and national security.

The evacuees also include a group of around 220 people in transit because they are on the evacuation list of a third country. They will be screened but do not have to be identified and registered by the KMar.

The IND is currently active in three reception centres. In Zeist, all interviews have been conducted, but decisions need to be taken for a number of applications. Last Tuesday, interviews started in the emergency accommodation centre on the military site in Harskamp for evacuees who were formerly accommodated but not interviewed in the Zoutkamp camp. The group formerly staying in Harskamp has been interviewed and transferred to Heumensoord. There, facilities have been set up for this purpose.

The State Secretaries for Justice and Security gave an [update](#) to the Parliament on the situation in Afghanistan. It was underlined that around 2,000 evacuees have been staying in reception centres in the Netherlands. KMar completed the identification process for 1,690 persons by 3 October, while the IND completed the asylum procedure for 290 evacuees. The '[Letter to parliament on developments in Afghanistan](#)' is available.

15.10 Spain: The Ministry of Inclusion [completed the referral to reception shelters of the last group of Afghan families](#) who arrived to Spain. A total of 42 family units have been referred to the reception places located in nine autonomous communities. The Ministry has created a working group through

⁴ The timeline may not be exhaustive. Elements are included as identified in official public websites.

which offers and demands for work and the continuation of studies are channelled. An [interactive infographic with figures](#) on the Afghan distribution to communities is available.

The CEAR released a new video as part of the [Safe Exit from Afghanistan campaign](#) by which 107 entities and dozens of culture and communication personalities claimed humanitarian corridors for EU+ countries, including Spain, to provide safe access routes to guarantee the reception of Afghans trying to flee the Taliban regime. A new pilot sponsorship project will involve municipalities in the integration of Afghan nationals arriving within the framework of the Operation Antigone.

15.10 Belgium: The CGRS [published](#) asylum statistics for September 2021. In total, 3,326 new applications were registered. A large number of new applications were by Afghans, totalling 1,121, out of which 977 were first-time applicants and 144 were subsequent applications.

11.10 Netherlands: The [State Secretary for Justice and Security gave](#) an update on the situation in Afghanistan. It was underlined that around 2,000 evacuees had been staying in reception centres in the Netherlands. KMar completed the identification process for 1,690 persons by 3 October, and the IND completed the asylum procedure for 290 evacuees by the same time.

11.10 Spain: A new pilot [sponsorship project](#) will involve municipalities in the integration of Afghan nationals who arrived within the framework of the Operation Antigone. With this new framework, the Ministry of Inclusion, Social Security and Migration will cover the expenses related to the reception of these nationals, including food, social accompaniment, integration, legal advice and language learning. Municipalities joining the project will make housing resources available to the Ministry.

11.10 Sweden: The SMA published a [new country of origin report on Afghanistan](#) covering the security situation, the human rights situation and certain potential risk groups (Version 1.0). It also issued a [legal position on the opportunities for Afghan citizens](#) to obtain passports (RS/087/2021).

08.10 Lithuania: The [Migration Department](#) announced that decisions have already been made to grant asylum to all persons who were evacuated from Afghanistan, such as translators who have worked with Lithuanian soldiers, military personnel, EU and UN personnel and their family members. The first permanent residence permits have already been issued.

08.10 Italy: With [Law Decree No 139 \(Article 7\)](#), [3,000 new places for families were established in SAI reception centres](#) through a specific national fund for asylum policies and services to address inter alia challenges brought by the situation in Afghanistan.

08.10 Switzerland: The [Federal Counsellor participated](#) at the meeting of Schengen Ministries of the Interior on the necessity to have a coordinated response to the situation in Afghanistan.

07.10 Belgium: The temporary suspension of the notification of decisions for applicants from Afghanistan was [prolonged until 15 November](#). The decision on the temporary suspension was communicated in August, and it was assessed that due to the lack of required information on the situation in Afghanistan, it would be too early to end it. The CGRS noted that this does not mean that the processing of applications from Afghan nationals is completely suspended. Applications are still being processed as before, and personal interviews are still being organised:

- A decision is taken and is notified for: the recognition of refugee status and an inadmissibility decision for persons benefitting from protection status in another Member State.
- Decisions are generally suspended.

- Assessing subsidiary protection status, granting subsidiary protection and refusing to grant international protection.
- Notification of an inadmissibility decision for subsequent applications.
- For subsequent applications, each file is checked for new elements, and if these arise, a decision is taken on admissibility.

07.10 Denmark: The [Bill proposal](#) was presented on 7 October 2021 by the Minister of Immigration and Integration Affairs (Mattias Tesfaye). The 2nd and 3rd reading in the [Parliamentary Committee](#) is scheduled for November 2021. The Bill envisages a specific application procedure until 24 November for residence permit for foreigners who:

- previously were a local employee at the Danish Embassy in Kabul or had other working connections with the authorities of the Ministry of Foreign Affairs in Afghanistan;
- previously were employed locally by the Armed Forces or had other working connections with the authorities in the Ministry of Defense in Afghanistan; and
- were evacuated by agreement with the Ministry of Foreign Affairs due to an affiliation with NGOs, other partners in Afghanistan, the UN, NATO or the EU.

07.10 Germany: The [Federal Foreign Office reported](#) about a charter flight on 7 October with 217 Afghans from Pakistan to Germany, with more than 20 of them having other EU countries as a final destination. According to the Federal Ministry of the Interior, for Building and Home Affairs, the current status of the number of evacuated local workers who entered Germany is estimated at 1,516 local workers with family members.

