

INFORMATION SHEET 23 APRIL 2020:

COVID-19 MEASURES RELATED TO ASYLUM AND MIGRATION ACROSS EUROPE

In response to requests for information, ECRE has compiled this non-exhaustive list of measures related to asylum and migration introduced in response to the COVID-19 health crisis in Europe. The list includes measures introduced by governments and is based on open-source information. ECRE has used its AIDA database and the ELENA network, including information provided by ELENA network members, as well as information compiled by PICUM. In particular, ECRE has benefited from and included the extensive information compiled by JRS Europe.

The information sheet is published and distributed to assist others in monitoring the impact of COVID-19. It is not intended to be exhaustive or definitive. All efforts have been made to ensure that the information is up-to-date, but note that the information has been collected over the last few weeks and measures in place might evolve rapidly.

ACCESS TO ASYLUM:

Republic of Cyprus: [general measures](#) to address increase in arrivals, including prevention of access to territory at maritime borders and suspension of asylum procedures, are justified as COVID-19 measures.

On Friday 20 March, the Cypriot authorities, for the first time, pushed back a boat carrying 115 Syrians, of whom 69 were children. They used Covid-19 as a justification for this measure. Reportedly, the authorities identified the boat prior to reaching the shores of the RoC. Officers in uniform, wielding guns, boarded the boat, seized the mobile devices of the people on board, threw the devices overboard and directed the boat to leave the territorial waters of the RoC and return to Syria. Later on, during the day, the boat reached the shore in the areas not under the effective control of the Republic and the refugees were transferred to a stadium for the weekend. All were tested for Covid -19 and all were found negative.

On **suspension of access to asylum**, no official decision or announcement has been made to date, however it is clear that the authorities are not receiving asylum applications, although there is a lack of clarity as to whether this is a measure in response to Covid-19 or the high numbers of applicants.

The Cyprus Refugee Council received information from new arrivals in the country who had been denied access to the procedure. The initial information (dated 16 March 2020) concerned partial access. The Immigration Unit informed persons requesting to apply for international protection that they would not be allowed access without a national passport. A query was addressed to the authorities in an attempt to confirm or repudiate the information. It was neither confirmed nor denied by the public authority. As of 17 March, the responsible authority has denied access to the asylum procedure altogether, regardless of whether the person of concern had any identification documents. A total of 23 people have contacted the Cyprus Refugee Council (CyRC) and/or a partner NGO to report that they were denied access to the procedure. Among them were four unaccompanied children.

Interviews for the examination of asylum applications have been suspended until further notice. However, examination of cases where the interview has taken place is continuing.

Regarding appeals, the procedures before all national courts have been suspended with the exception of urgent cases and/or cases with a deadline set by the Constitution. This means the Court Registrar of the IPAC will receive legal aid applications and appeals against asylum decisions and other related asylum cases (i.e. family reunification) but the proceedings are suspended. Only proceedings on detention orders are considered urgent and are examined.

France¹: Registration activities have been temporarily suspended following the closure of the single desks for asylum seekers (*Guichet unique pour demandeur d'asile* – GUDA). Subsequently, access to the asylum procedure and to reception conditions is suspended. This measure has no legal basis and mainly resulted from the lack of available civil servants within State agencies. No derogations are foreseen for applications lodged at borders, although it should be noted that the implementation of the existing legal framework already faces challenges. An instruction has been published by the French Prime Minister on 18 March 2020 with the aim to limit the spread of Covid-19 at borders, but it makes no reference to the right to seek asylum.²

As for the examination of applications for international protection: first and second instance asylum authorities have adapted their respective procedures. For a detailed overview, please consult their websites: OFPRA: <https://bit.ly/39ym4K2> and CNDA: <http://www.cnda.fr/>

It should be further noted that the declaration of a state of health emergency has enabled the suspension of time limits for appeals in many areas, including appeals against decisions taken by the determining authority (i.e. appeals in front of the CNDA and/or other appeals).

Netherlands: [the asylum procedure](#) was suspended up to and including 6 April, the registration of third-country nationals has been limited to the of taking fingerprints and on that basis searching the Dutch and European systems, frisking, searching luggage and taking possession of documents. Asylum seekers can register at the application centre in Ter Apel. But they cannot yet officially apply for asylum.

