

# EASO Newsletters in 2020

Key COI Related Points

February 2021

## Items of relevance to COI and the work of the Consultative Forum as detailed in the European Asylum Support Office's newsletter and 2020 COI publications

- Compiled by ARC Foundation [emphasis added] -

#### Contents

EASO Newsletter – Quarter 1 2020	3
Asylum applications in the EU increase by 13% in 2019	3
EASO Newsletter – Quarter 2 2020	3
The EASO Asylum Report 2020: The trusted source of information on asylum in Europe	
Record low number of asylum applications lodged in Europe	
EASO's support to the Specialised Sections of Tribunals in Italy	4
EASO in Italy: an overview of the activities and results achieved in 2019	4
EASO Newsletter – Quarter 3 2020	5
Interview with James Restrepo Drafter of the Venezuela Country Focus Report	5
New Country Guidance: Syria, Published in September	6
EASO Newsletter – Quarter 4 2020	7
EASO Practical guide on the use of Country of Origin Information by case officers for the examination asylum applications	-
2020 EASO COI publications	7
2020 EASO Guidance	8

#### Asylum applications in the EU increase by 13% in 2019

For the first time since 2015, applications increased from the previous year. The increase was not largely driven by irregular migration, but rather by applications from countries with visa-free access to Schengen. More than 714 000 applications were lodged in the EU+ in 2019, up by 13% from 2018, when fewer than 635 000 were registered. This is the first time since 2015 that there have been more applications than the previous year and occurred despite reduced irregular migration towards the European Union.

This initial information was released by the European Asylum Support Office (EASO) on 26 February 2020 in a public summary. Commenting on the release, EASO's Executive Director, Nina Gregori, stated: "Today's figures highlight that while we remain well below the situation of a few years ago, we need to continue to be vigilant and strengthen our asylum practices. A sustainable, fair and crisis-proof asylum system in the European Union is needed. To further feed into this process, on 26 June EASO will release its Annual Report, which will provide a more detailed picture of the state of the EU's asylum system, as well as where it is heading."

The top three countries of origin of applicants were Syria (about 72 000), Afghanistan (60 000) and Venezuela (45 000). Afghans sought asylum in far larger numbers than a year earlier, as did Venezuelans, who lodged more than twice as many applications (approximately 22 000 applications in 2018). For more information, you can read EASO's <u>Press Release</u> & visit the <u>Latest Asylum Trends</u> page.

#### EASO Newsletter – Quarter 2 2020

#### The EASO Asylum Report 2020: The trusted source of information on asylum in Europe

[...] The Report finds that there was an 11 % increase in the number of applications for international protection in EU+ countries in 2019. However, applications were not spread across Europe evenly, straining some asylum systems more than others. For example, countries such as Cyprus, France, Greece, Malta and Spain received more asylum applicants in 2019 than during the so-called 'migration crisis' of 2015. [...]

Using over 700 reliable sources, the Report includes diverse perspectives from various stakeholders working in the field of asylum, including international organisations, civil society organisations, academia and researchers. Information is also drawn from the EASO Case Law Database and the EASO Early Warning and Preparedness System (EPS). The report features selected case law which interpreted how to apply European and national laws in the context of the EU asylum acquis. The EASO Asylum Report 2020 is accompanied by various, user-friendly tools to provide a clear overview of asylum in 2019, including a new database which presents the main legislative, institutional and policy changes by country and theme. For further information, consult the following tools:

Executive Summary available in 29 languages: <u>https://easo.europa.eu/executive-summary-asylum-report-2020</u> Database on EU+ developments <u>https://easo.europa.eu/eu-developments</u>

Extensive bibliography of the sources used in the Asylum Report <u>https://easo.europa.eu/sites/default/files/easo-asylum-report-2020-bibliography.pdf</u>

Data visualisations on asylum trends in 2019 <u>https://easo.europa.eu/asylum-trends-easo-asylum-report-2020</u> Press release <u>https://easo.europa.eu/news-events/eu-receives-one-third-global-asylum-applications-2019</u> EASO Case Law Database <u>https://caselaw.easo.europa.eu/Pages/default.aspx</u>

#### Record low number of asylum applications lodged in Europe

EASO has released a special report, which shows that the COVID-19 related travel restrictions and national health measures which were imposed during the past few months led to a dramatic cut in asylum applications in Europe. According to this report, only 8,730 asylum applications were registered in the EU+ in April, the lowest since at least 2008, and a massive 87% decrease from pre-COVID-19 levels in January and February.