08.10 Italy: During the EU high-level forum on providing protection to Afghans at risk, [the Italian Minister of the Interior reminded](#) the meeting of their efforts in evacuating 4,200 Afghan citizens who are now in the reception system. The Minister also highlighted the importance of cooperation between transit countries to avoid the risk of trafficking. Italy is assessing the possibility of allocating a specific quota in 2022 for the resettlement of Afghans residing in Turkey, and presented an humanitarian admission scheme which will resettle Afghan citizens in need of protection from Pakistan and Iran within the next 24 months.

06.10 France: The [Ministry for Europe and Foreign Affairs](#) reported about an evacuation operation that took place on 5 October between Kabul and Doha with the support of the Qatari authorities. 13 French citizens and their dependents would be evacuated to return to France through Qatar. All [evacuation operations are available online](#).

01.10 Greece: The [Ministry for Migration and Asylum informed](#) that 26 female judges and lawyers with their families arrived in Athens from Afghanistan through Tbilisi. Upon arrival, they underwent a rapid test, were recorded and transported to ESTIA apartments, where they will be temporarily housed. The transfer to the apartments was carried out with the assistance of the IOM, while their safe passage was carried out with the contribution of the President of the Republic.

01.10 Luxembourg: The Minister of Immigration and Asylum, issued a [Press Release](#) in the context of the current decision-making on the international protection of Afghan applicants. The Minister, Jean Asselborn, took note of various criticisms following the suspension of decision-making on applications for international protection of Afghan nationals at the ministerial level and the termination of the

deliberation by the Administrative Tribunal. In the absence of complete and reliable sources of information, this decision was taken pending a clarification of the situation on the ground in Afghanistan and in the interest of people who would have seen their request a priori refused. In this context, the Minister referred to the position of the United Nations High Commissioner for Refugees which is also shared by other Member States, such as Germany, Belgium and France.

30.09 France: The [CNCDH unanimously adopted a declaration](#) on the situation of Afghan people in which it makes several recommendations for the attention of the French public authorities to meet the challenges of protecting human rights and humanitarian issues.

30.09 Norway: Some of the evacuated Afghans had moved or were moving to their settlement municipality in September, where their background and competencies will be mapped. The remaining Afghans will undergo a competency survey before settlement, and distribution to relevant municipalities will begin in October. A group of about 235 people's cases were defined as urgent and assigned to the municipality even before their arrival in Norway. The majority of these are already living in their municipality, while about 85 were temporarily accommodated at the Oslofjord Convention Center (OCC) in Sandefjord, where their quarantine will be carried out prior to moving to their settlement municipality. [Read more about the settlement of refugees.](#)

29.09 Finland: The [Ministerial Working Group on the Development of the Rule of Law and Internal Security outlined](#) that Finland will receive at least 1,050 quota refugees in 2022. As part of its 2022 refugee quota, Finland will receive a total of 500 Syrian refugees from Lebanon and Turkey and 200 Congolese refugees from Zambia. In addition, Finland received 70 refugees who have been evacuated from Libya to Rwanda, as well as 130 refugees without citizenship and territorial boundaries, including emergencies. Finland also received at least 150 Afghan refugees from Iran. Earlier in September, the government outlined in its budget debate that the 2022 refugee quota is set to be raised to a maximum of 2,000 seats due to the Afghan crisis. In that case, a maximum of 950 more Afghans could be taken from Iran, in addition to what had previously been decided. A possible increase in the refugee quota to respond to the situation in Afghanistan will be considered in the context of the supplementary or amending budgets.

29.09 Germany: According to the [Federal Ministry of the Interior, for Building and Home Affairs](#), the current status of the number of evacuated local workers from Afghanistan who have entered Germany is estimated at 1,281 local workers and their family members.

29.09 Lithuania: A total of 178 people, such as translators working for Lithuanian soldiers, military personnel, EU and UN personnel and their family members, who were evacuated from Afghanistan applied for asylum in Lithuania at the end of August. Most of them were temporarily settled in Raseiniai, several people settled with relatives living in Lithuania. [The Migration Department informed](#) that decisions have been issued on granting asylum to 167 Afghans who have assisted the Lithuanian state and their relatives. Their applications for asylum were examined in order of priority, and the Migration Department granted them refugee status.

28.09 Ireland: The Irish government [approved the establishment of an Afghan Admission Programme](#) that will provide up to 500 additional places for Afghan family members. Afghan nationals living in Ireland on or before 1 September 2021 will be able to apply to nominate up to four close family members who meet the eligibility criteria and who are currently living in Afghanistan, or who have fled to certain neighbouring countries. Eligible family members will be granted a residence

permission that allows them immediate access to the labour market, without the need for an employment permit.

27.09 Denmark: The Danish Institute for Human Rights published comments on the [Consultation to the bill on a temporary residence permit for certain persons who have assisted the Danish authorities in Afghanistan.](#)

24.09 Belgium: Fedasil [announced](#) that it was still looking for new reception places and new sites for collective accommodation. The reasons for increased needs are various, including the evacuation from Afghanistan.

24.09 Czechia: The Minister of the Interior visited Slovenia, which currently chairs the Council of the EU. The [visit focused on](#) a joint approach to tackling illegal migration, focusing on the protection of the EU's external border, cooperation with third countries and the Balkan route for illegal migrants from Afghanistan.