The IND is postponing all steps in the asylum procedure. There will only be a medical check-up and short registration by the Aliens Police Department, Identification and Human Trafficking (AVIM). For example, asylum seekers will have their fingerprints taken and will receive an aliens number. After registration, asylum seekers can be housed in emergency accommodation at Zoutkamp. When the temporary measures are over, they can still officially apply for asylum. The IND has also temporarily suspended pending asylum procedures.

The IND is postponing all interviews until 28 April 2020. This is because interviews are usually in small rooms and often take a long time. This makes it difficult to follow the RIVM's measures, such as keeping a distance. Asylum seekers who had an interview scheduled have already received a

¹ Information known on 31 March 2020, Full AIDA report available here : https://www.asylumineurope.org/sites/default/files/report-download/aida_fr_2019update.pdf

² French Prime Minister, Instruction on decisions to be taken to control the spread of Covid-19 at borders, 18 March 2020, available in French at: <https://bit.ly/3aBEB9o>.

letter from the IND. The letter advises that they will receive a new invitation for an interview. The IND started a test to do remote interviews. This happens through a video connection, where everyone is at their own location. For the latest update on COVID-19 related measures consult the [Dutch Immigration and Naturalisation Service](#).

Austria: [According to a decree](#) issued by the Austrian ministry for the interior, applicants for international protection can be rejected at the border if they do not provide a medical certificate.

Belgium: On 17 March 2020, the Belgian Immigration Office closed the arrival centre for newly arriving asylum seekers. The access to the asylum procedure was thus temporarily suspended. On 3 April 2020 the Immigration Office³ announced that all applicants that want to register a demand for international protection are obliged to make an appointment at the Registration Center by using an online form. An e-mail will be sent to the applicant with a confirmation of the date and the time of the appointment. Regarding the **examination of applications for international protection**: No personal interviews are taking place at the CGRS for the time being. Personal interviews in closed centres only take place by means of videoconference if there are sufficient guarantees that rules of social distancing will be observed in the interview room at the centre. However, the CGRS keeps working so decisions in pending cases are still being taken and civil status certificates are still being delivered.⁴

Slovenia: Act on Provisional Measures for Judicial, Administrative and other Public Matters to cope with the spread of infectious disease SARS-CoV-2 (COVID-19) could potentially be interpreted to mean that asylum procedures are not urgent. This would result in a suspension of asylum requests, submissions, interviews and decisions on family reunification. The Slovenian Government also tried to activate Article 37.a of the Defence Act which would give additional power to the Slovenian Army in relation to border management however the parliament rejected the proposal.

In relation to the return procedure based on the Readmission Agreement with Croatia, all individuals must be tested for COVID-19 in order to be returned. If they are not, the Croatian police will not accept them.

Serbia: no actions that require collection of biometric data will be carried out in this period, meaning no one can declare their intention to seek asylum as they cannot be registered.

Greece: Access to asylum has been affected by the suspension of the Greek Asylum Service's activities due to COVID-19 measures, which will be in place at least until 10 April. This measure affects every asylum applicant in Greece and is different to the emergency act suspending the submission of asylum applications for people arriving in the period between 1-31 March. The latter was related to the increase in arrivals and was adopted before the coronavirus crisis.

JRS Europe: Applicants' cards and residence permits that are due to expire will remain valid. Examination of pending cases continue.

Hungary: [State of emergency](#) due to COVID-19 with the right to apply for asylum suspended.

³ Immigration Office, Application for International protection: obligation to make an appointment at the Registration center 'Klein Kasteeltje', 3 April 2020, available at: <https://bit.ly/2xL5AB3>.

⁴ CGRS, working of the cgrs during the coronacrisis, 25 March 2020, available at: <https://bit.ly/345Wmv2> ; CGRS, FAQ Corona, 27 March 2020, available at: <https://bit.ly/3bP0pyM> .

JRS Europe: suspension of entries into transit zones as of the start of March. This effectively means that access to asylum is suspended until further notice as applications can only be made in transit zones.

Spain: On 16 March 2020, the Office of Asylum and Refuge (OAR) took the decision to suspend all second interviews, while interviews with the Social Work Units (UTS) are carried out by phone.⁵ Decisions on applications for international protection are still being issued, while Dublin transfers have been *de facto* suspended.

A significant decrease in the number of arrivals and applications for international protection has been recorded since the declaration of the State of Alarm.

