

# COVID-19 emergency measures in asylum and reception systems

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# Introduction



The outbreak of COVID-19<sup>1</sup> in Europe in February 2020, which rapidly escalated to a global pandemic,<sup>2</sup> has led to various measures to contain the contagion and reduce its transmission at the European<sup>3</sup> and national levels. To address the health emergency, EU+ countries implemented containment measures to advocate physical distancing and other restrictions, which had a direct impact on the provision of public services, including international protection procedures.

This report analyses how emergency measures introduced in response to the health crisis affected asylum and reception procedures in EU+ countries, the variations and similarities in national efforts to address the situation and the interim solutions which were put in place (e.g. remote hearings, electronic tools, automatic extension of deadlines, etc.), many of which may become a part of regular practice, beyond the COVID-19 emergency.

Developments cover the period 15 March to 15 May 2020 in EU+ countries<sup>4</sup>. Country-level measures and examples are indicative.

The analysis is based on a large volume of diverse sources, duly referenced throughout the text and listed in the annex, comprising open source data, complemented by other information available to EASO through its regular information-exchange processes with EU+ countries.

#### Why COVID-19 restrictions affect asylum?

The COVID-19 confinement measures have resulted in public, economic and social impacts with significant implications on fundamental rights and freedoms. The extraordinary measures, which activated emergency clauses and derogations, were justified on the basis of public health and security.<sup>5</sup> Consequently, physical distancing, the closure of facilities where authorities interact with the general public/applicants, and public servants working remotely had a direct impact on asylum, reception and return procedures.

Specific measures imposed in asylum and return procedures follow general restrictions across countries. Measures are clustered into two main phases:

- a. From the beginning of the pandemic to mid-April 2020: during this stage EU+ countries declared a state of emergency or enforced extraordinary measures to contain the spread of the virus; and
- b. Mid-April 2020 onwards: EU+ countries begin to ease measures and adapt to the new reality of living with COVID-19.

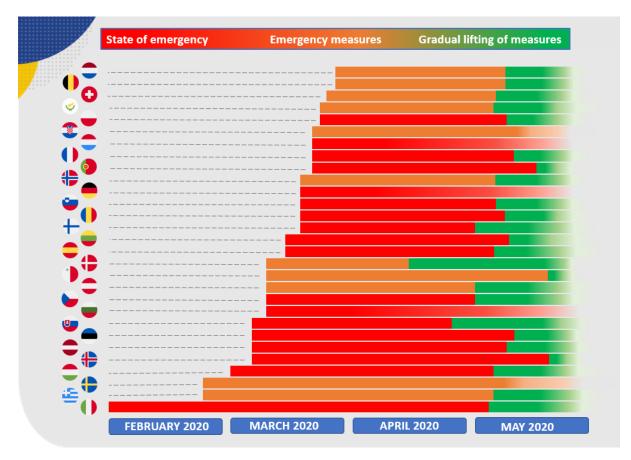
The European Commission, fully acknowledging the difficulties faced by Member States when implementing relevant EU rules during the pandemic, issued a Communication to provide guidance and ensure the continuity of asylum and return procedures and resettlement.<sup>6</sup>

# Conclusions

- Work on both the cure and vaccination against COVID-19 is ongoing, and pending its successful testing
  and launching, health authorities underline the possibility of both a 'second wave' of infections and
  continued COVID-19 infections combined with seasonal diseases, such as the flu, possibly in the
  second half of the year. In this eventuality, EU+ countries will possibly need to revert to some extent
  to emergency measures which were applied at the onset of the pandemic. It is important that
  measures introduced in the spring and their efficiency are assessed by relevant stakeholders, since
  possibly there will be a need to revert to them in the (near) future.
- While most emergency solutions addressed specific and extraordinary needs, many of them have the
  potential to be incorporated into the national asylum and reception systems on a more permanent
  basis, leading to efficiency gains also under normal circumstances. This may, in particular, concern 'eadministration', such as (semi-)automated systems of registration of basic data supporting the
  making/lodging process, remote interviewing via IT means and various systems of electronic datasharing and processing, such as electronic case files, to limit the use of regular postal services.
- Collective reception facilities may pose specific challenges in terms of ensuring the required physical distancing and enforcement of sanitary requirements among a larger population, especially in EU + states which had been operating at high occupancy or full capacity before the crisis. On the other hand, organised collective accommodation facilitates awareness-raising amongst residents, enables widespread testing if needed, and supports the quarantine period for suspected/active cases. Making videoconferencing facilities available in collective reception facilities has also greatly facilitated the roll-out of remote interviewing modalities. Especially for the efficient management of the initial phases of the procedure (registration and identification), it is worth highlighting the more frequent use of "initial reception" (e.g arrival centres, first reception centres, transit centres, etc) across EU+ states as a hub to enable these processes before applicants are then allocated to second-line reception facilities.
- Challenges faced at second instance mirrored to a large extent those at the first instance level in terms
  of physical distancing affecting hearings and personal submissions. It would be key that technical
  solutions supporting, for instance, electronic files, ideally allow for synergies between first and
  second instance in terms of the inter-operability of technical solutions, allowing for access to
  necessary information and sharing notifications about procedural steps affecting the situation of an
  applicant (e.g. grant of suspensive effect) in a coordinated manner.
- Limitations in travel, most of all cross-border air travel, significantly affected several aspects of asylum
  procedures and other related processes, such as physical transfers in reception and detention and, in
  particular, resettlement and return procedures. Judging from initial developments in these fields this
  may in the future lead to more focus on dossier examination rather than physical selection missions
  for resettlement, while temporary limitations in return may lead to a more widespread application of
  various form of tolerated stay related to the physical impossibility of transfers. These processes would
  need to be carefully analysed to identify the exact impact of travel limitations and feasible
  alternatives, in case there is long-term impact.
- Several new initiatives were launched to support enhanced information provision and counselling, both by national authorities and other stakeholders, such as international organisations and civil society organisations. These new initiatives in **the management of information provision** will continue to be crucial as emergency measures are lifted and elements of the 'new normal' are introduced, while a certain proliferation of information services calls for convergence in the messages shared, prevention of misinformation and fake news, as well as amending information to individual circumstances of various groups, rather than focusing on generic ones.

# **General measures**

Urgent and exceptional measures were introduced in most countries to protect public health and security during the COVID-19 pandemic. Pursuant to national constitutional provisions, EU+ countries activated emergency provisions and exception clauses.



#### Timeline of general emergency measures from introduction to the lifting of measures

#### State of emergency

All EU+ countries declared a form of an extraordinary situation under national law (often at constitutional/basic law level) allowing the authorities to implement specific actions and policies concerning society that are not otherwise warranted under normal circumstances. The measures varied across countries.

In total, 11 EU+ countries declared a state of emergency, 2 declared a health emergency, 1 a state of crisis, 2 a state of epidemic, 1 a nation-wide quarantine and 13 introduced urgent emergency measures.

The timeline for the implementation of measures reflects the general evolution of the epidemic in Europe. Italy, as the first country hit by the coronavirus declared a *state of emergency* on 31 January 2020,<sup>7</sup> setting the legal base for immediate initiatives of extraordinary and urgent nature to cope with the situation due to the imminent health risk.<sup>8</sup> Implementing decrees on extraordinary and urgent measures to counter the epidemiological emergency from COVID-19 were adopted regulating gatherings, movement, and private and public services.<sup>9</sup>

Hungary declared an *emergency* on <u>11 March</u>, <u>extended</u> originally for 15 days, as parliamentary approval was necessary for further extensions. The <u>Act on the Containment of the Coronavirus</u> was later adopted by the parliament authorising the government to adopt extraordinary measures in the interest of people's health, legal security and the stability of the economy for an indefinite time.