24.09 Switzerland: [Questions were addressed by various parliamentary groups](#) to the Federal Council in the Swiss Parliament sessions on humanitarian support to Afghanistan, resettlement programmes for vulnerable/persons in need, measures to take in order to stabilise the situation in Afghanistan and repercussions. [Questions and answers related to the evacuations](#) from Afghanistan and humanitarian visas facilitated for Afghan nationals:

- A total number of 387 persons were evacuated from Afghanistan. 34 persons were Swiss nationals and 39 were foreign persons with a valid residence or residence permit in Switzerland without refugee status.
- 2 persons were provisionally admitted without refugee status. The SEM had previously authorised these persons to travel home.
- The other 312 evacuated persons had no previous permanent residence in Switzerland. They have been accepted as part of a humanitarian operation and counted within the resettlement quota. The remaining persons were family members of persons legally residing in Switzerland and individual humanitarian cases.
- The SEM suspended returns to Afghanistan on 11 August 2021 due to recent developments.
- Applicants whose asylum application had already been rejected cannot be overturned as there was no legal basis for such action. However, those persons can submit a subsequent application, and the SEM will take into account the changed circumstances.
- The decision on pending asylum procedures with an expulsion to Afghanistan is subject to ongoing clarifications within SEM. In addition, the SEM clarified with the cantons whether measures are needed for persons who have been definitively rejected and who have to leave the country and live from emergency aid. While provisionally-admitted persons generally have access to education and support, education and integration are not a priority for those who have been rejected.
- At the end of August 2021, around 22,000 Afghans were living in Switzerland. More than 11,500 persons benefit from temporary reception, of which 550 are unaccompanied minors, almost 840 persons who came to Switzerland as unaccompanied minors and who are now between 18 and 21 years old, and over 5,000 adults with children. Around 1,000 people from

Afghanistan are currently undergoing asylum procedures, of which 164 are unaccompanied minors and 500 are Afghan adults with children.

More information on pending questions related to Afghanistan [here](#)

23.09 France: In its [Press Release](#), the Ministry of the Interior noted that, since the start of the evacuation operations launched on August 17, more than 100 French people and more than 2,600 Afghans have reached French soil.

22.09 Austria: is [organising an EU workshop](#) in Vienna from 21-22 September 2021 with the European Commission, interested and committed EU Member States and other relevant partners to Afghanistan.

19.09 Portugal: Portugal [received a group of 80 Afghan people](#), mostly athletes from the women's football team and their families, resulting in 178 citizens who were received following the humanitarian emergency in Afghanistan. The arrival of this group is the result of a joint operation that involved the national and US authorities, with 80 citizens having been provisionally accommodated in reception units in Greater Lisbon, and later transferred to independent housing from the north to the south of the country.

17.09 Denmark: The [Danish government sent](#) a new law for consultation to issue a two-year residence permit to evacuated Afghans who worked as interpreters for the Armed Forces, local staff for the Danish Embassy in Kabul or are particularly vulnerable because of ties with NGOs. The law will lay down rules on access to residence permits for family members. The bill will be presented in Parliament in early October.

15.09 Denmark: The [Refugee Appeals Board decided](#) to continue the suspension of decisions for Afghan citizens due to the uncertainty surrounding the security situation in the country. The board will discuss the situation again at the next meeting on 28 October 2021.

14.09 Netherlands: A [Q&A section for Afghanistan](#) is now available on the IND's website. More than 1,900 evacuated Afghans have been received in the Netherlands. They will have a shortened asylum process in the near future. It is not yet clear how long the procedure will take for the entire group. The IND wants to act expeditiously and provide clarity as soon as possible. In most cases one may follow the normal asylum procedure for non-evacuated Afghans.

14.09 Netherlands: The State Secretary for Justice and Security [published a](#) Parliamentary Brief on the state of play on Afghanistan to inform the plenary debate on 15 September on developments since 26 August. 1,960 evacuees stayed in emergency locations of the Ministry of Defence, and 1,020 persons had completed the identification and registration process with the KMar as of 12 September.

13.09 Luxembourg: [Luxembourg announced](#) an additional financial assistance of EUR 500,000 for Afghanistan. The total support for the year is EUR 3 million and it is focussed on developments and humanitarian action projects in the country.

14.09 Netherlands: The COA [announced](#) the need for 4,000 extra places on a short term. This is due to an increase in the number of asylum applications, the fact that recognised beneficiaries of international protection stay longer in reception due to shortages on the housing market, and the arrival of evacuees from Afghanistan who are temporarily accommodated at emergency locations provided by the Ministry of Defence.

12.09 Poland: The Office for Foreigners organised another expert meeting as part of the Migration Analytical Centre. The [main aim of the conference](#) was to discuss the current migration trends in the countries of the Visegrad Group and the situation in Afghanistan. The Migration Analytical Centre is one of the elements of the Migration Crisis Response Mechanism established by the Ministers of the Interior of the Visegrad Group.

09.09 Romania: The [Ministry of Foreign Affairs evacuated 139 Afghan citizens](#) to Romania (including students, journalists, magistrates and other vulnerable categories). They will be processed by the General Inspectorate for Immigration (IGI).

08.09 Norway: The UDI and the UNE have decided to postpone returns (travel obligation) to Afghanistan further until 31 January 2022. This means that people who have received a final decision of a return to Afghanistan are not obliged to leave Norway as long as the return stop lasts. This applies to people from Afghanistan who:

- had an application for protection rejected;
- have been deported from Norway;
- have had the residence permit revoked; and
- resided in Norway and had the application for a residence permit rejected.

Persons with cases covered by the Dublin III Regulation or the First Asylum Rule are not covered by the deferral of the obligation to leave the country. They can be returned to the European country where they first applied for protection. By that date, the UDI and the UNE will reassess the return situation to Afghanistan and whether the suspension should be extended or lifted. If the situation is clarified at an earlier stage, it will be reconsidered if case processing will be resumed before the period is over.