JRS Europe: Morocco has closed the border with Spain so returns are not possible. Schengen internal border controls re-established – the possibility to return people entering irregularly at the [borders confirmed](#) (with exceptions based on humanitarian reasons).

Germany: [principle access](#) to filing of new asylum applications. In practice depending on proof of applicant proving quarantine for at least 14 days, or testing negative for COVID-19.

Poland: [Office for Foreigners](#) is closed and has suspended all direct contact. Applications for the legalisation of stay must be submitted by post. Practicalities of applying by post remain unclear however. Applicants for international protection staying in reception centres are able to lodge subsequent applications. There is no clear instruction, however, as regards applications lodged by other applicants living in Poland. Difficulties in lodging asylum applications at the border, and especially at the border crossing point in Terespol, have been reported. Only one application was lodged at the border between 14 and 31 March 2020. Negative in-merit asylum decisions are currently not being issued as the special law on Covid-19 foresees that no decisions may be issued in administrative proceedings.

Italy: no official suspension of asylum registrations but in practise Questor (offices of public security) are all closed. The Italian government [informed](#) the German foreign ministry that due to COVID-19 it will not allow disembarkation of migrants rescued by German Search and Rescue NGOs, even if other Member States accept relocation.

JRS Europe: It has been announced that administrative procedures for renewals of residence permits are suspended, as well as measures in relation to judicial activity including limiting access to judicial offices and suspending hearings except in certain circumstances.

North Macedonia: *JRS Europe:* the right to apply for asylum is officially not suspended but the reception centre has not been accepting new asylum seekers. Borders officially closed.

Malta: The Maltese government [informed](#) the German foreign ministry that due to COVID-19 it will not allow disembarkation of migrants rescued by German Search and Rescue NGOs, even if other MS accept relocation. On 9 April 2020 the Maltese authorities issued a statement that in light of Covid-19 and the logistical and structural problems for health services associated therewith, Malta could no longer “guarantee the rescue of prohibited immigrants on board of any boats, ships or other vessels, nor to ensure the availability of a “safe place” on Maltese territory to any persons rescued at sea.” With this statement, Malta has effectively shut its sea borders to those who arrive by sea

⁵ OAR, *Important notification*, March 2020, available in Spanish at: <https://cutt.ly/gtU1eKT>.

and are in need of international protection.⁶ On 15 April 2020, the International Organization for Migration (IOM) confirmed that five people were found dead in a boat left stranded in Maltese waters, with survivors saying that another seven people were missing and presumed dead. The boat had been left floating in Malta's Search and Rescue (SAR) zone for several days before it was intercepted by a commercial vessel on 14 April 2020 and handed over to the Libyan coast guards. IOM said that survivors were then placed in detention in Tripoli.⁷ The news sparked outrage among the NGO community which expressed their anger over the deaths of migrants and the illegal push-back of the survivors to Libya. Healthcare professionals also reacted pointing out that allowing people to die in the name of public health was contradictory.⁸ The Government reiterated and justified its decision to close its port and claimed that Malta followed the established coordination procedure when the boat entered Malta's SAR zone.⁹

JRS Europe: The doors are closed – people cannot renew documents, but the Office of the Refugee Commissioner in Malta will confirm status to other relevant authorities if required. Registration of new asylum applications can be done by phone and/or email. All communication is by phone and/or email.

Romania:

JRS Europe: Asylum interviews are delayed/postponed because the interpreters refuse to be present. The border guard agency has been reinforced, with the measures tightened to prevent “illegal” migration. The President supported the decision to apply temporary restrictions of non-essential travel of third-party citizens within the European Union

Denmark: [borders are closed](#) and applications have to be made by post or using an online form. How it works in practice is unclear.

Finland: [all interviews are cancelled](#) as of 13 March but no official suspension of procedures.

Sweden: [asylum applications](#) can still be made, and asylum seekers arriving at the border will still be registered and allowed to enter.

Czech Republic: still [registering asylum applications](#). However, borders are closed.

Ireland: [interviews are suspended](#), however applications can still be made as usual at the International Protection Office.

JRS Europe: the Covid-19 outbreak has not reduced the number of persons seeking international protection in the State. However, these applicants are being registered with minimal interaction with decision-making bodies and no substantive interviews are being undertaken.

The system is in a holding pattern whereby the issuance/renewal of identity cards, scheduling of interviews, dates for submission of case paperwork and execution of deportation orders etc. are all impacted. If Deportation Orders are issued there will a longer time than usual to respond.