30 EU+ countries adopted extraordinary measures to mitigate the COVID-19 pandemic, affecting the functioning of asylum and reception systems. On 12 March 2020, Estonia,<sup>10</sup> Latvia,<sup>11</sup> and Iceland<sup>12</sup> declared a *state of emergency* due to COVID-19, followed by Czechia<sup>13</sup> and Bulgaria<sup>14</sup> (13 March 2020), Spain<sup>15</sup> (14 March 2020), Slovakia<sup>16</sup> (15 March 2020), Romania<sup>17</sup> and Finland<sup>18</sup> (16 March 2020) and Portugal<sup>19</sup> (18 March 2020).

France<sup>20</sup> declared a *state of health emergency*. Following the <u>Grand Ducal Regulation of 18 March</u> 2020, a *state of crisis* was declared in Luxembourg, in accordance with Article 32(4) of the Constitution.<sup>21</sup> Likewise, Poland<sup>22</sup> and Slovenia<sup>23</sup> declared an *epidemic*, Germany declared an

*epidemic situation of national scope* and Lithuania declared a *guarantine* from 16 March to 31 May.

Based on the type of state of emergency, which was introduced, other urgent measures were adopted in EU+ countries based on the constitution or emergency or epidemic acts. For example, <u>Austria</u> and the <u>Netherlands</u> introduced emergency measures on 15 March and 23 March, respectively.

The Belgian Parliament authorised the King to act without following the legislative procedure to take measures to combat the spread of COVID-19.<sup>24</sup> Cyprus adopted the Quarantine Decree to protect public health,<sup>25</sup> while Switzerland adopted relevant regulations ordering measures to prevent or limit the spread, interrupt the transmission, protect vulnerable people and ensure capacity to cope with the epidemic.<sup>26</sup> Three days later, the Federal Council declared an '<u>extraordinary situation</u>'.

Greece also introduced Legislative Acts<sup>27</sup> on urgent measures to address the pandemic situation which were ratified subsequently by law.<sup>28</sup> Norway issued <u>regulations</u> on quarantine, isolation and prohibition on residence on leisure properties, followed by regulations on infection control (<u>COVID-19</u> <u>regulation</u>). In Croatia, decisions of the Civil Protection Headquarters were enforced for 30 days as of 19 March 2020.<sup>29</sup> Malta, Denmark and Ireland amended the Public Health Act,<sup>30</sup> the Epidemic Act<sup>31</sup> and the Health Act,<sup>32</sup> respectively.

Finally, on 1 February 2020 Sweden <u>classified COVID-19</u> as a disease that constitutes a danger to society, opening the possibility of extraordinary communicable disease control measures. On 7 April 2020, the government produced <u>a bill</u> introducing new powers to the Communicable Diseases Act. The legislative proposal enables the government to act quickly and take decisions on temporary measures to limit the spread of COVID-19. This is a temporary amendment applied for three months, from 18 April until 30 June 2020.

These examples reflect national efforts to reduce the pace of the COVID-19 virus' spread, namely to 'flatten the curve', so that large numbers of people do not become infected and ill at the same time, overwhelming health services beyond their capacity. On the basis on the national constitution, EU+ countries adopted extraordinary legal provisions which gave governments the possibility to rapidly set up emergency measures in order to face the crisis, prevent or limit the spread of COVID-19 in the population and to maintain adequate capacity in the health and care services. Nevertheless, most measures aimed at restricting otherwise basic freedoms, e.g. placement in quarantine, restraint of

movement, temporary limitations in provision of public and private services, restrictions in freedom of assembly, etc.

The legitimacy, proportionality and temporary nature of extraordinary measures adopted to protect their citizens and overcome the crisis was underlined in a Joint Statement issued by Belgium, Denmark, Estonia, Finland, France, Germany, Greece, Italy, Ireland, Latvia, Lithuania, Luxembourg, the Netherlands, Portugal, Spain and Sweden on the Rule of Law in the context of the COVID-19 crisis,<sup>33 34</sup> where those Member States stressed the need for joint efforts to uphold European principles and reaffirmed their support to the European Commission to monitor emergency measures in line with the EU acquis.

In this context, a Note Verbale was presented by Estonia, Latvia and Romania notifying the Secretary General of the Council of Europe of the emergency measures and their extension pursuant the European Convention for Human Rights.<sup>35</sup>

# Phase-out strategy

From mid-April 2020, EU+ countries have been gradually easing the extraordinary measures either by setting the end date of the measures or adopting less stringent provisions. In Austria, an ordinance on easing measures entered into force on 1 May 2020<sup>36</sup> (COVID-19 easing ordinance). The gradual lifting of restraint measures was announced for Denmark<sup>37</sup> (as of 17 April), Croatia<sup>38</sup> (27 April), Cyprus,<sup>39</sup> Greece,<sup>40</sup> Germany<sup>41</sup> (as of 6 May), Italy<sup>42</sup> (as of 4 May), Estonia<sup>43</sup> (as of 5 May), Slovakia<sup>44</sup> (as of 6 May), Norway<sup>45</sup>(7 May), Belgium,<sup>46</sup> France,<sup>47</sup> the Netherlands,<sup>48</sup>Switzerland<sup>49</sup> (as of 11 May), Malta,<sup>50</sup> Iceland<sup>51</sup> and Ireland<sup>52</sup> (as of 18 May).

Hungary<sup>53</sup> announced a new phase of protective measures on 4 May 2020, with gradual lifting of restrictions. Finland dissolved measures in stages from 6 May 2020, while retaining the Emergency Powers Act in force until 30 June 2020.<sup>54</sup> Similar initiatives were adopted in Latvia while retaining the state of emergency until 9 June 2020.

Portugal<sup>55</sup> and Romania<sup>56</sup> downgraded the state of emergency to 'disaster situation' and 'state of alert', respectively, denoting the easing of measures.

#### Border controls

The reintroduction of all internal border controls was considered a necessary measure to prevent the wide spread of COVID-19 in the Schengen area.<sup>57</sup> In addition, the European Commission adopted a Communication calling for a Temporary Restriction on Non-Essential Travel to the EU.<sup>58</sup> Consequently, the external EU borders closed in March, with restriction extended until 15 June 2020.<sup>59</sup>

In the context of the pandemic, Italy, without prohibiting access,<sup>60</sup> announced that ports cannot be classified as 'safe places' for boats under a foreign flag during the health emergency.<sup>61</sup> Similarly, Malta <u>announced</u> that, in the light of the magnitude of these pressures, *the Maltese authorities are not in a position to guarantee the rescue of prohibited immigrants on board of any boat, ship or other vessel, nor to ensure the availability of a safe place on the Maltese territory to any persons rescued at sea.* 

Hungary <u>suspended</u> the admission of illegal migrants to transit zones indefinitely on 1 May 2020.

# Specific measures for first instance procedures

The emergency measures calling for social distancing resulted in public restrictions and affected directly the provision of services in the asylum procedure. In particular, the extraordinary restrictions naturally limited public access to respective facilities and services and prompted adjustments in the registration and lodging of applications for international protection, personal interviews and verifying the validity of documents.



The general measures on

confinement and social distancing have affected face-to-face services. The registration of applications and personal interviews have been affected in many EU+ countries. Beginning of the pandemic to mid-April 2020: Imposing restrictions

Public access to asylum authorities

In many countries, the national authorities announced the general closure of their facilities to the public or restricted public access without prior notification.

For instance, the <u>Federal Office for Foreign Affairs</u> and <u>Asylum (BFA)</u> in Austria closed its branch offices and initial reception centers following the

nationwide restrictions to contain COVID-19. Similarly, the <u>Immigration Office</u> (Pacheco building, Belgium), the Greek Asylum Service,<sup>62</sup> <u>OFPRA</u> in France, the <u>Directorate of Immigration</u> in Luxembourg, the <u>Asylum and Refugee Office (</u>OAR in Spain),<sup>63</sup> the <u>Immigration and Naturalisation Service (IND)</u> in the Netherlands – with the exception of visas extension, the <u>General Inspectorate for Immigration</u> (<u>GII</u>) in Romania and the Office for Foreigners in Poland suspended direct customer services. In the latter, the Office for Foreigners allowed appointments for essential matters only.