The UNE now has about 170 cases pending from Afghan citizens. The Police Immigration Unit (PU) has stated that there are approximately 150 Afghan citizens residing in Norway who have a decision on the obligation to leave Afghanistan. The PU has been informed that no persons who fall into the mentioned groups shall be forcibly deported from Norway. [Read the UNE's briefing on Afghanistan \(external website\)](#). The UNE has also published [Country info theme note: Afghanistan - Taliban takeover](#) (02.09.2021).

08.09 Denmark: The Danish Immigration Service launched a [webpage with Frequently Asked Questions](#) about the consequences of the current situation in Afghanistan. The page contains information about residence permits in Denmark, information relevant for individuals currently staying outside of Denmark but wish to come to Denmark, what applies for specific cases and for cases of individuals who have a close relative of an Afghan citizen. The page will be updated regularly with relevant questions and answers.

08.09 Poland: The Office for Foreigners [made available information materials for Afghan citizens on the procedure for granting international protection](#). As part of the integration activities, information leaflets were also prepared by the Ministry of Family and Social Policy on social welfare and support in the labour market.

07.09 Norway: The Norwegian authorities completed the evacuation from Kabul. The [UDI has created on its website a dedicated area on Afghanistan](#) with information on evacuations and the application process. In this context, some of those who were evacuated to Norway will have their case treated as a transfer refugee. Afghan citizens who were evacuated and allowed to enter as a family member of a Norwegian citizen have their case treated as an application for protection (asylum). The same applies to other evacuees who are not treated as a transfer refugee. The application for protection (asylum) starts with the police. Furthermore, the UDI is following the situation in Afghanistan closely. There is great uncertainty, and many cases will not be processed until there is clarity on how the situation develops.

07.09 Finland: The [Finnish Immigration Service announced](#) that it will simplify the procedure for Afghan nationals residing in Finland to obtain an alien's passport.

03.09 Belgium: Fedasil [offered](#) accommodation to 200 Afghan evacuees in its reception network, primarily families with children and a few single persons. The evacuees spend 7 days in quarantine before they are invited to register their asylum application.

03.09 Belgium: The IBZ [announced](#) that the Belgian government has carried out several evacuation flights since the capture of Kabul by the Taliban. Thanks to these flights, Belgians and their relatives, as well as people who worked for the Belgian military services, international organisations and human rights organisations, were able to reach Belgium. These evacuations have ended and no new evacuations are planned. For people wishing to come to Belgium, normal residence procedures apply according to the rules in force. The procedures for submitting visa applications can be found on the website of the Belgian Embassy in Islamabad. For more information on family reunification: [Family reunion](#). For more information on humanitarian visas: [Residence permit \(Articles 9, 9bis, 9ter\)](#).

03.09 Portugal: [Portugal supports European Union plan to complete evacuation from Afghanistan](#)

02.09 Spain: The [Assessment by the Ministry of Inclusion](#) about recent reception activities to respond to the emergency situation due to the arrival of thousands of evacuees Afghans.

02.09 Norway: [860 Afghans were evacuated from Kabul](#) in August. 676 Afghans have been granted the status of resettled refugees following input from the Ministry of Foreign Affairs and the Ministry of Defence. Within this group, there are the following main categories:

- Local staff at the embassy with families: 63
- Persons associated with the Armed Forces with families: 513
- Children without parents: 28
- Human rights and civil society activists: 72.

In the first and last category, there are a further 46 people who have not arrived in Norway. They are either in Afghanistan or in other countries. In addition to these categories, around 150 Afghans who

have a family relationship with Norwegian citizens were evacuated. In addition, there are 30 Afghans who previously had various residence permits, according to preliminary figures from the UDI. In addition to the 28 children without parents, the total numbers include just over 400 children in families with children. [235 people are currently being received by 30 municipalities across the country, \(external website\)](#).

31.08 Sweden: More [than 650 quota refugees from Afghanistan already received](#) by Swedish municipalities. Furthermore, the SEM introduced a [dedicated area on Afghanistan on its website](#).

30.08 France: Appeals from Afghan nationals to the [National Court of Asylum \(CNDA\)](#) are now systematically examined under the Geneva Convention, which can lead to obtaining a refugee status which is valid for 10 years. Applicants whose situation does not meet the definition for refugee status will have their situation examined for subsidiary protection, since their personal background may put them at risk if returned. The CNDA reported that there were 2,311 appeals from Afghan nationals since January 2021.

30.08 Belgium: On 16 August, the CGRS [decided to temporarily and partially suspend](#) the notification of decisions for applicants from Afghanistan. Due to the current situation in Afghanistan, the IOC and the processing policy note for that country were no longer relevant.

30.08 Netherlands: The [Immigration and Naturalisation Service \(IND\) finalised](#) the pre-registration of Afghan evacuees, in total a group of 1,900 persons.

27.08 Finland: The [Ministry of Foreign Affairs team successfully](#) evacuated a total of 330 persons from Afghanistan.

The [Finnish Immigration Service coordinated the reception of Afghan evacuees](#) who were accommodated initially in reception centres and who will later move to municipalities after the issuance of a residence permit. Approximately 80 asylum applications have been submitted by persons travelling on evacuation flights from Afghanistan, mostly from family members of persons who have received consular assistance.