⁶ Times, of Malta, 'Malta says it will not accept any more migrants, because of COVID-19', 9 April 2010, available at: <https://bit.ly/3eHqC4y>.

⁷ Independent Malta, 'Migrants taken back to Libya; five dead bodies recovered from sea', 15 April 2010, available at: <https://bit.ly/2RPjB7U>.

⁸ Times of Malta, 'Five migrants found dead in boat stranded in Maltese waters', 15 April 2020, available at: <https://bit.ly/2XKLyRX>.

⁹ Statement by the Government of Malta, 15 April 2020, available at: <https://bit.ly/2XLKBsx>.

Switzerland: [the Swiss Government introduced](#) border controls and an entry-ban for all people coming from Italy, France, Germany, Austria and Spain as well as from all non-Schengen countries. These bans also apply to asylum seekers. According to the Swiss government it would not be justified to exempt asylum-seekers from the entry restrictions imposed on grounds of public health given that they can submit their applications in other Schengen countries and do not have to cross the border to seek asylum. Asylum seekers already in Switzerland can still apply for asylum. In addition, the government suspended the issuing of Schengen visas and national visas for third country nationals for an initial period of 90 days. This means that entry into Switzerland is now only possible in exceptional cases.

Continuation of asylum procedures: The authorities have made adjustments to the organisation of the rooms and the number of persons attending the interviews in order to comply with the guidelines established by the Federal Office of Public Health. If legal representatives cannot attend an interview due to the health situation, it nevertheless has valid legal effect and notification of a negative decision can be made directly to the applicant. Under the accelerated procedure, the time limit for appeal has been extended from 7 to 30 days.

Croatia: Since 19 March 2020, crossing the state borders is temporarily prohibited,¹⁰ except in explicitly indicated cases, and measures restricting social gatherings, working hours of stores, services, sports, and cultural events are ordered.¹¹ The decision temporarily prohibiting crossings at the border has been extended until 18 May 2020.¹² The Ministry of Interior published a notification according to which no measures prescribed by the Law on Foreigners will be taken against foreigners on short stay as a certain number of persons cannot leave the Republic of Croatia within the time limit prescribed by the Schengen Borders Code.¹³ However there is no information available on whether similar measures should apply to rejected applicants for international protection who were ordered to leave Croatia or those who decided to voluntary return. In addition, it is not clear whether rejected applicants for international protection are allowed to stay in the Reception centre for Applicants for International Protection.

ACCESS TO HEALTH CARE/PUBLIC SERVICES:

Portugal: [measures](#) to ensure the right to health and public service for people with pending residence applications, such as asylum applications or people having applied for regularisation.

Greece: a [new, temporary health number](#) will be given to all asylum seekers to ensure free public healthcare to asylum-seekers who arrived in Greece since July when the new government halted the granting of social security numbers.

Luxembourg:

JRS Europe: An official message from the Immigration department states that all short-term stay

¹⁰ National Civil Protection Authority, *Decision temporarily prohibiting crossings at the border crossings of the Republic of Croatia*, available in Croatian at: <https://bit.ly/3aoKwOi>.

¹¹ National Civil Protection Authority, *Decision on measures restricting social gatherings, working hours of stores, services, sports, and cultural events*, available in Croatian at: <https://bit.ly/351ek2B>.

¹² National Civil Protection Authority, *Decision amending Decision temporarily prohibiting crossings at the border crossings of the Republic of Croatia*, available in Croatian at: <https://bit.ly/2KgiWlu>.

¹³ Ministry of Interior, *'Notice to Third-Country Nationals'*, 30 March 2020, available in Croatian at: <https://bit.ly/3bilKRa>; and in English at: <https://bit.ly/2Vdwj2s>.

permits are extended for the duration of the health crisis, including those for asylum seekers.

Czech Republic: the coverage of medical care for foreigners with commercial insurance (or uninsured) is not clear, as authorities have not issued any statement. Civil society organisations working on migration are preparing a statement for the ministry of health to request public health commitment (this does not regard asylum seekers and beneficiaries of international protection).

Measures have been introduced to reduce risks of contagion with COVID19. According to UNHCR:

“Mandatory quarantine at the border is in place for new arrivals in many European States, including **Croatia, Czech Republic, Greece, Ireland, Italy, Malta, Moldova, Poland, Serbia and Slovenia**. In Denmark, quarantine is only applied when medically indicated.”