Despite the emergency measures, there were still almost 10 times as many applications for asylum as detected illegal border crossings (900) into the EU+ in April.

The disparity indicates that despite the temporary suspension of certain asylum activities in many EU+ countries, some countries did continue lodging applications.

In its report, EASO also warns that two diametrically opposed forces seem to be at work at a global level: on the one hand interrelated effects of the pandemic, such as contracting economies, food insecurity and social unrest, could result in displacements, including persons with international protection needs.

On the other hand, migration patterns will likely remain highly disrupted due to restrictions on mobility, possibly coupled with increased digital surveillance. You can find more information in the Report, which is available on EASO's Website <u>here</u>.

#### EASO's support to the Specialised Sections of Tribunals in Italy

In 2019, the Ministry of Justice and the Consiglio Superiore della Magistratura (CSM) requested EASO's support in addressing the backlog of pending cases in the Tribunals' Specialised sections for international protection by providing administrative and research support in view of the judges' processing of international protection related appeals.

In June 2019, the backlog of cases in second instance reached the significant number of 73,504 pending cases, posing challenges for the Specialised Sections. EASO, the Ministry of Justice and each Tribunal defined general working instructions for EASO Research Officers and Cultural Mediators, and additional arrangements described in the Italy Operating Plan 2020. EASO's support intends to provide technical, organizational, content-related, and language interpretation support to the reduction of backlog by Tribunals, and, hence, to improve the timeframe in which decisions are taken by the competent judicial authorities.

The intervention also intends to improve the quality of file preparation through a dedicated intervention on Country of Origin Information (COI) research. The activity started in January 2020, when the so-called Pilot Project was launched. EASO started supporting six Specialised Sections of the Italian Tribunals in processing international protection related cases, through the deployment of 15 Research Officers.

In March 2020, Phase II of the implementation of the Measure took place, involving 12 Tribunals in the project. 22 new Research Officers were thus recruited and trained before starting supporting the respective Specialised Sections.

Finally, in May 2020, the remaining 17 personnel were selected and trained, reaching the overall number of 54 Research Officers. Starting from June 2020, they will begin supporting the remaining Tribunals, reaching the total number of 26 Specialised Sections involved in the project.

The preventive measures related to the COVID-19 spread did not stop the activities, with the sole exception for hearings that have suffered a temporary suspension as per national legislation.

At the end of May 2020, around 2,500 files had been prepared, together with 1,700 COI researches, 770 Jurisprudence researches and 100 Doctrinal researches. In light of the positive feedback received from the national authorities, a discussion on the possible extension of EASO's support to higher judicial authorities is already ongoing.

#### EASO in Italy: an overview of the activities and results achieved in 2019

The Italy Operating Plan 2019 provided technical and operational support to the country, with a special focus on international protection applications' backlog reduction, processing of applications and enhancement of quality in asylum procedures and practices. Several trainings and capacity building activities took place over the year, covering, among others, registration procedures, the Dublin Regulation and the reception of adult asylum seekers and unaccompanied minors. **EASO also supported the development of sustainable asylum and reception workflows and methodologies, supporting the capacity of the Department for Civil Liberties and Immigration and of the <b>National Asylum Commission - in particular the Italian COI Unit** -, and harmonizing the reception monitoring activities headed by DCLI.

[...] Support to asylum procedures in Territorial Commissions, local Police Immigration Offices and Dublin Unit Over the course of 2019, EASO Asylum Support Teams assisted in the registration of 19,722 applicants for international protection in local Police Immigration Offices. **The Territorial Commissions were supported with 5,287 Country of Origin researches**, 2,531 jurisprudential researches, 65,694 files prepared and processed in support of decision-making and 65,207 processed files in support to litigation procedure. At the end of the year, a reduction of some 30,000 cases was achieved also thanks to the support of EASO, corresponding to a reduction of more than one-third of the 2018 backlog. Quality support was provided with the development and introduction of new tools to improve the quality of the asylum procedure, the provision of expert guidance and support to quality assurance mechanisms within operations. [...]

#### Interview with James Restrepo Drafter of the Venezuela Country Focus Report

The Venezuela Country Focus Report you have researched and drafted was published by EASO recently. It is an impressive piece of work, packed with information and almost 160 pages long. Could you run us through the process and what it was like produce the report?