In some cases, access was allowed with prior notification by setting up an appointment via phone or e-services (e.g. Austria, <u>Latvia</u>, Belgium and Luxembourg). In Sweden, applicants were requested to contact the Swedish Migration Agency primarily by e-mail, telephone or through e-services. To address needs, the agency added more resources to enhance telephone and email services,<sup>64</sup> and it continued registering applications but with a limited number of people as of 30 March 2020.

Registration of applications

Physical distancing affected the registration of applications. For instance, registration was temporarily suspended, for example in <u>France</u> except for exceptional cases or vulnerable persons identified with the first-contact platforms (SPADA) and Malta. In Greece, although the provision of asylum services to public was suspended until 15 May 2020, the intention of newly-arrived asylum seekers to apply at the borders was recorded in the 'Police OnLine' database by the competent authorities, and all third country nationals who entered in the Aegean islands were moved to emergency centers in <u>Malakasa</u> (<u>Attica</u> – 436) and Serres (North Greece). The intention to apply was also registered also in <u>Italy</u> by police authorities.

Similarly, in the <u>Netherlands</u> and <u>Denmark</u> registration was limited to basic information. In <u>Spain</u>, applicants could submit an affidavit *(declaracion responsable)* which was available in first reception centers.

Despite the temporary setbacks in registration procedures, some countries explicitly stressed that the principle of non-refoulement will be guaranteed to those who wish to request international protection in its national territory during this situation (e.g. <u>Spain</u>).

The impact of COVID-19 measures in registrations is also depicted by data at the EU+ level. According to EASO EPS data, in March 2020 applications lodged in EU+ countries significantly dropped by almost one-half from February.<sup>65</sup> This was also highlighted in <u>EASO special report</u>.

Personal interviews

Due to national restrictions on social distancing, the restrictive measures escalated regarding personal interviews. At least, 17 EU+ countries discontinued personal interviews during the emergency measures. <u>Switzerland</u> interrupted interviews only for a week while interview rooms were equipped with plexiglass. Sweden also temporarily suspended interviews from 30 March to 14 April 2020. It resumed interviews via video conference.<sup>66</sup>

Flexible arrangements

Despite restrictions, in more than 20 EU+ countries, asylum authorities introduced flexible working arrangements, such as teleworking or staff rotation. The continuation of services is well reflected in the number of first instance decisions issued during this period, which remained the same levels for March.<sup>67</sup>

In addition, national authorities took measures to ease the practical challenges and limitations either by **extending the deadlines to apply and lodge an application** (e.g. <u>Spain</u>, France<sup>68</sup>, Slovenia), **introducing electronic access and/or communication** for information (e.g. <u>Austria, France</u>), as well as **automatically extending the validity of expired documents.** For instance, in <u>Spain</u> and <u>Luxembourg</u> documents are valid during the state of emergency. In France, the period of validity of asylum application certificates which will have expired between 16 March 2020 and 15 May 2020 was further prolonged for three months, whereas in Greece<sup>69</sup> they were prolonged for six months for cards expired as of 13 March until 31 May 2020. In Portugal, <u>SEF</u> extended the validity of all documents related to the stay of foreign citizens which expired after 24 February until 30 June 2020.

Towards service resumption

Public access was adjusted to avoid the creation of queues. <u>Czechia</u> resumed public access as of 20 April 2020 upon arranging an appointment by phone or electronically. Likewise, <u>OFPRA</u> in France and <u>OCMA</u> in Latvia announced that applicants will not be received without prior notice. On 11 May 2020, <u>Austria</u> reopened the Innsbruck and Salzburg branch offices that were temporarily closed at the end of March with limited service operations. Similarly, Greece resumed services on 18 May and Lithuania on the 25<sup>th</sup>.

Some countries opted for electronic management of certain requests and the deposition of documents and alternative means for communication (such as electronic and postal mail, telephone), such as: <u>Czech</u> <u>Ministry of Interior</u> (as of 20 April), the <u>Irish</u> <u>Immigration and Naturalization Service</u>, the <u>Greek Asylum Service</u> (as of 18 May), the <u>Office of Citizenship and Migration Affairs</u> in Latvia, the Migration Department in Lithuania and the Foreigners and Borders Service (SEF) in Portugal.

As of the end of April, EU+ countries are adapting to the new circumstances.



The easing of restrictions leads to the gradual resumption of services. The use of technical tools and individual protection means (e.g. masks) becomes the new reality for first instance procedures.

# Registration of applications

The **resumption of registrations** of applications for international protection was prioritised through the introduction of interim solutions. Consequently, in many cases authorities designated specific centres or indicated special arrangements for the submission of asylum requests. In Belgium, where the <u>Immigration Office</u> suspended temporarily the registration of all applications on 17 March 2020, registrations resumed (4 April) under the strict obligation of making an appointment at the Registration Centre 'Klein Kasteeltje' by using an online form. In France, registration resumed from May 11<sup>th</sup> with the obligation of respecting barrier gestures.

In <u>Czechia</u>, registrations resumed in the new reception centre set up as of 3 April 2020. Similarly, the <u>German Federal Office</u> set the prerequisite of a 'form application' in an initial reception facility in the federal states, at which proof of arrival (AKN) is also issued. <u>IND</u> (Netherlands) announced that asylum seekers can resume registration as of 28 April at the application centre in Ter Apel. Following the registration by the Aliens Police Department, Identification and Human Trafficking (AVIM), the asylum seekers will be housed in the emergency accommodation at Zoutkamp.

On some occasions, newly-arrived asylum seekers who were placed in quarantine or self-isolation (see below) were registered upon termination of the restrictive measures.

Personal interviews

EU+ countries investigated alternative methods and modalities to carry out or resume **personal interviews.** Methods included video-conferencing in the asylum structure or in reception centres, the placement of safety installations,<sup>70</sup> fluctuating starting hours, use of masks and the installation of plexiglass.

In many cases, a mixed approach was implemented. For instance, <u>UDI</u> (Norway) re-started conducting personal interviews using Skype on 1 April 2020. Applicants are interviewed from the reception centre, while the interpreter is connected from another location and UDI staff are in interview rooms in Oslo.

Likewise, <u>Sweden</u> resumed interviews mid-April through video-conferencing, by placing the applicant and the official in different rooms within the SMA building. Switzerland restricted the number of people present in the same room while using technical communication tools. Similarly, Lithuania has been conducting remote interviews since the beginning of May, while primary interviews are already conducted in the territorial divisions of the Migration Department.

The <u>IND</u> (Netherlands) started testing interviews at different locations through video-conferencing with a computer.

If personal interviews were postponed, effort was made to reschedule hearings and to promptly notify the asylum seeker by sending new invitation letters, for example in <u>Belgium</u>, <u>France</u> as of 11 May, and <u>Ireland</u>, <u>Netherlands</u>, <u>Portugal</u> where all appointments will be rescheduled as of 1 July 2020.

Given the challenges encountered, EASO issued <u>new practical recommendations</u> on conducting personal interviews remotely. The recommendations follow the <u>guidance</u> issued by the European Commission to EU Member States, to which EASO also contributed, and are based on good national practices from across Europe and existing EASO practical guides and tools on personal interviews.

Notification of decisions

Postal disruptions, internal reorganisation and/or lack of services have affected the notification of decisions. As the timely notification of decisions impacts on the right to effective remedy, some authorities announced specific measures.