Many states have introduced measures to limit transmission in reception centres, including guidelines, social distancing, reducing occupancy and separating at risk persons.¹⁴

RECEPTION CONDITIONS AND INTEGRATION:

Netherlands: [Opening of emergency accommodation](#): After registration, third-country nationals are taken by bus to emergency accommodation. To avoid risk, people are not free to leave this place. Care and support are organised at the location itself. Departure from the place takes place with escort. For the latest update on COVID-19 related measures consult the [Dutch Immigration and Naturalisation Service](#).

Belgium: Following the closure of the arrival centres for newly arriving asylum seekers, the access to reception conditions was also suspended. The Immigration Office admitted that no measures have been taken to prevent a situation in which asylum-seekers with no housing arrangements would end up homeless and destitute. Since 3 April 2020 applicants can register online in order to obtain an appointment. A reception place will be assigned following the appointment. The authorities communicated that priority will be given to vulnerable persons, e.g. families with children, unaccompanied minors, and persons with medical problems.¹⁵

France: Asylum application certificates have been extended for three months, thus ensuring access to reception conditions during that time. Reception centres have been instructed to not remove asylum seekers that are currently being accommodated, including rejected-asylum seekers and beneficiaries of international protection. Asylum seekers who registered their application for international protection prior to the closure of GUDAs are being accommodated gradually by the OFII in the remaining reception places. The remaining reception capacity amounts to 3% to 5%.

Asylum seekers who are not provided accommodation may resort to emergency accommodation which are currently being established in accordance with the Ministry for Territorial Cohesion.¹⁶ (see

¹⁴ UNHCR Practical Recommendations and Good Practice to Address Protection Concerns in the Context of the COVID-19 Pandemic: <https://data2.unhcr.org/en/documents/details/75453>

¹⁵ Immigration Office, Application for International protection: obligation to make an appointment at the Registration center 'Klein Kasteeltje', 3 April 2020, available at: <https://bit.ly/2xL5AB3>.

¹⁶ Ministry of Territorial Cohesion and Relations with Local and Regional Authorities, 'Covid-19: More than 5,000 additional hotel places mobilised for homeless persons and 40 medical accommodation sites opened in France',

this press release of 30 March).

Refugees who graduated outside Europe and worked as a physician or pharmacist before reaching Europe have been granted the right to work as doctors and to be recruited by the French public health system. This act was implemented by the French government also covering refugees whose certificates are not recognised. Figures are yet to be published (it is

A French department close to Paris experiencing strong labour shortage in agriculture has allowed asylum seekers to work in the agricultural sector. Around 50 persons agreed to work and volunteer planting and harvesting fields. Similar provisions could be open for other sectors experiencing labour shortages (usually, asylum seekers cannot access employment before 6 months in the procedure).

Portugal: concerns have arisen regarding the lump sum payments for refugees who have been resettled. The programme, almost entirely financed through AMIF lump sum provisions, offers support for 18 months (accommodation, material and financial aid, trainings and preparation for employment and education). The expenses for the project are eligible for only 18 months, however, despite the fact that programmes are not running, the timespan for this integration support has not been extended, leaving beneficiaries without support prematurely.

Greece: Overcrowding of islands hotspots: UNCHR list of “most vulnerable” cases to be brought to mainland covers 1000 people (out of 37,000). Based on earlier agreement brokered by the European Commission and supported originally by seven Member States, 1600 unaccompanied children are to be relocated from Greek hotspots on the islands. Luxembourg and Germany are the first countries to receive relocated children.

People arriving on the islands cannot access hotspots. Municipalities are not offering hotels or alternative temporary accommodation.

Some integration programmes in the mainland have been suspended. Possible continuation of some programmes (job counselling, psychological support, legal counselling) potentially delivered online but it will take time to implement. People in mainland camps where COVID-19 cases have occurred are being locked in, and are unable to buy what they need to live and to go to work (those employed were mainly working in the informal economy. People are being fined, including homeless asylum seekers, for being out in the streets.

Providing material for children who used to go to school is a challenge for NGOs trying to prepare printouts and tablets in the camps. Money allowances are also suspended and camps will not be equipped with ATMs.