The EASO report was the result of a joint initiative between EASO and IGC. The themes of the EASO COI report on Venezuela were based on the input received during a consultation period with EASO/EU+ member states and Canada, the US, Australia, the UK and New Zealand on the information needs of their respective national asylum authorities. Although their input covered a wide scope of issues on Venezuela, the themes selected for the terms of reference were the ones officially addressed in the report. The report was produced in line with EASO's COI Research Methodology and COI Writing and Referencing Guide.

The process of producing the Venezuela COI report consisted of several phases. The first phase consisted of gathering publicly available information from sources located primarily in Venezuela, although I also consulted sources based in Colombia, Brazil, Peru, Chile, Argentina, the US, and Spain, as outlets and organisations based in these countries report more on Venezuelan issues given the large number of Venezuelans living there. Most interviews with sources took place during this phase. The second phase consisted of an in-depth analysis of the information gathered and the drafting of the preliminary outline and overall framework of the paper. Then, in the third stage, I drafted the report while carrying out additional research, analysis, and interviews to cover emerging information gaps. In the last stage, the report was reviewed and factchecked by COI researchers delegated by member states. After addressing their reviews, the updated draft version was reviewed internally by EASO COI Sector before publication.

Doing COI research on Venezuela is challenging due to the political and social polarisation in the country. Additionally, increasing restrictions and targeting of the media and scholarly research by actors in the country made it difficult to explore certain aspects or to obtain contrasting or corroborating information. In spite of this, I ended up with hundreds of pages of information in Spanish, English, French and Portuguese, plus about 40 hours of interview recordings with oral sources. Synthesising the information into the usual corroborated statements (i.e. two or more sources being referenced in a given statement) was a challenge due to the wide array of nuances provided by sources. In order to respect these variations, which I consider important to the issues, most passages in the report incorporate these nuances, instead of eliminating them for the sake of brevity, which is why you will find longer than usual paragraphs. It was indeed a massive enterprise that required a comprehensive analysis of country conditions that took 4 months to research.

What were the most useful and valuable sources you consulted for the report?

A wide variety of sources were consulted for this report, including **publicly available information from local and international organisations, government agencies, inter-governmental organisations, social media, think tanks, and news outlets.** I consider all sources of information valuable; sources report their own individual findings according to their mandate and resources, and these findings, no matter how limited, are always useful in research. However, the dialogue I established with expert oral sources provided the advantage of widening the scope of a given issue and exploring the intricacies and subtle details in more depth. For this report, I contacted 47 potential organisations, journalists, union leaders, lawyers, regional analysts, scholars, and diplomatic missions. Of the 47, I interviewed 21, and ended up including 14 in the report, plus one source that made the submission by correspondence. Some of the interviewees did not want to appear in the report for security reasons, which is completely understandable. Other sources preferred to be included anonymously for the same reasons. In all cases, the information provided by oral sources, including those who did not appear in the report, was critical to my understanding of the conflict dynamics in Venezuela and to translating these dynamics into tangible indicators that assist decision-makers in the evaluation of applications for international protection.

For those who have not read the report in detail, how would you describe the crux of the situation in Venezuela following your extensive research for the report?

The report develops the themes included in the terms of reference which were drafted in consultation with EU+ and IGC member states. These themes include the political and humanitarian situation, targeted profiles, colectivos, entry and exit procedures, identity documents, and the situation of LGBT individuals. It is worth noting that, given the nature of conflict dynamics in Venezuela, there is a high degree of intersectionality among these themes, that is, sections within the report complement other sections as some of the dynamics have correlation between them. However, one unifying theme that emerged in many of the dimensions of the crisis that I looked at was the idea of institutional duality that permeates many elements of society: the idea that parallel institutions and polarisation in society have been generated by political division. The instrumentalisation of the COVID-19 virus as a means of state surveillance and control also emerged. Another theme was the use of the 'Law Against Hate', which was intended to protect against hate speech and discrimination, but according to sources has been used to target political opponents and dissent instead. COI research provides reliable and timely information to national asylum authorities to render decisions on international protection applications. The information provided is presented in a neutral and objective way in order to preserve the integrity of the decision-making process. In this sense, I would encourage reading the report so the reader makes their own conclusions.

And finally, what can you share about your experience of working with EASO as an external COI expert on this project?