The <u>Finnish Immigration Service</u> started notifying applicants about the asylum decision by phone or via video connection as of 30 April, as notifications were discontinued on <u>16 March</u>. Decisions are also sent by post. <u>OFPRA</u> in France also announced that, due to the closure of certain postal offices, pending notifications of OFPRA decisions taken before 16 March may be affected. This will be taken into account by OFPRA to proceed, as necessary, to new notifications at the end of the health crisis.

The <u>Federal Office</u> (Germany) restricted the delivery of rejection notices in recent weeks. The office has thus taken into account the limited possibilities to seek legal advice or legal representation in the event of a <u>refusal</u>. The notices that were issued but not delivered during this period are successively delivered as of 11 May, except for applicants who are quarantined.

#### Specific measures on the Dublin procedure



Dublin procedures in Member States have been affected by the ongoing pandemic as administrations have had to take various measures to assure the safety of their staff and applicants. The border controls and travel restrictions imposed by Member States also affect the possibility to conduct Dublin transfers.

For example, <u>SAR</u> (Bulgaria) notified EU Member States of the temporary suspension of admitting foreigners from other Member States and, respectively, sending foreigners to other Member States under the Dublin III Regulation. Postponement of transfers was also publicly stated in Czechia, Croatia, Estonia (as of 16 March), Spain (as of 17 March) and Slovenia.<sup>71</sup> Norway has reportedly suspended any incoming transfers from Member States that have suspended Dublin transfers. In practice, however, due to air traffic restrictions, few transfers are being implemented.<sup>72</sup>

The resumption of transfers has significant importance as, according to the European Commission's Guidance, "where a transfer to the responsible Member State is not carried out within the applicable time limit, responsibility shifts to the Member State that requested the transfer pursuant to Article 29(2) of the Dublin III Regulation. No provision of the regulation allows to derogate from this rule in a situation such as the one resulting from the COVID-19 pandemic".<sup>73</sup> This had resulted in a shift of responsibility in more than 1 000 cases since between 25 February and 17 April 2020 affecting at least six Member States.<sup>74</sup>

"No provision of the Dublin III Regulation allows to derogate from this rule (swift of responsibility) in a situation such as the one resulting from the COVID-19 pandemic"

EU Commission, Guidance, April 2020

# Specific measures on reception



The beginning of the pandemic brought into the spotlight over-crowded collective reception and accommodation facilities in some EU+ states. Thus, many EU+ countries introduced **measures targeting collective reception facilities and their residents** to reflect general restrictions in place elsewhere in the country.

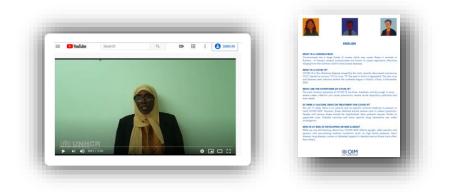
Provision of information

As a first step, **information and instructions on hygiene and restrictions introduced by the government including social distancing measures** were shared through leaflets and posters in various languages (e.g. Belgium, <u>Bulgaria</u>, <u>Cyprus</u>, <u>Croatia</u>, <u>Denmark</u>, <u>Greece</u>, Netherlands, Slovenia, <u>Slovakia</u>, Sweden), official websites, social media and apps of the competent authorities (e.g. reported for <u>Austria</u>, <u>Belgium</u>, <u>Denmark</u>, <u>France</u>, <u>Finland</u>, <u>Germany</u>, <u>Greece</u>, Ireland, Iceland, Netherlands, Sweden) including Frequently Asked Questions (e.g. <u>Ireland</u>, <u>Germany</u>) and QR codes for direct access (<u>Norway</u>), regular announcements and information sessions on the spot (e.g. Bulgaria, Netherlands, Poland) and even on YouTube (e.g. <u>Belgium</u>, <u>Switzerland</u>).



Examples of information material shared in Belgium, Greece and Italy.

Partner organisations, such as UNHCR and the IOM, also shared relevant information. On some occasions, UNHCR in cooperation with national authorities created dedicated multilingual portals and videos to provide information on the epidemiological emergency, such as in <u>Italy</u> and <u>Malta</u>.



Examples of information material shared by UNHCR (MT) and the IOM (SK).

Hygienic conditions

Based on the recommendations of the national public health authorities and the general rules in place such as social distancing and good **hygienic conditions**, EU+ countries followed safety principles and protocols. In this regard, authorities introduced the use of protective equipment (such as masks) (e.g. <u>Czechia</u>, <u>Denmark</u>, <u>Italy</u>, Slovakia, Slovenia), improved sanitary conditions and undertook disinfections.

For instance, since 4 May, wearing a mouth mask in <u>Belgian centres</u> is recommended when it is impossible to respect safety distances. This measure follows the recommendations of the National Security Council. Residents have received information concerning the places where the wearing of a mask is compulsory, and instructions were also given to staff. In <u>Cyprus</u>, disinfection is schedule once a month in the accommodation units and every 15 days for the common areas. Disinfectants, sanitizers, masks and gloves were also provided. Food is served packed in individual portions.

In some cases, refugee communities were actively engaged in the production of preventative equipment, for example sewing handmade masks (e.g. <u>Czechia</u>).

# Newly-arrived applicants

For newly-arrived asylum seekers, targeted measures were adopted, such as self-isolation, quarantine, placement in emergency structures and health screening.

Upon arrival at reception centres in some EU+ states, all new applicants were screened on the basis of a health questionnaires to self-report COVID-19 symptoms, underwent temperature checks or an epidemiological triage. Based on the personal situation, applicants were then moved to facilities or placed in self-isolation (e.g. <u>Ireland</u>).

Certain countries have placed all newly-arrived applicants in time-limited quarantine or self-isolation for 14 days while the status of their health is strictly monitored. (e.g. <u>Bulgaria</u>, <u>Czechia</u>, <u>Denmark</u>, <u>Croatia</u>, <u>Iceland</u>, <u>Italy</u>, <u>Finland</u>, <u>Norway etc</u>).

Consequently, authorities created special isolation units within existing structures or introduced

emergency facilities to observe quarantine necessities and reduce the occupancy rate to ensure physical distancing.

 Emergency structures and increase of existing capacity

**Emergency shelters** were created to increase capacity and decrease occupancy rate, e.g. <u>Belgium</u>, Czechia, France, Greece, <u>Ireland</u>, Netherlands, Norway, Germany, Denmark, Switzerland, and/or self-isolation areas in existing structures, e.g. Austria, Cyprus, France, Ireland.

Emergency shelters were created to increase capacity, decrease occupancy rate in line with social distancing rules and enable newly-arrived applicants to be isolated as a precautionary measure.

In practical terms, due to the state of emergency in <u>Czechia</u>, it was decided to set up a reception center in Bělá–Jezová, where asylum seekers can apply for international protection. After submitting an application for international protection, the applicant has to remain in the quarantine facility in the reception centre for at least 14 days.

The <u>Danish Immigration Service</u> launched an initiative in cooperation with municipalities and the police to track and refer cases of foreigners without legal residence who are living in the street and have been found to be infected by COVID-19. In this context, the Danish Immigration Service has converted the emergency centres in Gribskov and Brovst into new quarantine centres with special capacity for health and hygiene, following an agreement between the Ministry of Immigration and Integration and the Red Cross for the transport of infected persons.

In <u>Italy</u>, health surveillance and a 14-day quarantine, as stipulated in Circular No. 3393 of 18 March 2020, should be applied as well as the designation of specific areas suitable for isolation inside centres or other structures. Only at the end of this period and if an applicant did not test positive, he/she can be transferred to another reception facility. According to the <u>Decree</u> of 12 April 2020 of the Head of the Department of Civil Protection, migrants rescued at sea will undergo quarantine on specially-equipped ships. The same applies, in the absence of suitable structures on the mainland, to those who have arrived independently, such as migrants who manage to arrive alone on the Italian coast.

