



Input by civil society to the EASO Annual Report 2017

EASO has started the production of the 2017 Annual Report on the Situation of Asylum in the European Union, in line with Article 12 (1) of the EASO Regulation. The report aims to provide a comprehensive overview of important asylum-related developments at EU+ and national level, and the functioning of all key aspects of the Common European Asylum System (CEAS). While the final product comes out of an analytical and synthetic process that takes place in-house, a critical part of information is elicited through valuable contributions by a multiplicity of stakeholders from EU+ countries, civil society organizations, UNHCR, and other actors possessing in-depth knowledge on main developments in asylum policies and practices in EU+ countries. Previous reports are [available for review at EASO's website](#).

We would like to kindly invite you to take part in this process, by sharing your observations **on developments in asylum law, policy or practice in 2017 (and early 2018) in the areas listed on page 2**. The topics listed there reflect the structure of Chapter 4 of the EASO report, which focuses on the 'Functioning of the CEAS'. To this end, your observations may concern national practices of specific EU+ countries or the EU as a whole. Overall, the EASO Annual Report is not meant to describe the national asylum systems in detail, but present key developments in 2017, including **improvements and new/remaining concerns**. In terms of format, your contributions would be preferably offered in the form of bullet points, which would facilitate further processing of your input.

Please, bear in mind that the EASO Annual Report is a public document. Accordingly, it would be desirable that your contributions, whenever possible, be supported by references to relevant sources. Providing links to materials such as analytical studies, articles, reports, websites, press releases, position papers/statements, and press releases, would allow for maintaining transparency. For your reference, you may review the [contributions offered by civil society actors for the 2016 Annual Report](#). If you do not consent on EASO making your submission available, please inform us accordingly.

In our effort to provide an inclusive overview of all relevant developments, we strive to incorporate as many contributions as possible. At the same time, the final content of the EASO Annual Report is subject to its set terms of reference and volume limitations. To this end, your submissions, which are gratefully received and acknowledged, may be edited for length and clarity so that the final product concisely serves the objectives of the Annual Report: to improve the quality, consistency, and effectiveness of CEAS. From our side, we can assure you that the valuable insights you offer feed into EASO's work in multiple ways and inform reports and analyses beyond the production of the Annual Report.

Please, kindly provide your input by filling in this document (with attachments, if needed) and returning it to ids@easo.europa.eu **AND** consultative-forum@easo.europa.eu **by 16 February 2018**.

Within each area, please highlight the following **type of information**:

- NEW positive developments; improvements and NEW or remaining matters of concern;
- Changes in policies or practices; transposition of legislation; institutional changes; relevant national jurisprudence.

You are kindly requested to make sure that your input falls within each section's scope. Please, refrain from including information that goes beyond the thematic focus of each section or is not related to recent developments. Feel free to use Section 16 to share information on developments you consider important that may have not been covered in previous sections.

Name of the contributing stakeholder:

Contact details:

1) Access to territory and access to asylum procedure

2) Access to information and legal assistance

3) Providing interpretation services

Translators are very important for the quality of the asylum procedure since the first and the second hearing in the Dutch asylum procedure are the foundation on which the Immigration Service makes the decision. During the asylum procedure the Immigration Service uses their own translators. These translators have to meet certain standards. The translators have to be registered at the Bureau 'Wet beëdigde tolken en vertalers' (Bureau WBTV, see also: <https://www.bureauwbtv.nl>)

The Dutch Council for Refugees also uses translators from the Bureau WBTV, just like other organisations who are active with asylum seekers.

During high peaks of certain nationalities it can be difficult to find a translator. The Ministry and the Immigration Services are busy to search for solutions regarding the scarcity of certain languages with the program 'Tolken in de toekomst'. The Dutch Council for Refugees is just like other organizations working with asylum seekers active in this program.

4) Dublin procedure

According to a European Commission recommendation, as of 15 March 2017, EU-member states can 'gradually' resume Dublin-transfers to Greece. Source: <http://www.europeanmigrationlaw.eu/en/articles/news/european-commission-dublin-transfers-to-greece>.

So far, the Dutch Council for Refugees has not heard of cases of transfers from Greece to the Netherlands. However, the Ministry of Justice has indicated that they wish to start doing so (Source: <https://www.trouw.nl/home/asielzoekers-voor-het-eerst-in-jaren-teruggestuurd-naar-griekenland~adbcd5d9/>).

In November 2017, the Dutch Secretary of State sent a letter to Dutch parliament regarding Dublin transfers to Hungary. In this letter, he announced the Netherlands would start a mediation procedure, because Dutch and Hungarian Dublin experts had a different reading of some of the criteria in the Dublin regulation. The secretary of state noted that if Hungary agreed on the mediation procedure, this does not mean that Dublin transfers to Hungary can be resumed immediately. This has to do with a ruling by the Dutch Council of State from November 2015 and questions about the compatibility of new Hungarian asylum legislation with European law. (Source: <https://zoek.officielebekendmakingen.nl/dossier/19637/kst-19637-2355?resultIndex=2&sorttype=1&sortorder=4>)

Information on the Dutch Dublin procedure can be found in the AIDA-report on the Netherlands: <http://www.asylumineurope.org/reports/country/netherlands>

5) Specific procedures (border, accelerated, admissibility)

6) Reception of applicants for international protection

7) Detention of applicants for international protection

8) Procedures at First instance

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9) Procedures at Second Instance

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10) Availability and use of Country of Origin Information

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11) Vulnerable applicants

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12) Content of protection – situation of beneficiaries of protection

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13) Return of former applicants for international protection

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14) Resettlement and humanitarian admission programmes

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15) Relocation

The Dutch government originally pledged 8,712 places for relocation and has effectively relocated persons 2694 as of February 2018. 940 persons were relocated from Italy, 1754 from Greece. Sources: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf and <https://www.nrc.nl/nieuws/2017/04/13/eu-plan-verdelen-migranten-ligt-nu-ineens-wel-op-schema-8204145-a1554602>.

The procedure for the selected individuals is as follows: The Dutch immigration service IND conducts an interview of about 1,5 hours. The selected asylum seeker can only be rejected by NL on matters of public order, national safety or article 1F.

Dutch Reception Agency COA organizes a Cultural Orientation training of 2 days with a.o. Dutch lessons and information on Geography, Rules, regulations & Norms and values and Healthcare.

The procedure in the Netherlands lasts one day for the asylum seekers who receive a permit upon arrival, and 8 days for the few others who are adjudicated in the regular procedure. For more information on the procedure see <http://www.asylumineurope.org/reports/country/netherlands>.

16) Other relevant developments

We refer to the updated Netherlands AIDA report which is due to be published in March for the remainder of the topics. <http://www.asylumineurope.org/reports/country/netherlands>