27.08 Netherlands: The Immigration and Naturalisation Service (IND) has temporarily been given the option to delay decisions on asylum applications by people from Afghanistan. The reason is the uncertain situation in the country. This so-called decision and departure moratorium is effective for a 6-month period, starting 26 August. The [decision was taken by the Minister for Migration and it was published in the Government Gazette](#). In principle, only the registration interview will take place for new applications. The decision halt also applies to ongoing applications for people who have already applied for asylum in the Netherlands and are staying in a reception centre. Moreover, the Repatriation and Departure Service (DT&V) will temporarily not remove any Afghans whose application has been rejected by the IND. In individual cases, the IND may still decide on an Afghan asylum application. For example, the IND will start processing applications by persons who have been evacuated from Afghanistan by the Netherlands as soon as possible. It is also possible to reject an application, for example on suspicion of war crimes, risk for national security or for Dublin applications

(if someone applied for asylum earlier in another EU Member State). The decision halt automatically means that the IND will be given longer to decide on asylum applications by Afghan nationals. The decision timeframe of ongoing applications and applications submitted as of 26 August is extended from 6 months to 18 months in principle.

All asylum applications from Afghan evacuees at reception centres will, as much as possible, be dealt with on-site [by special IND teams](#). This already applied to the reception facility at the Willem Lodewijk van Nassau barracks in Marnewaard (Zoutkamp) but was extended to the other reception centres.

27.08 Poland: After the evacuation of Afghan collaborators of the Polish Military Contingent and Polish diplomacy, [1,024 Afghan citizens were placed under the care of the Office for Foreigners](#). They are staying in centres for foreigners and units designated for quarantine. Foreigners were provided with accommodation, meals, personal hygiene items, and medical, psychological and material assistance (clothes, toys for children, etc.). The procedure for accepting applications for international protection from evacuated Afghan citizens has already started. Actions will also be implemented to facilitate their integration. Due to COVID-19 measures, all foreigners are quarantined for 10 days from the date of entry into the territory.

26.08 Sweden: The SMA [requested the government to](#) temporarily change the rules for resettlement to enable and speed up the process of resettling Afghan refugees in Sweden.

25.08 Finland: The Finnish Immigration Service has created a special page to address [frequently asked questions on the situation in Afghanistan](#).

25.08 Finland: The [Finnish Immigration Service announced on the capacity](#) to receive additional evacuees from Afghanistan, namely 128 former employees of the Finnish Embassy in Kabul and security sector employees together with their families. According to the decision of the government, the Finnish Immigration Service will process with urgency the residence permits of the persons arriving in Finland from Afghanistan.

25.08 Greece: An [8-member family from Afghanistan arrived in Greece](#) in the context of the call of the President of the European Commission von der Leyen and the consultation of EU Member States for the reception of Afghan citizens at risk due to the crisis in their country. These are Afghan citizens cooperating with the European External Action Service.

25.08 Romania: In a [meeting of the Supreme Council for National Defence](#) in which the situation in Afghanistan was analysed, it was decided to activate the Inter-Ministerial Committee on the National Coalition for the Integration of Refugees. The Ministry of Internal Affairs will urgently assess the capacity to take in refugees and asylum seekers from Afghanistan and the possibility of expanding this capacity.

24.08 Iceland: The government of Iceland approved the recommendations of the Refugee Committee in response to the situation in Afghanistan in the wake of the Taliban takeover. [According to the press statement issued by the government](#), it is estimated that up to 120 refugees will be received in Iceland, but a final number has not been determined. According to the Committee's recommendations,

support will be provided to families already in Iceland who have the right to be united with family members in Afghanistan. Applications for family reunification for Afghans residing in Iceland will receive priority and their applications will be accelerated. An emphasis will be placed on assisting individuals in extreme danger due to their jobs in Afghanistan, as well as former students from Afghanistan at the United Nations Gender Equality School in Iceland, along with their spouses and children.

24.08 Poland: The [Polish government is providing](#) full assistance and support to the citizens of Afghanistan who cooperated with the Polish Military Contingent and Polish diplomatic mission. People who have already arrived in Poland have been accommodated in a centre belonging to the Office for Foreigners. Applications for international protection will be processed swiftly.

24.08 Switzerland: 132 Afghans who have arrived so far will be admitted to Switzerland's resettlement programme. They will be accorded refugee status and will be allowed to stay in Switzerland. As resettled refugees, they will not complete the regular asylum procedure and will only have to undergo identity checks (fingerprinting, security checks, etc.). Once they arrive in the cantons, all refugees will take part in a cantonal integration programme.

24.08 Croatia: The Ombudswoman [expressed support](#) to the Afghanistan Independent Human Rights Commission (AIHRC), joining the efforts of many other national human rights institutions and their networks in pointing out the danger faced by the staff of the AIHRC and members of their families, as well as other human rights defenders in the country.

23.08 Spain: 230 evacuated Afghans [were transferred to reception facilities](#) managed by the Ministry of Inclusion.

23.08 Netherlands: The [Immigration and Naturalisation Service \(IND\) is sending a special team](#) to the temporary emergency shelter for Afghan evacuees in Marnewaard (Zoutkamp). After the quarantine period, the team will process the asylum applications on site. The Afghans are received by the COA in Marnewaard in a part of the Willem Lodewijk van Nassaukazerne, which has been made available by the Ministry of Defense. Offices will also be set up there for personal interviews and to complete the asylum procedure. A group of approximately 20 IND employees, working on a project basis, is available to process the applications. The team includes experts who have already implemented the Interpreter Scheme in recent years, which has given Afghan interpreters and their families an asylum permit since the Dutch mission in Uruzgan. All employees also have experience with vulnerabilities.