Following the <u>Contingency Planning for Accommodation Centres</u> of 23 March, Ireland announced on 6 April that 650 new temporary hotel beds have been procured following negotiations by the

Department of Justice. A few days later, the Minister for Justice and Equality and the Minister of State for Immigration, Integration and Equality announced further measures to protect and support Direct Provision residents during the COVID-19 crisis. These new measures included 850 beds added to system to facilitate social distancing and isolation where required and four dedicated self-isolation facilities.

As of 16 March and until 28 April, foreign nationals arriving in the <u>Netherlands</u> were not admitted to the Central Agency for the Reception of Asylum Seekers (COA) reception facilities. A temporary emergency shelter was set up in the Willem Lodewijk van Nassaukazerne in Zoutkamp. After registering in Ter Apel, applicants were taken there by bus.

Due to transfer restrictions, the <u>UDI (Norway)</u> triggered optional clauses in agreements in 11 locations, with 30 or 60 extra places available in each of them, while extending four operating contracts by six months which would have expired in May and June. In mid-April, the **UDI** also established a temporary reception facility in Larvik in order to reduce the occupancy rate in reception facilities in Eastern <u>Norway</u>.

In <u>Switzerland</u>, the State Secretariat for Migration (SEM), in agreement with the Canton of Bern, decided to open another Federal Asylum Center (BAZ) for a limited period in the former Boltigen barracks. This created additional accommodation capacity in the asylum system. The SEM is opening additional accommodations at various locations.

Access restrictions and reorganisation of services

Reception and accommodation centers are affected by containment measures and physical distancing. All of non-essential visits and activities, including transfers between centers, have been cancelled to avoid crowding people, e.g. <u>Belgium, Bulgaria, Cyprus</u>, Greece, <u>Croatia</u>, <u>Denmark</u>, Estonia, <u>Ireland</u>, Latvia, Netherlands, Slovakia.

Similarly, **food/cash distribution** is provided directly to residents' rooms or at regulated queues with proper distance in common areas (e.g. Austria, <u>Denmark</u>, Germany). **Group social, cultural and sports activities**, as well as the use of facilities and playgrounds, have been suspended (e.g. <u>Denmark</u>) while in some cases access to Wi-Fi was extended in return (e.g. DE). Specific preventive rules for face-to-face interactions, where still applicable, were introduced in most countries. Face-to-face counselling has been largely suspended and only outstanding and urgent cases are being processed (e.g. Austria, Czechia). Where possible, activities are undertaken remotely (e.g. Lithuania for psychological, legal and medical consultations). Learning activities have been also discontinued (e.g. Croatia, Czechia, <u>Denmark</u>, Germany, Poland, Slovenia, Slovakia) or undertaken remotely (Lithuania).

A temporary restriction of movement was imposed from 21 March to 21 May 2020 for third country nationals residing in Reception and Identification Centers (RICs) throughout the Greek territory.<sup>75</sup> In addition, from 7:00 to 19:00 daily, a representative of a family or group residing in RICs can go to the nearest urban centre for daily needs. In cases where no means of transportation is available, up to 100 persons per hour may be allowed to move in groups of less than 10 persons.

Health screening

Medical screening and continuous supervision are in place in various facilities, e.g. Zagreb and Kutina shelters in <u>Croatia</u>, <u>Belgium</u> and the new medical center in Hal Far in <u>Malta</u>.

Due to the COVID-19 outbreak, the <u>Croatian</u> Ministry for Demography, Family, Youth and Social Policy initiated the process of amending the Protocol on the Treatment of Unaccompanied Minor relating to

the initial health examination carried out during the identification procedure which should be done by an epidemiologist.

The UDI (<u>Norway</u>) also recommended that residents download an app on a voluntary choice to enable contact tracing in case of infection. The 'Infection Stop/Smittestopp' app shows how people move in relation to each other and helps the health authorities to put in place effective infection control measures.

On rare emergency situations where COVID cases have been identified, reception facilities have been placed in **quarantine** to better contain the virus infections, e.g. in Greece (<u>Kranidi Hotel</u>, <u>old Malakasa</u> <u>camp</u>, <u>Ritsona camp</u>), <u>Finland</u> (Espoo Reception Centre) and <u>Malta</u> (Hal Far).

The revocation of general measures has led to the re-adaptation of preventative measures under new circumstances, e.g. <u>Belgium</u>.

#### Specific measures for second instance procedures



The state of emergency and confinement measures limited judicial proceedings, which directly affected asylum appeal procedures. Depending on the national structure of the judicial system, measures applied automatically to all courts and tribunals upon the

decision of judicial councils, the ministry or the government, or on a case-by-case basis when courts adopted individual measures.

Access to offices, adaptation of working arrangements to the new rules, time limits and face-to-face hearings were affected as for first instance applications. Similarly, measures in place for appeal procedures reflect the general fluctuation of general restrictions imposed.

Access restrictions and reorganisation of services

Adapting to the general rules, judicial institutions adjusted internal working arrangements. Remote work and the rotation of judges were introduced to ensure functional continuity of judicial institutions to the fullest extent possible, e.g. <u>Austria</u>, <u>Belgium</u>, <u>Switzerland</u>, <u>Germany</u> (work in two shifts), <u>Estonia</u>, <u>Spain</u>, <u>Italy</u>, <u>Latvia</u>, <u>Lithuania</u>, <u>Norway</u>, <u>Portugal</u>, <u>Slovakia</u>. In some cases (Greece<sup>76</sup>, <u>Hungary</u>), judicial activities were adjourned.

#### Access to the public was limited to staff and parties to the cases or suspended (e.g. Croatia).

In addition, many judicial authorities **launched electronic tools** for the submission of appeals, the delivery of documents and relevant communication, e.g. <u>Austria</u>, <u>Croatia</u>, <u>Latvia</u>, <u>Lithuania</u>.

Urgent matters, such as submission of motions for suspensive effect in connection with asylum and alien Law (e.g. <u>Austria</u>), accelerated procedures (e.g. <u>Belgium</u>) and written proceedings, were upheld in most cases.

Hearings

Due to general restrictions of movement, **hearings** with the exception of urgent cases were suspended in many institutions, even when judicial service was retained.

For instance, starting from 19 March 2020, the Council for Alien Law Litigation (CALL) temporarily

adapted its functioning, postponing all regular hearings scheduled until 5 April to a later date. Until this date, only hearings related to appeals in extreme urgency and accelerated procedures were held. Beside hearings, the CALL continued its activities. The extension of coronavirus measures postponed hearings further.

The **Danish Refugee Board** extended its closure until 13 April 2020 and all board meetings were cancelled. The **International Protection Appeals Tribunal** (Ireland) postponed all hearings scheduled up to and including 26 May 2020 until further notice.



In many EU+ countries, judicial institutions retained functions through alternative working modes (videoconference, telework, written procedures, use of electronic tools, etc.). Institutions resuming operations are resorting to new ways of work.

In some cases, judicial institutions resorted to digital means such as **videoconference**, e.g. <u>Italy</u>, <u>Netherlands</u>, <u>Latvia</u>.

• Extension of time limits

Due to the restrictions, **time limits** for legal remedies were extended or interrupted. In <u>Austria</u>, for instance, the time limits for legal remedies were interrupted from 22 March until 1 May 2020. Similarly, in Belgium the <u>Royal decree</u> of special powers n° 19 of 5 May 2020 concerned the extension of the procedural deadlines before the CALL.

• Service resumption

As of May 2020, judicial institutions gradually resumed activities, e.g. in <u>Belgium</u> (19 May), <u>Cyprus</u> (4 May), <u>Czechia</u> (4 May), <u>Germany</u>, <u>Denmark</u>, <u>France</u> (27 May), <u>Croatia</u> (4 May), <u>Hungary</u>, Greece (gradually from 15 May), <u>Ireland</u>, <u>Italy</u> (12 May), <u>Lithuania</u> (11 May), <u>Luxembourg</u> (4 May), <u>Netherlands</u>, <u>Norway</u>, and deadlines previously suspended are also recommenced, e.g. in Austria (4 May), <u>Luxembourg</u>, Poland<sup>77</sup>.