Working as an external COI expert for EASO was a unique opportunity to apply both my experience in COI research and knowledge of Venezuela's country conditions in the service of the European Union. Producing an EASO report allows COI experts as myself to delve more in depth into specific topics, utilise a wide array of research techniques, and elaborate on the analysis and the internal drive that comes with the curiosity of research. Additionally, it was an exceptional opportunity to contribute to the Common European Asylum System (CEAS), particularly in the area of practical cooperation among EU+ member states and IGC countries, as this report is the first COI product from the cooperation between these two intergovernmental institutions. Cooperation in the field of COI is an important element for informed and consistent decision-making across national asylum authorities, while supporting capacity building within the CEAS notion of solidarity among EU member states and between EU and non-EU states. Finally, EASO's COI Sector highly qualified and professional colleagues supported, encouraged and respected my independence as an external expert while adhering to the EASO research methodology and COI research best practices; their guidance and support throughout the production process greatly facilitated the drafting of the report.

#### New Country Guidance: Syria, Published in September

In September 2020, EASO added a new important country to the available guidance notes on Afghanistan, Iraq and Nigeria. The 'Country Guidance: Syria' is the fourth country guidance document, developed with the aim to assist decision-makers and policy-makers and to foster convergence in the assessment of international protection needs of applicants from main countries of origin. The country guidance builds on the EASO COI reports on Syria, published in the period November 2019 – May 2020. It analyses the available information in the framework of the applicable international and EU legislation and takes into account the general EASO guidance on qualification for international protection. The common analysis and guidance note address each element in the examination of protection needs: This comprehensive analysis and guidance are drafted by national experts, with the support of EASO and with valuable input from the European Commission and UNHCR. The final text is agreed by senior policy officials from EU+ countries and the guidance note, accompanied by the common analysis, is endorsed by the EASO Management Board.

### EASO Practical guide on the use of Country of Origin Information by case officers for the examination of asylum applications

A new EASO Practical Guide on the use of Country of Origin Information (COI) by case officers for the examination of asylum applications was published at the end of December. The overall objective of this guidance is to support case officers to correctly use COI during the examination of an application for international protection. The guide contains what every case officer needs to know about COI: what is COI, what are its quality standards, where to find COI, how to formulate research questions, as well as guidance on how COI can best be integrated into the different steps of the asylum procedure.

To support case officers in their daily work, guidance is provided on the use of COI (a) in order to investigate an applicant's identity and country of origin; (b) to be able to assess the credibility of the claim; and (c) to be able to assess the legitimacy of fear upon return. In order to better illustrate the use of COI in the process of the examination of an application for international protection, different examples based on four concrete asylum cases are used throughout the practical guide.

The guide is available on EASO's website under 'Asylum Support & Training: Practical Tools', <u>https://www.easo.europa.eu/practical-tools</u>. [...]

#### 2020 EASO COI publications

COI Report: Afghanistan - Criminal law, customary justice and informal dispute resolution, July 2020

COI Report: Afghanistan - State Structure and Security Forces, August 2020

- COI Report: <u>Afghanistan Key socio-economic indicators. Focus on Kabul City, Mazar-e Sharif and Heart City</u>, August 2020
- COI Report: Afghanistan Anti-Government Elements (AGEs), August 2020
- COI Report: Afghanistan Security Situation, September 2020

MedCOI Report: <u>Medical Country of Origin Information Report – Democratic Republic of Congo (DRC)</u>, December 2020

- COI Report: Iraq Key socio-economic indicators for Baghdad, Basra and Erbil, September 2020
- COI Report: Iraq Security Situation, October 2020
- COI Report: Iraq Treatment of Iraqis with perceived affiliation to ISIL, October 2020
- COI Report: Irag The protest movement and treatment of protesters and activists, October 2020
- COI Report: Pakistan Situation of Afghan refugees, May 2020
- COI Report: Pakistan Security situation, October 2020
- COI Report: Syria Exercise of authority in recaptured areas, January 2020
- COI Report: Syria Situation of women, February 2020
- COI Report: Syria Socio-economic situation: Damascus City, February 2020
- COI Report: Syria Targeting of individuals, March 2020
- COI Report: Syria Internally displaced persons, returnees and internal mobility, April 2020
- COI Report: Syria Security situation, May 2020

#### 2020 EASO Guidance

Country Guidance: <u>Afghanistan</u>, December 2020 Country Guidance: <u>Syria</u>, September 2020