

Input by civil society to the EASO Annual Report 2019

Fields marked with * are mandatory.

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The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organizations, the UNHCR and researchers. To this end, we invite you to submit information on developments in asylum law, policy or practice in 2019 (and early 2020) by topic as presented in the online survey.

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All submissions are publicly accessible. For transparency, 2019 contributions will be published on the EASO webpage. Contributions to the 2018 annual report by civil society organisations can be accessed [here](#). All contributions should be appropriately referenced. You may include links to supporting material, such as analytical studies, articles, reports, websites, press releases or position papers. If your organisation does not produce any publications, please make reference to other published materials, such as joint statements issued with other organisations. Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

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Please complete the online survey and submit your contribution to the 2019 annual report by **Thursday, 12 March 2020**.

[Instructions](#)

Before completing the survey, please review the list of topics and types of information that should be included in your submission.

For each response, please only include the following type of information:

- New developments and improvements in 2019 and new or remaining challenges;
- Changes in policies or practices, transposition of legislation or institutional changes during 2019.

Please ensure that your responses remain within the scope of each section. Do not include information that goes beyond the thematic focus of each section or is not related to recent developments.

Contributions by topic

1. Access to territory and access to asylum procedures (including first arrival to territory and registration, arrival at the border, application of the non-refoulement principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

2. Access to information and legal assistance (including counselling and representation)

3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)

4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)

5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)

6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions - housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

7. Detention of applicants for international protection (including detention capacity – increase /decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)

8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decisionmaking, timeframes, case management - including backlog management)

9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management - including backlog management)

10. Availability and use of country of origin information (including organisation, methodology, products, databases, fact-finding missions, cooperation between stakeholders)

11. Vulnerable applicants (including definitions, special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)

Improving legal guardianship:

EGN

- An important development in improving the quality guardianship for unaccompanied children is the formalization of the European Guardianship Network (www.egnetwork.eu) at the start of 2019 as part of the Touchstone project.
- The network consists of organizations from Austria, Belgium, Croatia, Cyprus, Denmark, Germany, Greece, Ireland, Malta, Poland, Spain, Switzerland and the United Kingdom.
- The goal of EGN is to intensify and improve cooperation at European level for the purpose of improving the quality of guardianship. This is done by exchanging good practices, expertise and other relevant information.

Toolkit Proguard:

- A practical toolkit has been developed as part of the EC co-funded ProGuard project to support guardians in their daily work. It consists of information, tools and best practices related to guardianship for unaccompanied children and aims at protecting and implementing children's rights for this special group of children in Europe.

Reception:

Reception in Alternative care:

In 2019 Nidos has put the accent in OWG (Reception in Alternative care) on:

- Overall capacity building in OWG, but specifically for the reception of unaccompanied children from the northern African countries and Syria.
- The start of a project to generate hybrid forms of family based reception and OWGplus. The aim of this project is creating chances for children to live with a family during weekends, or for youngsters to have the choice to swap from living with an ethnic family to reception in a Dutch family, completely according their wishes, in order to improve their integrative position.
- The development of an aftercare program, OWG 18plus. This is a program for careleavers after they turned 18, in order to provide the youngsters with a prolonged stay in their reception families. The OWG18plus program offers aftercare for the young adults and prolonged guidance and payment for their

foster parents. This program is promoted to the Dutch Municipalities in a brochure that makes clear the urge of providing UAM's with better start qualifications in the Dutch society.

Specialized reception:

- The Central Agency for the Reception of Asylum (COA), the Custodial Institutions Agency (DJI) and Stichting Nidos discussed the option in 2018 of specialized reception and counselling for those unaccompanied minors for whom existing measures were not appropriate.
- This resulted in Nidos and COA initiating a pilot project in 2019 catering to the needs of these children. In specialised small living units the children receive shelter and very intensive guidance, aiming to give them more prospect.
- Together with the guardians of Nidos, COA can register children for the pilot project.
- The children mainly come from the Magreb countries.
- The daily guidance is done by employees with a similar background as the children and they are experienced in dealing with severe and challenging cases.
- The first outcomes of this project are promising, therefore this pilot has been extended for one year by the end of 2019.

12. Content of protection (including access to social security, social assistance, healthcare, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)

13. Return of former applicants for international protection

14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)

15. Relocation (ad hoc, emergency relocation; developments in activities organised under national schemes or on a bilateral basis)

16. National jurisprudence on international protection in 2019 (please include a link to the relevant case law and/or submit cases to the [EASO Case Law Database](#))

17. Other important developments in 2019

References and sources

18. Please provide links to references and sources and/or upload the related material in PDF format

<https://www.egnetwork.eu/>
<https://guardianstoolkit.eu/>

19. Feedback or suggestions about the process or format for submissions to the EASO Annual Report

Please upload your file

The maximum file size is 1 MB

Contact details

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I accept the provisions of the EASO [Legal and Privacy Statements](#)

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- The Netherlands does not send minors to Greece in case they have family members or relatives there.
- In the Netherlands an unaccompanied minor is referred to Nidos. Nidos acts as legal guardian. In case the minor has family members or relatives, Nidos conducts an examination on the best interests of the child. We

do that in cooperation with civil society/child protection organization in other EU MS. We aim to have a complete oversight on the best interests of the child in order to guarantee a safe transfer. If we have clues that a transfer runs contrary to the BIC, Nidos informs the Immigration authorities on this. Sometimes a statement is taken over, but usually not. In the latter, Nidos brings in a statement in the following Dublin procedure against the transfer decision. Lower courts consider that Nidos is the expert on determining the best interests of the child.

- The Council of State held a court hearing on 10-12-2019 on the question how the authorities ought to determine the best interests of the child in procedures. At this moment, we did not receive a judgment yet (will follow shortly).

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