23.08 Sweden: The [first group of Afghan employees of the Sweden Embassy](#) in Kabul arrived. The SMA will examine their cases within the framework of the Swedish refugee quota for 2021. Municipalities are offering them accommodation and special crisis support, including emergency medical care, as part of reception services.

20.08 France: [Evacuation operations were launched on 16 August](#). Accelerated procedures have been put in place to issue visas to third-country nationals, after the necessary checks and with the aim of guaranteeing internal security.

20.08 Finland: The [Supreme Administrative Court banned the return to Afghanistan](#) of 12 asylum applicants. Approximately 90 appeals by Afghan asylum seekers are pending before the Supreme Administrative Court.

19.08 Germany: A [special meeting of Ministers of the Interior](#) on the situation in Afghanistan was held. It was agreed to continue to bring local staff, their family members and particularly endangered groups of people from Afghanistan to Germany as quickly as possible. Upon arrival in Germany, a humanitarian admission will be granted in accordance with the Residence Act, Section 22, Sentence 2 in an individual, simplified and unbureaucratic procedure. Afterwards, the people are placed in federal states according to the Königstein key.

19.08 Spain: A [temporary care and reception facility \(for a maximum of 72 hours\)](#) was set up at Torrejon Military Air Base (in Madrid) for Afghan citizens evacuated from Afghanistan. The facility has a capacity for 800 people and includes separate spaces for women and children, and men. There is also a children's play area, a dedicated area for health and psychological care, showers and a dining room. Refugees arriving to this air base will be eventually transferred to other EU+ countries to be resettled. [Read](#) the statement of President Von der Leyen.

18.08 Switzerland: [Humanitarian admission of people from Afghanistan to Switzerland will be granted](#). The FDJP has decided to add approximately 230 people to the resettlement quota of 800 people approved by the Federal Council for 2021. This means that an ordinary asylum procedure is not carried out and people are granted asylum after their arrival and registration in Switzerland.

17.08 Austria: The Minister of the Interior, Karl Nehammer, will propose the creation of deportation centres in neighbouring states of Afghanistan at the special council of EU Ministers of the Interior on 18 August based on a [Press Release](#).

17.08 Finland: [The Equality Ombudsperson sent a letter](#) to the Ministry of Foreign Affairs and the Ministry of the Interior about the situation in Afghanistan and of family members of Afghan nationals living in Finland, calling for evacuation flights and an expedited procedure for residence permits under the Aliens Act, Article 93.

16.08 Belgium: The [CGRS partially and temporarily suspended the notification of decisions of applicants from Afghanistan](#). This decision will apply initially until the end of September. This is not a complete suspension of the processing of Afghan applicants' files.

- The processing of files (organisation of hearings) continues as before.
- A decision may still be taken or notified in the following cases:
 - Recognition of refugee status.
 - Inadmissibility decision for an applicant with protection status in another EU Member State.
- The following are generally suspended:
 - Assessment of the need for subsidiary protection.
 - Decisions on subsequent applications.

16.08 Denmark: The [Refugee Appeals Board has decided to suspend](#) decisions for Afghan citizens due to recent developments in the security situation in the country. The suspension includes the processing of asylum cases, revocation, refusals of extension and deportation cases. For cases where a negative decision had already been given by the Board, the departure deadline will be postponed and reassessed at a later stage.

16.08 Ireland: The [Immigrant Council of Ireland called](#) on the Department of Justice to prioritise family reunification applications from Afghan nationals. The government [announced 150 humanitarian visas for Afghans](#) under the Irish Refugee Protection Programme (IRPP), in addition to the 45 visas already approved for Afghans in similar circumstances. Priority will be given to those working on human rights issues, including the rights of women and girls, as well as those working with NGOs and European and international organisations. The Department of Justice is also prioritising family reunification and visa applications for Afghan nationals.

15.08 Finland: The [Finnish government decided](#) at an extraordinary meeting on 15 August that Finland can admit a maximum of 40 additional current and former Afghan employees and their families. The decision adds to the government's decision of 13 August to admit 130 persons to Finland, so in total 170 persons can be relocated from Afghanistan to Finland. Previously, [the Finnish government had decided](#) at an extraordinary meeting on 13 August that Afghans who have worked for Finland, the EU and NATO can be admitted to Finland with their families and issued residence permits. This decision covered a total of 130 persons and their families.

12.08 Germany: The [Federal Ministry of the Interior announced](#) the suspension of returns to Afghanistan in light of the developments in the country.

11.08 Netherlands: The [State Secretary for Justice and Security announced](#) a decision and departure moratorium for Afghan nationals. Applications lodged during the period of the moratorium will have a longer, 12-month processing period with a maximum of 21 months to decide on the case. Rejected Afghan applicants do not have to return and can apply again for international protection. The State Secretary underlined that no forced returns were undertaken in the first half of 2021 and that no forced returns were planned for the second half of the year either.

8.08 Denmark, Austria, Germany, the Netherlands, Belgium and Greece sent a [joint letter](#) to the European Commission asking them to enter into a dialogue with and support Afghanistan to ensure that the existing return agreement is maintained.

23.07 Sweden: A new legal position was issued on the examination of protection needs, obstacles and enforcement for residents of Afghanistan in view of the current situation in the country - [RS/086/2021](#).

22.07 Norway: The [Norwegian Immigration Appeals Board \(UNE\)](#) temporarily suspended returns to Afghanistan until 15 September 2021 due to the security situation.