The UNHCR accommodation programme for housing of refugees – that normally would provide support for only a limited number of months – is now frozen (extended) until the end of May, to prevent evictions from the programme’s flats before the end of the containment crisis.

Hungary: direct NGO assistance in the few camps open in Hungary is suspended due to COVID-19 risks. NGOs maintain contact with asylum seekers by phone. There are fewer social workers and asylum seekers have limited access to computers rooms so planning is difficult.

People granted international protection are losing their jobs, as low-skilled positions are disappearing

due to the confinement. With no government housing support in place, this may drive people into homelessness and destitution.

Serbia: Serbian authorities have locked down all asylum and reception centers, with increased security measures so that no one can leave. They have made efforts to move all people found outside reception centers into these facilities. All personal documents have been declared valid until the end of the state of emergency even if expired.

Austria: housing is becoming an issue for those groups who are meant to leave reception centres or institutionalised housing and cannot do so due to COVID-19 such as unaccompanied minors aging out and refugees from four months after being granted asylum status. The returnees centre located in the Alps closed due to COVID-19 risks.

Czech Republic: risk of foreigners losing their jobs. At the same time, many sectors expect labour force shortages due to the lack of cross-border workers (primarily from Poland). The Czech government has modified work permits to allow those who hold a single work permit visa to change their contract and employer without risking ejection. There is exceptional rapid implementation for sectors affected by the emergency. EU-funded projects are not running; the extension of projects is desirable.

Croatia: Access to reception centres of applicants of international protection in Zagreb and Kutina is temporarily restricted, with the exception of persons who ensure the normal functioning of the facilities.¹⁷ According to information provided by the Initiative Welcome, applicants are not allowed to leave the reception centres, while civil society organisations had to stop their activities in the centres. Only staff of the Croatian Red Cross and Médecins du Monde (Doctors of the World - MdM) can access the facilities.¹⁸ Applicants accommodated in the reception centres have received information about COVID-19 and the measures that need to be taken to prevent its further spread. Leaflets with instructions from the Croatian Institute of Public Health were translated into different languages and posted in visible places in the facilities to raise awareness on the importance of prevention and self-isolation. A doctor is present in the Reception Centre every day and applicants are under the constant supervision of medical staff.

Cyprus: Material reception conditions continue to be provided for asylum seekers that were already receiving these. The instructions for recent arrivals are that they will submit the application along with the relevant documentation (unemployment certificate by the Labour Office, a contract of rent) at the entrance of the Social Welfare Services' (SWS) building. This will be problematic in practice, however. For first time registration, the applicant needs to be present in the Labour Office in order to receive the unemployment certificate. Currently, the Labour Office is not accepting persons which effectively means that new arrivals who wish to register as unemployed cannot do so and subsequently cannot access material reception conditions. For other persons renewing their unemployment certificate, this will be done automatically without presence in the office being a prerequisite. The process has been amended for nationals who wish to register and the interested applicant is required to send an e-mail to the staff of the Labour Office with their request and contact details and the registration will take place via telephone.

¹⁷ Ministry of Interior, 'Applicants for International Protection in the Republic of Croatia are not infected with the coronavirus', 18 march 2020, available in Croatian at: <https://bit.ly/2wFwry2>.

¹⁸ Information provided by Initiative Welcome on 20 March 2020

Regarding persons exiting the First Registry Reception Centre in Kokkinotrimithia, and despite the fact that the SWS is receiving applications for material reception conditions, these persons are not directed to the SWS to request social assistance. Given that people cannot register as unemployed, which is a prerequisite, it effectively means that they do not have access to material reception conditions either.

Following a ministerial order for hotels to close down, information had circulated amongst asylum seekers hosted in hotels that they would have to evacuate the hotel or hostel. Asylum seekers were informed that they were required to evacuate the hotels by Saturday 21 March 2020. This has, however, been prolonged but no information has been provided until when this will remain the case. In respect of homeless asylum seekers and undocumented persons, which includes persons that have recently arrived and were not given access to asylum procedures, no measures have been taken to provide accommodation even in cases where persons are reporting Covid-19 symptoms.

Spain: On 19 March 2020, the Directorate-General for Inclusion and Humanitarian Assistance (DGIAH) adopted several instructions on the management of the reception system, which are available in Spanish at: <https://cutt.ly/vtUC8eQ>.