In France, as of 11 May 2020, <u>CNDA's</u> business continuity plan, which was in force during the confinement period, was lifted and replaced by a business resumption plan, with a view to a gradual resumption of services while it announced exceptionally sitting between 3 and 14 August 2020. The resumption of hearings from 27 May is subject to new rules intended to ensure the safety of magistrates, agents, applicants and their counsels and will only allow closed hearings. In addition, there is a maximum of 10 daily hearings.

Similarly, the <u>court service of Ireland</u> published a plan for gradual re-opening and resumption of some courts, including both physical and online measures. According to the statement, courts will extend the use of virtual remote court hearings, along with physical hearings. Courtrooms are being laid out with physically distanced spaces.

As of 12 May 2020, new provisions will apply in the <u>Italian courts</u> for the gradual resumption of judicial activity, e.g. reduced and/or remote hearings, no overlapping hearings, etc.

Also the <u>Belgian CALL</u> envisaged gradually resumption of regular hearings as of 19 May. Initially, a reduced number of cases per hearing will be dealt with in order to ensure the best possible progress and to guarantee compliance with safety and health measures. Only persons summoned to the

hearing will be allowed to enter the building. The maximum number of persons per case is: the applicant's lawyer, the applicant if he wishes to appear in person, the lawyer or a representative of the administration, and, where appropriate, an interpreter.

In many countries, access to the courts is allowed only with the use of preventative measures, (respiratory masks), e.g. <u>Cyprus</u>, <u>Czechia</u>, <u>Estonia</u>, <u>France</u>, <u>Italy</u>, <u>Poland</u>.

#### Specific measures for beneficiaries of international protection



The validity of residence permits, integration programmes and family reunification procedures have been affected by the disruption to face-to-face services.

With regard to the validity of documents, EU+ countries implemented automatic extensions of residence permits, e.g. <u>Bulgaria</u>, <u>France</u>, <u>Greece</u>, <u>Hungary</u>, <u>Italy</u>, <u>Iceland</u>, <u>Latvia</u>, <u>Lithuania</u>, <u>Malta</u>, <u>Poland</u>, <u>Portugal</u>, Slovenia. Electronic services were also launched to process applications for the extension of permits, e.g. <u>Denmark</u>.

Integration and professional language courses were discontinued following the general restrictions in educational institutions, while efforts were made to resume them virtually, e.g. <u>Germany</u>, <u>Spain</u>.

Italy extended income and family support measures provided in the "Cura Italia" Decree (<u>Legislative</u> <u>Decree 18/2020</u>), i.e. EUR 600 bonuses, baby-sitting bonuses and COVID-19 special leave to recognised refugees or holders of other residence permits who are professionally active.

Family reunification

Given the impact of confinement measures in administrative procedures, family reunification procedures have been disrupted due to the closure of public services, including diplomatic and consular missions abroad.

Consequently, measures implemented by the <u>Family Reunification Unit</u> in Ireland have led to a reduction in capacity causing possible delays. The **General Inspectorate for Immigration (RO)** <u>announced</u> that during the state of emergency all activities of the Registry were suspended including applications of international protection.

The <u>Belgian Immigration Office</u> announced measures to mitigate consequences of postponing visa applications, appointments and having longer processing times regarding those as exceptional circumstances that prevented the submission of the application at a time when a family member had a right to family reunification or was required to meet less stringent conditions. While all the necessary steps to submit an application when it is possible again is necessary, the possible impact of the health crisis on the situation of the sponsor will also be taken into consideration (e.g. regarding temporary difficulty in proving stable, regular and sufficient income, housing or insurance).

The <u>IND</u> (Netherlands) announced that the processing of applications and the issuance of decisions for family reunification continue as usual. However, investigations have been cancelled until 28 April 2020, and new investigations will not be scheduled until measures are lifted. This also applies to hearings in applications for review. The Ministry of Foreign Affairs will not schedule new investigations abroad until the measures are terminated. The same applies to the issuance of any MVVs (visas) until at least 28 April 2020. The IND, though, can still approve an application.

#### Specific measures on return procedures

The reduced availability of flights and other means of transport, and the restrictive entry measures introduced by third countries in view of containing the spread of COVID-19, disrupted voluntary and/or enforced return procedures, e.g. <u>Belgium, Bulgaria, Cyprus, Croatia, Switzerland, Germany</u> (until 31 May), <u>Ireland</u>, Lithuania, <u>Malta, Norway</u>, <u>Poland</u>, <u>Portugal</u>, <u>Slovakia</u>. <u>Greece</u> also announced that readmission operations to Turkey are suspended due to a notice by the Turkish Authorities.

<u>Germany</u> announced that ERRIN closed its offices in Cameroon, Mali, Morocco and Senegal and suspended all aid.

Despite service restrictions, <u>Spain, Finland, Ireland, Norway</u>, Greece <u>via IOM</u> and <u>Sweden</u> confirmed that the rules of financial support for assisted voluntary return continue to apply. Consequently, applicants may express their interest for voluntary return.

To address the challenges encountered, EU+ countries extended the period for voluntary departure by an appropriate period of time (e.g. <u>Poland</u>, <u>Switzerland</u>), released detainees whose return was postponed (e.g. <u>Belgium</u>), repealed the sanctions under immigration laws for illegal stay (e.g. <u>Croatia</u>, <u>Slovakia</u>) and introduced the possibility to 'tolerate' (e.g. LT) or 'legalise' a stay. In the latter case, in <u>Belgium</u> third country nationals who are prevented from leaving due to force majeure (quarantine, flight cancellation, border closure, etc.) were given the possibility to request authorisation to extend their stay. Similarly, the <u>Finnish Immigration Service</u> granted short-term temporary residence permits.

#### Specific measures on detention

General restrictions affected also the continuation of the asylum procedure for applicants for international protection in detention. Restrictions of movement directly hindered the transport of detainees, which was limited to the absolute necessary, e.g. in <u>Greece</u>. Entry to facilities was limited in <u>Sweden</u> and/or prohibited to all visitors and organizations, e.g. in <u>Greece</u>.

Some EU+ countries responded to these challenges using technical tools. Therefore, personal interviews were undertaken through videoconference, e.g. <u>Belgium</u>, <u>Cyprus, Czechia</u>.

The interruption of return procedures resulted in releasing third country nationals without criminal records, e.g. in <u>Belgium</u>, where almost one-half of detainees benefited from the provision and in <u>Norway</u>.

The extensive use of sanitary products in detention facilities was reported by <u>Italy</u>, where hygiene products were distributed and facilities were sanitized.

#### Specific measures on resettlement



COVID-19 related measures and the closure of EU external borders<sup>78</sup> have affected the continuation of resettlement programmes. For instance, resettlement operations have been disrupted or suspended in <u>Denmark</u>, <u>Norway</u> and <u>Sweden</u>. However, most EU+ countries continue with file preparations and the processing of pending cases.

The European Commission encouraged Member States, to the extent possible with emergency health measures, to continue resettlement-related activities during the period of crisis and be prepared to resume resettlements under safe conditions for all involved, when this is again possible.<sup>79</sup>

The <u>IOM</u> and UNHCR, concerned that international travel could increase the exposure of refugees to the virus, also took steps towards the temporary suspension of resettlement departures for refugees. <u>UNHCR</u> further announced that all resettlement activities will not be implemented, including resettlement interviews (with UNHCR and all resettlement countries), resettlement counselling, cultural orientation, medical examinations by the IOM, medical referral assessments (MAF) by the IOM and departures to resettlement countries.