16.07 Sweden: The [Swedish Migration Agency](#) halted all deportations of persons from Afghanistan. The authority has also paused all rejection decisions in Afghan asylum cases and reassessed the ability

of Afghan citizens to obtain passports. The Swedish Migration Agency has also introduced a decision-making halt in Afghan asylum cases. This means that the Swedish Migration Agency will not issue any rejection decisions for people who have applied for asylum from Afghanistan as long as the halt applies. The Swedish Migration Agency can still move ahead and grant asylum to people from Afghanistan, provided that it is clear that the person is in need of protection. The Swedish Migration Agency is also continuing to make decisions in other types of cases, for example in cases related to work permits or close family ties.

14.07 Finland: The [Finnish Immigration Service put on hold](#) negative decisions that would imply a return of Afghan nationals starting as of 9 July.

Annex II: Case law related to Afghan nationals

Search results were exported the EASO Case Law database on 4/11/2021

- 1. France, National Court of Asylum [Cour Nationale du Droit d'Asile (CNDA)], [A. v French Office for the Protection of Refugees and Stateless Persons \(OFPRA\)](#), No 18037855, 21 September 2021**
The CNDA granted subsidiary protection to an Afghan applicant because of the risk of inhuman treatment by the Taliban due to his particular vulnerability if returned to Afghanistan.
- 2. France, Council of State [Conseil d'État], [M.B. and others](#), N° 455751, 8 September 2021**
The Council of State rejected an urgent request for interim measures to facilitate family reunification for two Afghan nationals.
- 3. United Nations, Committee on the Rights of Persons with Disabilities [CRPD], [Z.H. v Sweden](#), Communication No 58/2019, 6 September 2021**
The UN Committee on the Rights of Persons with Disabilities decided that the deportation of an Afghan national would deteriorate his mental state.
- 4. Greece, Administrative Court of Appeals [Διοικητικό Εφετείο], [IA v Asylum Service](#), No 205849/2021, 26 August 2021**
The Appeals Committee overturned a negative decision and granted refugee protection to an Afghan national.
- 5. Germany, Regional Administrative Court [Verwaltungsgerichte], [Applicants \(Afghanistan\) v Federal Foreign Office](#), 26 August 2021**
The Regional Administrative Court of Berlin ordered the issuance of visas to a former Afghan worker and his family.
- 6. France, Council of State [Conseil d'État], [N.G., K.B. and O.J. \(Afghanistan\) v Prime Minister, the Minister for Europe and Foreign Affairs and the Minister of the Interior](#), Nos 455744, 455745 and 455746, ECLI:FR:CEORD:2021:455744.20210825, 25 August 2021**
The Council of State rejected a request for the urgent issuance of visas for family reunification purposes to relatives of Afghan nationals.
- 7. Austria, Constitutional Court [Verfassungsgerichtshof Österreich], [Applicant \(Afghanistan\)](#), E 3115/2021-4, 18 August 2021**
Given the current country information on Afghanistan, the Constitutional Court held that a prompt deportation of the rejected applicant to Afghanistan was not possible.

8. **Austria, Federal Administrative Court [Bundesverwaltungsgericht - BVwG], [BF \(Afghanistan\) v Austrian Federal Office for Immigration and Asylum \(Bundesamt für Fremdenwesen und Asyl- BFA\)](#), No W228 2241306-1, 18 August 2021**
The Federal Administrative Court granted subsidiary protection due to the current situation in Afghanistan, including the COVID-19 pandemic and the poor living conditions that would expose the applicant to inhuman treatment if returned.
9. **Austria, Federal Administrative Court [Bundesverwaltungsgericht - BVwG], [BF \(Afghanistan\) v Austrian Federal Office for Aliens and Asylum \(BFA\)](#), No W283 2245292-1, 16 August 2021**
The Federal Administrative Court assessed the detention of an Afghan national pending deportation as unlawful, based on the unrealistic prospects of implementing the removal to Afghanistan.
10. **Bulgaria, Administrative Court Haskovo (Административен съд - Хасково), [H.S. \(Afghanistan\) v Chairman of the State Agency for Refugees](#), No 707/2021, ECLI:BG:AD726:2021:20210700707.001, 13 August 2021**
The Administrative Court rejected an appeal against a negative decision and found no situation of indiscriminate violence in Afghanistan.
11. **Austria, Federal Administrative Court [Bundesverwaltungsgericht - BVwG], [Applicant \(Afghanistan\) v Austrian Federal Office for Immigration and Asylum \(Bundesamt für Fremdenwesen und Asyl- BFA\)](#), W104 2216389-1, 12 August 2021**
The Federal Administrative Court granted subsidiary protection to an Afghan national due to the current nationwide situation in Afghanistan.
12. **Bulgaria, Administrative Court Haskovo (Административен съд - Хасково), [Applicant \(Afghanistan\) v Chairman of the State Agency for Refugees](#), No 709, ECLI:BG:AD726:2021:20210700709.001, 11 August 2021**
The Administrative Court rejected an appeal against a negative decision for an Afghan national and assessed that the situation does not amount to the threshold of indiscriminate violence.
13. **Romania, Court of Appeals (Curte de apel), [General Inspectorate for Immigration v Applicant \(Afghanistan\)](#), No 451/2021, 11 August 2021**
The Court of Appeal of Timisoara extended the detention of an Afghan national by 3 months due to the impossibility to enforce the measure of forced return to Afghanistan and the risk of absconding.

14. **Bulgaria, Administrative Court Haskovo (Административен съд - Хасково), [M.K.A.S. \(Afghanistan\) v Chairman of the State Agency for Refugees](#), No 706, ECLI:BG:AD726:2021:20210700706.001, 11 August 2021**
The Administrative Court rejected an appeal against a negative decision for an Afghan national.