Poland: Many asylum seekers and beneficiaries of international protection lost their job following the outbreak, thus adding obstacles in securing housing and paying rents. Issues relating to the access to education have also been reported, as children can hardly access online lessons because they do not possess computers and other necessary tools.

Switzerland: Opening of emergency accommodation: In order to relieve congestion in other federal accommodation facilities and increase the number of places available, the Federal Asylum Centre in MuttENZ (canton of Basel) has been temporarily reopened.

DUBLIN TRANSFERS:

Germany: [temporary suspension](#) of transfers under the Dublin Regulation to and from all EU Member States due to the Coronavirus.

Netherlands: all [incoming and outgoing Dublin transfers](#) have been suspended, up to and including 6 April 2020. The administrative process regarding the Dublin procedure will however continue as far as possible. For the latest update on COVID-19 related measures consult the [Dutch Immigration and Naturalisation Service](#).

On 8 April, the Council of State published its first decision concerning Dublin transfers in light of the COVID-19 measures. The Court noted: “The fact that the transfer cannot be performed at this time is a temporary, factual impediment to the transfer. This does not make the identification of Italy as a responsible Member State unlawful and does not preclude the transfer of the foreign national in principle if that impediment is removed.”¹⁹

A decision which found that the temporary nature of the situation suggests that removal within a

¹⁹ <https://www.raadvanstate.nl/uitspraken/@120766/202001915-1-v1/> Information provided by the Dutch Council for Refugees.

reasonable time will still be possible has also been upheld.²⁰

Malta:

JRS Europe: All flights have been suspended so Dublin transfers cannot happen.

Ireland:

JRS Europe: The state has communicated to NGOs that no removals (including deportations) will take place during this period, i.e. while Covid-19 restrictions are applicable, unless there are overriding exceptional circumstances.

Luxembourg:

JRS Europe: 71 single people are waiting in the SHUK (Dublin return centre) to be transferred but no transfer will take place as Luxemburg airport is closed. An official message from the Immigration department states that all short term stay permits are extended for the duration of the health crisis, but this does not mean that Luxembourg will take charge of the Dublin cases.

Romania:

JRS Europe: Dublin suspended including family reunification procedures.

Slovenia: Dublin transfers are suspended however asylum seekers do not receive a formal decision and are not informed about the suspension of their Dublin transfers by the authorities.

Italy: housing is a pre-existing problem in Italy which is being exacerbated. After six months in a reception centre, refugees are excluded from the social system. Homelessness is increasing with very poor conditions in shelters. A few people are hosted by family members and Italian friends, but in very difficult conditions.

France: No specific measures have been taken with regard to the Dublin procedure yet (March 2020). Persons who were falling under the Dublin procedure prior to the closure of the GUDAs must continue to check in regularly if they are under house arrest. Dublin transfers have not been suspended as a matter of general practice, apart from those to receiving countries which do not longer accept Dublin returnees. This means that applicants for international protection are still being detained pending their Dublin transfer.

Belgium: a third-country national who is prevented from leaving Belgium for reasons of force majeure (quarantine, flight cancellation, border closure, etc.) may request authorization to extend his/her stay.²¹ Dublin decisions (annex 26quater) are still being issued but Dublin-transfers are *de facto* suspended.

Spain: Dublin transfers have been *de facto* suspended.

²⁰ <https://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBDHA:2020:2723> *ibid.*

²¹ Immigration Office, Application for International protection: obligation to make an appointment at the Registration center 'Klein Kasteeltje', 3 April 2020, available at: <https://bit.ly/2xL5AB3>.

DETENTION:

Spain: [release](#) of unreturnable detainees due to the movement restrictions put in place across the globe related to the COVID-19 emergency. Different organisations forming the ‘National Campaign for the Closure of the Detention Centres for Foreigners (CIE) (*Campaña Estatal por el Cierre de los CIE*) urged the Government to release persons detained at CIEs and to stop issuing new detention orders.²² Despite the release of detainees in certain CIEs across Spain (e.g. in Madrid, Barcelona, Barranco Seco) civil society organisations have reported important delays in this process and raised particular concerns as regards the increased vulnerability of persons in detention, as well as the possibility of contagion, resulting in riots and protests in many facilities (e.g. in Madrid, Barcelona, Murcia and Valencia).²³

The Spanish Ombudsman stated that it is coordinating with the General Commissariat of Aliens and Borders and with the State-Secretary for Migration to ensure that detainees are released in accordance with the health and security measures established by the State of Alarm. The Ombudsman is also coordinating to ensure a referral mechanism of individuals to the reception system and to the humanitarian assistance reception places.