Support to other Member States

The pandemic put additional pressure on some asylum systems. In the framework of European solidarity, several Member States have announced support measures to other countries to address challenges in asylum procedures due to COVID-19.

In this context, <u>Czechia</u> announced financial aid to Greece to fight the coronavirus epidemic among asylum seekers, while the <u>Federal Department of Justice and Police</u> (CH) granted an additional loan of CHF 1.1 million for aid projects that benefit children and adolescents in camps in the Greek islands. It also funded immediate measures against the spread of the coronavirus in accommodation structures.

The coronavirus emergency highlighted the need for the immediate relocation of unaccompanied minors from the Greek islands according to the EU Commission's <u>Action Plan for immediate measures</u> to support <u>Greece</u>. In this framework, <u>Luxembourg</u> received 12 unaccompanied refugee minors, while <u>Germany</u> received 47 children and young people who were placed among the federal states.

The <u>Finnish Immigration Service</u> underwent preparations to receive unaccompanied minors and single parents from the Mediterranean region and from Cyprus, while relevant activities for the admission of 22 minor asylum seekers from Greece with family connections in <u>Switzerland</u> were also ongoing.

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- <u>Supreme Court</u> (Tribunal Supremo)

#### Sweden

- <u>Swedish Migration Agency</u> (news section <u>here</u>; regular updates on Corvid-19 situation in SE: <u>here</u>)
- Swedish Courts (news section: here)
- Swedish <u>government</u> (news section: <u>here</u>)

#### Switzerland

- <u>State Secretariat of Migration</u> (<u>SEM</u>) - (Home page section <u>here</u>)
- Federal Court <u>[Bundesgericht Cour</u> <u>fédéral]</u>
- Federal Administrative Court [Bundesverwaltungsgericht -Tribunal administratif fédéral - FAC]

## Endnotes

<sup>1</sup> For more information about COVID-19, please refer to the European Centre for Disease Prevention and Control (ECDC) and World Health Organization (WHO).

<sup>2</sup> WHO announces COVID-19 outbreak as a pandemic, 12 March 2020, available at:

http://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-

19/news/news/2020/3/who-announces-covid-19-outbreak-a-pandemic

<sup>3</sup> Timeline of EU action available at: <u>https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/timeline-eu-action\_en</u>

<sup>4</sup> For the purpose of this report the EU+ is defined as EU Member States (excluding the UK)

<sup>5</sup> See also FRA, Coronavirus pandemic in the EU - Fundamental Rights Implications - Bulletin 1, 16 May 2020. <sup>6</sup> C(2020) 2516 final

<sup>7</sup> The state of emergency is currently prolonged until 31 July 2020.

<sup>8</sup> Declaration of the state of emergency as a consequence of the health risk associated with the onset of diseases deriving from transmissible viral agents. (20A00737) (<u>OJ General Series n.26 of 01-02-2020</u>) <sup>9</sup> At the beginning, measures aimed to contain the contagion at the local level. The Prime <u>Minister's Decree of</u> <u>23 February 2020</u> was adopted to implement the provisions of Legislative Decree 6/2020 for the affected municipalities of the Lombardy and Veneto regions. Gradually, measures escalated to the national level. As a result, the <u>Council of Ministers No. 35</u> approved a decree law which introduced extraordinary and urgent measures to address the epidemiological emergency from COVID-19, contain the negative effects on the conduct of judicial activity and strengthen the National Health Service. The measures were expanded nationwide on <u>8 March</u>. For the timeline of measures, see the official website of the Italian government: <u>http://www.governo.it/it/approfondimento/coronavirus/13968</u>

<sup>10</sup>The state of emergency was <u>declared</u> until 1 May 2020. It was further <u>extended</u> until 17 May 2020.

<sup>11</sup> The state of emergency was <u>declared</u> until 14 April 2020. It was further extended until 9 June 2020 by <u>Order</u> of the Cabinet of Ministers No. 254 on Amendments to the Cabinet of Ministers Order No. of 12 March 2020 103 On the declaration of a state of emergency.

<sup>12</sup> The National Commissioner of Police declared a <u>state of emergency in civil defense</u> in consultation with the Chief Epidemiologist for a coronary virus infection, COVID-19.

<sup>13</sup> The state of emergency was originally <u>declared</u> for 30 days, as of 13 March 2020. It was further <u>extended</u> until 17 May 2020.

<sup>14</sup> Pursuant to <u>Decree No 71</u>, the state of emergency was declared in the Republic of Bulgaria until 13 April 2020. It was <u>extended</u> until 13 May 2020.

<sup>15</sup> The state of alarm *(estado de alarma)* was originally declared for 15 days. It was <u>further extended</u> until 24 May 2020.

<sup>16</sup> The state of emergency was originally <u>declared until</u> 27 March 2020. It was <u>further amended</u> on 18 April 2020.

<sup>17</sup> The initial <u>duration of the state of emergency</u> was 30 days. It was <u>terminated</u> on 12 May 2020.

<sup>18</sup> The state of emergency was <u>declared</u> until 13 April and <u>further prolonged</u> until May.

<sup>19</sup> The state of emergency was introduced by <u>Decree No. 2-A / 2020</u> and ended on 2 May. A disaster situation was then <u>declared</u> until 17 May.

Law No. 2020-290 of 23 March 2020 declared a state of health emergency for two months, that is, until 24 May 2020.

<sup>21</sup> The declaration was envisaged originally for 10 days.

<sup>22</sup> As of 20 March 2020 until further notice, Poland declared a state of epidemic

https://www.gov.pl/web/koronawirus/wprowadzamy-stan-epidemii-w-polsce

<sup>23</sup> The decree on the declaration of contagious disease SARS-Cov-2 (COVID-19) entered into force s of 12 March 2020 based on the <u>Order declaring an epidemic of the infectious disease SARS-CoV-2 (COVID-19) in the</u> territory of the Republic of Slovenia.

<sup>24</sup> Law empowering the King to take measures to combat the spread of COVID-19 (I), 27 March 2020. The legislative measures are available here: <u>http://www.droitbelge.be/news\_detail.asp?id=1013</u>

<sup>25</sup> The <u>Quarantine (Determination of Measures to Prevent Spread of the COVID-19 Coronavirus 2020) Decree</u> (No. 9) entailed restrictions from 24 March to 13 April 2020. It was <u>extended</u> until 30 April 2020.

<sup>26</sup> <u>Ordinance issued</u> on measures to combat the coronavirus (COVID-19) epidemic until 19 April 2020.

<sup>27</sup> Legislative Acts on a) "Urgent measures to avoid and limit the spread of corona" (Gov. Gaz. A' 42/25.2.2020), b) "Urgent measures to address the negative consequences of the appearance of the coronavirus COVID-19 and the need to reduce its spread" (Gov. Gaz. A 55/11.03.2020) and c) "Urgent measures to address the need to limit the spread of COVID-19 corona" (A 64/14.3.2020).

<sup>28</sup> Gov. Gaz. A'76/3.4.2020.

<sup>29</sup> Decision on measures to restrict social gatherings, work in trade, service activities and holding sports and cultural events, Decision on temporary prohibition of crossing the border crossings of the Republic of Croatia <sup>30</sup> Public Health Act (Cap. 465) Enforcement of Directions relating to Quarantine Regulations, 2020, Gov. Gaz.

No 20,365, 12 March 2020.

<sup>31</sup> <u>Act no. 133 of 12 March 2020</u> amending the Danish on Measures against Infectious and Other Communicable Diseases .

<sup>32</sup> Health <u>Preservation and Protection and other Emergency Measures in the Public Interest</u> signed into law by the President on 20 March 2020.