15. **Netherlands, Court of The Hague [Rechtbank Den Haag], [V \(Afghanistan\) v State Secretary for Justice and Security](#), No NL21.8410, ECLI:NL:RBDHA:2021:9016, 11 August 2021**
The District Court of the Hague ordered the suspension of a return to Afghanistan.

16. **Netherlands, Court of The Hague [Rechtbank Den Haag], [V. \(Afghanistan\) v State Secretary for Justice and Security](#), No NL20.3286, ECLI:NL:RBDHA:2021:9138, 5 August 2021**
The District Court of the Hague clarified that the last habitual residence is the place to be assessed with regard to the recast Qualification Directive, Article 15c.

17. **Switzerland, Federal Administrative Court [Bundesverwaltungsgericht - Tribunal administratif fédéral - FAC], [A \(Afghanistan\) v State Secretariat for Migration \(Staatssekretariat für Migration – SEM\)](#), D-2284/2021, 2 August 2021**
The FAC rejected an appeal against a negative decision but ordered provisional admission to an Afghan national due to the unreasonable nature of the return.

18. **Council of Europe, European Court of Human Rights [ECHR], [R.A. v Austria](#), No 38335/21, 2 August 2021**
The ECtHR indicated an interim measure to the Government of Austria not to return an Afghan national until 31 August 2021.

19. **Luxembourg, Administrative Tribunal [Tribunal administratif], [Applicants \(Afghanistan\) v Minister of Immigration and Asylum \(Ministre de l'Immigration et de l'Asile\)](#), No 44940, 28 July 2021**
The Administrative Tribunal dismissed an appeal against a negative decision for an Afghan family.

20. **Netherlands, Council of State [Afdeling Bestuursrechtspraak van de Raad van State]], [State Secretary for Justice and Security v Applicant \(Afghanistan\)](#), No 202103188/1/V3, ECLI:NL:RVS:2021:1638, 26 July 2021**
The Council of State assessed the uncertain security situation in Afghanistan as a temporary impediment to deportation.

- 21. Switzerland, Federal Administrative Court [Bundesverwaltungsgericht - Tribunal administratif fédéral - FAC], [A and B \(Afghanistan\) v State Secretariat for Migration \(Staatssekretariat für Migration – SEM\), D-1008/2020, 26 July 2021](#)**
The Federal Administrative Tribunal annulled return decisions based on the situation in Afghanistan and the medical condition of the applicants.
- 22. Netherlands, Court of The Hague [Rechtbank Den Haag], [E, F v Staatssecretaris van Justitie en Veiligheid, 23 July 2021](#)**
The District Court of the Hague referred questions to the CJEU on the interpretation of the recast Qualification Directive.
- 23. Luxembourg, Administrative Tribunal [Tribunal administratif], [Applicant \(Afghanistan\) v Minister of Immigration and Asylum \(Ministre de l'Immigration et de l'Asile\), No 44530, 15 July 2021](#)**
The Administrative Tribunal analysed the security situation in Afghanistan and granted subsidiary protection.
- 24. Luxembourg, Administrative Tribunal [Tribunal administratif], [Applicant \(Afghanistan\) v Minister of Immigration and Asylum \(Ministre de l'Immigration et de l'Asile\) \(No 3\), No 44925, 12 July 2021](#)**
The Administrative Tribunal confirmed the Minister's decision to refuse international protection for an Afghan national.
- 25. Luxembourg, Administrative Tribunal [Tribunal administratif], [Applicant \(Afghanistan\) v Minister of Immigration and Asylum \(Ministre de l'Immigration et de l'Asile\), No 44884, 12 July 2021](#)**
The Administrative Tribunal ruled on the risk of persecution in Afghanistan for a Shia Muslim woman of Hazara ethnicity.
- 26. Luxembourg, Administrative Tribunal [Tribunal administratif], [Applicant \(Afghanistan\) v Minister of Immigration and Asylum \(Ministre de l'Immigration et de l'Asile\) \(No 2\), No 44743, 12 July 2021](#)**
The Administrative Tribunal rejected an appeal against a negative decision pronounced for an Afghan national.
- 27. France, National Court of Asylum [Cour Nationale du Droit d'Asile (CNDA)], [G. \(Afghanistan\) v French Office for the Protection of Refugees and Stateless Persons \(OFPRA\), No 20015236, 9 July 2021](#)**
The CNDA provided subsidiary protection to an Afghan applicant from the Baghlān province, assessing that there was indiscriminate violence of exceptional intensity due to the intensification of the conflict in the North-East.

28. France, Council of State [Conseil d'État], [M. \(Afghanistan\) v French Office for the Protection of Refugees and Stateless Persons \(OFPRA\)](#), No 448707, 9 July 2021

The Council of State confirmed the CNDA's assessment that the security situation in Afghanistan, particularly in Kabul and Herat, did not warrant the granting of international protection for an applicant of Hazara ethnicity.

29. Sweden, Migration Court of Appeal [Migrationsöverdomstolen], [A. \(Afghanistan\) v Swedish Migration Agency \(Migrationsverket\)](#), No UM2839-20, 8 July 2021

The Migration Court of Appeal ruled that the situation in Afghanistan did not amount to indiscriminate violence and return was possible.

30. Netherlands, Court of The Hague [Rechtbank Den Haag], [Applicant \(Afghanistan\) v State Secretary for Justice and Security \(Staatssecretaris van Justitie en Veiligheid\)](#), NL19.20920, ECLI:NL:RBDHA:2021:6993, 7 July 2021

The Court of the Hague annulled a contested decision on an inadmissible subsequent application following the adoption of the CJEU's preliminary ruling in the case.