North Macedonia:

JRS Europe: people are forced to stay in isolation for 15 days before seeing the public prosecutor. There are currently also ten asylum seekers from Turkey in isolation. These restrictions are not explicitly classified as detention, so no grounds for detention pursuant to Article 5 ECHR are presented.

Malta: *JRS Europe:* It is very likely that people in detention (+1000) will remain detained. Many are already detained unlawfully simply because there was no space in open centres. Detention review procedures (where applicable) have been suspended because the relevant authority is not holding hearings.

Romania: *JRS Europe:* detainees are “tolerated” as repatriation procedures are suspended or cancelled because air companies have cancelled flights to the Middle East and North Africa.

Slovenia: The detention centre in Postojna is still open. According to available information, the police only detain persons before they are transferred to Croatia based on the readmission agreement. Therefore, they are usually only detained for a short period of time right after they are apprehended for “illegally” crossing the border and until they can be returned to Croatia. Due to COVID-19, the police let the detained migrants who were in the return procedure out of the detention centre and gave some permission for a temporary stay. This permission allows people to stay on the territory until their removal or for 6 months. After 6 months it can be renewed if return is still not possible. However, people are left without accommodation and proper support during the pandemic. The authorities of the Aliens Centre made a statement that they are still looking at options to return people to their countries of origin in cooperation with other EU countries despite the pandemic.

²² El Salto, ‘Piden la libertad de las personas retenidas en los CIE y su cierre definitivo’, 13 March 2020, available in Spanish at: <https://cutt.ly/DtUKoOr>.

²³ El Salto, ‘Interior mantiene en los CIE a casi 300 personas inexpulsables’, 23 March 2020, available in Spanish at: <https://cutt.ly/3tUZHwV>; Cuarto Poder, ‘Denuncia desde el CIE de Valencia: “Como se contagie alguien, nos contagiamos todos”’, 28 March 2020, available in Spanish at: <https://cutt.ly/DtUZ7wO>.

Cyprus: due to the rise in numbers of asylum seekers, the Council of Ministers of Interior had announced in early 2020 stringent measures, including creating closed centres. At the time, measures were also being taken due to Covid-19. Before complete construction of the First Registry Reception Centre, all new arrivals in the country are now referred to the Centre and are not allowed to leave. This has led to a rise in the number of persons in the Centre to approximately 700 without the infrastructure in place to host such a number, especially for a long duration and where such persons are being *de facto* detained. However, it seems that Syrian asylum seekers were allowed to leave, the justification being that they have relatives or friends that can provide accommodation. After strong reactions from asylum seekers in the Centre, the Asylum Service started allowing 10 persons per day to leave, giving priority to vulnerable persons and women but only if they could present a valid address. In view of the obstacles in accessing reception conditions, identifying accommodation is extremely difficult unless they are in contact with persons in the community. Given the announcement concerning the development of closed centres and measures due to Covid-19, it is unknown how long persons will remain in the Centre. Although removal procedures have been suspended, no steps have been taken to release asylum seekers and other third-country nationals (TCN) in detention.

BROAD POLITICAL MEASURES:

Hungary: [Hungarian Parliament](#) approved Bill T/9790 extending indefinitely the Covid-19 Protection Act allowing Prime Minister Viktor Orban to rule by decree, effectively with no political oversight.

Poland: ruling party [pushes for elections](#) during COVID-19 crisis and [parliament approves](#) election only by postal vote.

USEFUL INFORMATION:

EUROPEAN COMMISSION GUIDANCE, 16 April, available: [here](#)

GLOBAL DATABASE ON COVID-19 MEASURES: CCPR: [Database](#) **COMPILATION OF NGO**

STATEMENTS: PICUM [website](#) **COMPILATION OF NGO. EU, UN STATEMENTS:** ECRE [Weekly Bulletin](#)

LEGAL DEVELOPMENTS (EARLY STAGE): ECRE [ELENA Legal update](#) (March 20)

INTERACTIVE MAP (UNDER DEVELOPMENT): Border Criminologies [map](#)

STUDY ON IMPACT OF COVID19 ON REFUGEES AND MIGRANTS:

<https://www.aparttogetherstudy.org/#>