

INFORMATION SHEET 8 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 (as of 8 April) and accurate but please alert ECRE if inaccuracies are identified.

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.

France: [registration](#) activities and subsequently access to the asylum procedure and to reception conditions is suspended on practical grounds due to lack of staff. Applications are to be made by post but how this works in practice is unclear.

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. 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: [the Belgian Immigration Office](#) closed down the arrival centre for newly arriving asylum seekers. This effectively means new arrivals will have no possibility to apply for asylum or to be assigned a place of reception.

According to JRS Europe: people in detention are still interviewed by video conference. The Commissioner for Refugees is still making decisions on pending cases where the interviews have already happened.

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, 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.

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: [procedure to apply](#) for asylum has been suspended since the state of emergency entered into force on 15 March, according to some sources.

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 are unclear.

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.

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.

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.

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 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).

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: [according to the Immigration Office](#) no measures have been taken to prevent a situation in which asylum-seekers with no housing arrangements given the closure of the arrival centre could end up out on the streets. There are reports of efforts at by the Brussels region to provide emergency accommodation and access to medical care.

France: [asylum application certificates](#) have been extended for three months ensuring access to reception conditions. Reception centres instructed to not remove asylum seekers currently accommodated, including rejected-asylum seekers and beneficiaries of international protection.

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.

France: 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).

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.

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](#).

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 Luxembourg 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.

DETENTION:

Spain: [release](#) of unreturnable detainees due to the movement restrictions put in place across the globe related to the COVID-19 emergency.

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.

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.

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:

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](#)