<sup>33</sup> The statement is available on the official MFA websites of the countries. For example:

https://www.government.se/articles/2020/04/joint-statement--rule-of-law-in-the-context-of-the-covid-19crisis/

<sup>34</sup>After the publication of the Joint Statement, Bulgaria, Romania and Hungary announced that they have joined the Statement. Ibid.

<sup>35</sup> https://rm.coe.int/16809cfa87

<sup>36</sup> The COVID-19 Measures Act expired on 30 April 2020. No 197. <u>Ordinance of the Federal Minister for Social</u> <u>Affairs, Health, Care and Consumer Protection regarding easing of measures taken to combat the spread of</u> <u>COVID-19</u> (COVID-19 easing ordinance - COVID-19-LV) was adopted on 30 April 2020. It entered into force on

1 May 2020 and ends on 30 June 2020. <sup>37</sup> Denmark, <u>COVID-19 The Ministry of Immigration and Integration partially reopens activities</u>. Based on the <u>Agreement on plan to reopen Denmark</u> and the new <u>Strategy</u>, three phases will be implemented. The second was launched on 8 May 2020 and the third will be implemented as of 8 June until August 2020.

<sup>38</sup> Croatia, <u>Conclusion on Measures to Initiate Economic and Other Activities and Activities in the Conditions of</u> <u>the Declared COVID-19 Disease Epidemic</u>, 4 May 2020.

<sup>39</sup> The strategy to lift the restrictive measures and restart the economy has been outlined in four phases. In the first phase, 4 May to 20 May 2020, the full operation of the public service and the wider public sector is envisaged. Read <u>the Introductory statement by the Minister of Health Mr. Constantinos Ioannou at the joint press conference with the Ministers of Finance and Labour</u>, 30 April 2020.

<sup>40</sup> Hellenic Government, Plan for the gradual de-escalation of COVID-19 restrictive measures - <u>A bridge of</u> <u>safety toward a new way of daily living (Health)</u>, 28 April 2020.

<sup>41</sup> The implementation is in the responsibility of the Federal States which means that measures may differ between Federal States.

<sup>42</sup> According to the <u>Decree</u> of the President of the Council of Ministers, as of 4 May 2020, measures to ease some of the restrictions are implemented under Phase 2.

<sup>43</sup> Estonian government, <u>Special Announcement: The government eases restrictions in the fields of education,</u> <u>culture, and sports</u>, 5 May 2020. <u>The government agreed on an additional plan to ease restrictions after the</u> <u>emergency</u> situation on 14 May 2020.

<sup>44</sup> Slovak Republic, <u>Prime Minister: From May 6, the 2nd and 3rd phases of opening operations will start at the</u> same time, 4 May 2020.

<sup>45</sup> Government of Norway, Press Release 82/20 <u>The Government's plan for reopening Norwegian society and</u> <u>easing the coronavirus restrictions</u>,7 May 2020.

<sup>46</sup> Belgium <u>outlined its exit strategy</u> as of 4 May 2020. The National Security Council specified the new phase of the deconfinement strategy, namely Phase 1b, which will begin on 11 May 2020. <u>Read here.</u>

<sup>47</sup> Ministry of Interior<u>, announcement</u>, 13 May 2020.

<sup>48</sup> Government of the Netherlands, <u>Changes to the coronavirus control measures from 11 May 2020</u>.

<sup>49</sup> Federal Council, <u>Restrictions on entry to be gradually relaxed from 11 May</u>,29 April 2020.

<sup>50</sup> <u>Mitigation measures – COVID-19 Transition phase</u> announced.

<sup>51</sup> Ministry for Foreign Affairs, Ministry of Justice, Ministry of Health, <u>Iceland eases restrictions - all children's</u> <u>activities back to normal</u>, 6 May 2020.

<sup>52</sup> The government of Ireland announced a roadmap that sets out Ireland's <u>plan for lifting COVID-19</u> <u>restrictions</u> and it will be implemented in five phases for unlocking restrictions, at three-week intervals. <sup>53</sup> About Hungary, <u>New phase of protective measures against the novel coronavirus begins today</u>, 4 May 2020
 <sup>54</sup> <u>Government Resolution on a plan for a hybrid strategy to manage the COVID-19 crisis</u> for continuing

restrictive measures to curb the coronavirus epidemic, and the controlled and gradual dismantling of restrictive measures.

<sup>55</sup> Disaster situation <u>is declared until 17 May</u>.

<sup>56</sup> President of Romania, <u>Press statement</u>,12 May 2020.

<sup>57</sup><u>https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control\_en</u>

<sup>58</sup>COM (2020) 2050 final

<sup>59</sup><u>https://www.schengenvisainfo.com/news/commission-invites-member-states-to-prolong-external-border-closure-until-june-15/</u>

<sup>60</sup> Arrivals are available here: <u>https://www.interno.gov.it/it/sala-stampa/dati-e-statistiche/sbarchi-e-accoglienza-dei-migranti-tutti-i-dati.</u>

<sup>61</sup> According to the new <u>Decree</u> adopted by the Minister of the Interior, Ministry of Health, Minister of Foreign Affairs and International Cooperation and the Minister of Infrastructure and Transport, for the entire duration of the health emergency, Italian ports cannot be classified as 'safe places' for the landing of people rescued from boats flying a foreign flag.

<sup>62</sup> The Greek Asylum Service <u>announced on 13 March</u> that it will not receive applicants and will not provide services to the public from 13 March to 10 April 2020. The restriction <u>was extended</u> until 15 May 2020.
<sup>63</sup> The OAR announced that access to the public was suspended for the General Sub-Directorate of International Protection/Asylum and Refuge Office (Pradillo street, 38-40, Madrid) until further notice. For this reason, interviews were suspended. The procedures carried out by national police and the Social Work Unit of the Ministry of Inclusion, Social Security and Migrations in the same building were also suspended. <u>See announcement here</u>

<sup>64</sup> Special Annex to the 30th EMN Bulletin

<sup>65</sup> <u>https://www.easo.europa.eu/latest-asylum-trends</u>

<sup>66</sup> Special Annex to the 30th EMN Bulletin

<sup>67</sup> https://www.easo.europa.eu/latest-asylum-trends

<sup>68</sup> Ordinance No. 2020-306 of 25 March 2020 provides for the extension of deadline for lodging asylum applications.

69 Upon Ministerial Decision http://asylo.gov.gr/wp-content/uploads/2020/05/English.pdf

<sup>70</sup> C/2020/2516.

<sup>71</sup> EMN, <u>Special Annex to the 30th EMN Bulletin</u>, EU Member States & Norway: responses to COVID-19 in the migration and asylum area January – March 2020.

<sup>72</sup> Ibid.

<sup>73</sup> C/2020/2516.

74 Ibid.

 $^{75}$  Joint Ministerial Decision No Δ1α/ΓΠ.οικ. 20030 (Gov. Gaz. 985 B/20.3.2020).

<sup>76</sup> Temporary suspension of all courts and public prosecutors throughout the territory from 16-27 March except for specific cases. Joint Ministerial Decision 18176 Gov.Gaz. 864/15.03.2020. Further, a Joint Ministerial Decision No  $\Delta 1\alpha/\Gamma\Pi$ .ouk.24403 (Gov. Gaz. 1301/11.04.2020) was issued prolonging the suspension of the courts until 27 April. Later, the Joint Ministerial Decision No  $\Delta 1\alpha/\Gamma\Pi$ .ouk.26804 (Gov. Gaz. 1588/25.04.2020) was issued prolonging the suspension of the courts until 15 May.

<sup>77</sup> On 31 March 2020, the amendment to the Act of March 2, 2020 on specific solutions related to the prevention, counteraction and eradication of COVID-19, other infectious diseases and crisis situations caused by them came into force. Official Journal, position 374, 567 and 568

<sup>78</sup> <u>COM (2020) 2050 final</u>.

<sup>79</sup> C/2020/2516.