



**FOURTH EASO CONSULTATIVE FORUM PLENARY MEETING
11 & 12 December 2014**

Round table 2: Influx of Eritrean asylum seekers: EU and MS practical responses

- Report -

Moderated by: **Francesco Maiani**, Associate Professor, IDHEAP

Supported by: **Ward Lutin**, Centre for Information, Documentation and Analysis, EASO

Speakers:

Eva Singer, Head of the Asylum Department in the Danish Refugee Council

Mohammed Fitwi, Norwegian Organisation for Asylum Seekers

Paulus Bouma, Head of Division, Immigration and Naturalisation Service (NL)

Summary

A lead-off presentation by EASO provided background information from its data analysis and a recent practical cooperation workshop on Eritrea. EASO commented on the number and profiles of Eritrean applicants that recently arrived in EU+ countries, the main grounds on which applications are based, and diverging decision practices in European countries resulting in different statuses being granted to similar caseloads. The sudden influx of Eritrean applicants has represented a significant challenge in some EU+ countries, in term of reception, status determination, interpretation, and country of origin information (COI). EASO aims to continue information exchange on Eritrea, inter alia, within the framework of a newly established COI network on Eritrea, and by providing an EASO COI factsheet on Eritrea.

Three speakers from respectively Denmark, Norway and the Netherlands commented on national responses to the Eritrean influx. Eva Singer (DRC) voiced her concern over the possible bias of Eritrean interpreters and the reliability of a COI report produced after a recent fact-finding mission by the Danish Immigration Service.

Mohammed Fitwi (NOAS) raised some questions about the requirement for Eritrean nationals to produce identity documents, the fact that the Immigration Directorate would not consider desertion in itself to be an asylum ground; and the recent visit by the Norwegian authorities to Eritrea to discuss possibilities to return failed asylum seekers.

Paulus Bouma (IND) explained how the Netherlands developed a comprehensive approach to deal with the unexpected increase in the number of Eritrean applicants in April-May 2014, focusing respectively on the processing of asylum applications, the reception of applicants, the fight against human smuggling networks, and international and multilateral cooperation.



During the plenary discussion moderated by Francesco Maiani, participants highlighted the need for a coordinated approach with regard to interpreters, information-exchange (incl. COI), and victims of torture. Also a more evidence-based approach is needed for the analysis of pull and push factors and secondary flows. Participants saw an important role for EASO.

Detail

In his lead-off presentation, Ward Lutin (EASO) presented an overview of recent data on Eritrean applicants and protection rates in the EU+, as well as some outcomes of a practical cooperation workshop on Eritrea, held in Malta in October 2014. The numbers of Eritrean applicants in the EU+ started to increase mid 2013 and especially the beginning of the spring of 2014 was marked by a very large influx of Eritreans applying for international protection. The flow accelerated in May, doubling compared to April, and stabilized in June at around 5 500 applicants per month. After a peak in July (8 036), numbers went down and this downward trend continued in autumn. A combination of possible factors can be identified that led to the increase. These factors do not seem to relate to the situation in Eritrea itself (no indications of deterioration), but seem to be largely linked to developments in the region and en route to Europe, including policy changes in Israel and Saudi Arabia, the precarious protection situation for Eritrean refugees in Ethiopia and Sudan, the situation in Libya, where facilitator networks take advantage of the chaos, and the Mare Nostrum search and rescue operation, in combination with high positive decision rates in EU MS. The diaspora plays an important role in financing the journey to Europe. Reasons for declining numbers after July may be linked to the increased cost for sea-crossings in light of the end of the Mare Nostrum operation and the level of violence in Libya blocking some migration routes. Despite its large size, the influx of Eritrean applicants is mainly concentrated in a limited number of EU+ countries, especially Sweden, Germany, Switzerland, Norway and the Netherlands. More recently also Denmark and the United Kingdom have seen sudden increases.

The majority of Eritrean applicants consist of single young men, although there are also women and children. Most applicants are Christian from the Tigrinya ethnic group. There is a considerable number of Eritrean UAMs. Most recurrent grounds for asylum applicants are linked to the open-ended Eritrean National Service (deserters, draft evaders, family members of...), to illegal departure from Eritrea and to religious persecution. There are also a number of Eritreans born in Ethiopia or Sudan and who never lived in Eritrea. The protection rate of Eritrea applicants in the EU is very high, at 81%. There are, however, quite a lot of divergences among EU+ countries, both as concerns the positive decision rate and the choice of status (refugee status, subsidiary protection status, permit for humanitarian reasons). Some countries grant refugee status to almost all Eritrean applicants, while others rather grant subsidiary protection, mainly due to a different assessment of grounds on which protection is granted. It should be noted that in several countries there is little or no difference between refugee (Geneva Convention) status and subsidiary protection status in terms of rights and benefits.

Challenges identified by participants to the EASO meeting included: combating facilitator networks; stretched reception capacity; lack of interpreters; credibility issues related to origin and illegal exit; the high number of unaccompanied minors; and the lack of up to date and reliable country of origin information. In order to facilitate sharing of existing and new knowledge on Eritrea and sources



relevant for, e.g., origin verification, the EASO will set up a COI Specialist Network on Eritrea. EASO also foresees to produce a COI factsheet on Eritrea in the first half of 2015.

After this EASO presentation, three speakers were invited to comment on national responses to the recent Eritrean influx.

Eva Singer provided some background data on the recent sudden Eritrean influx in Denmark and highlighted challenges related to the possible bias of interpreters, which may result in the applicants' reluctance to share information. She also commented on recent commotion that has recently arisen in Denmark over a heavily criticised country of origin information (COI) fact-finding mission report produced by the Danish Immigration Service, which was found to be methodologically flawed.

Mohammed Fitwi commented on the Eritrean asylum caseload in Norway, which is far from new but undergoes regular fluctuations in numbers. He voiced his concerns over a number of practices of the Norwegian Directorate of Immigration (UDI), such as the requirement for Eritrean nationals to provide identity documents, which may force them to contact the Eritrean authorities and thus be subjected to a 2% income tax and the signing of a "letter of regret". Contrary to UNHCR recommendations, the UDI would not consider desertion in itself to be an asylum ground, and always requires a nexus with another Geneva Convention ground. Norwegian authorities have visited authorities in Eritrea to discuss possible returns to Eritrea, thus sending out a clear message to Eritrean asylum seekers not to come to Norway anymore.

Paulus Bouma provided some comments from the government perspective. He explained how the Netherlands was confronted with an unexpected dramatic increase in the number of Eritrean applicants in April-May 2014, followed by a fast decrease. Human smugglers are thought to have played an instrumental role in the sudden shift in destination countries. In response, the Netherlands adopted a comprehensive set of measures aimed at processing applications within reasonable timeframes (by recruiting extra caseworkers and interpreters; by profiling and channelling applications through either a quick procedure or an extended procedure), offering reception to all applicants (by expanding and opening new reception centres), while at the same time discouraging human smuggling networks (by setting up an inter-departmental action team). Finally, the importance of international and multilateral cooperation and dialogue was highlighted, including in the framework of EASO.

After these briefings, Francesco Maiani opened the plenary discussion by putting the central questions on the table: Which tools have been developed by the EU and could possibly be developed in the future to better cope with massive arrivals of asylum applicants? And why do we want a European approach?

The outcomes of the plenary discussion can be summarised as follows:

- Several participants acknowledged that some interpreters may be spies working for the Eritrean government and that high quality standards need to be adhered to when working with interpreters. EASO should further explore activities that focus on the issue of interpreters.
- To establish the credibility of the Eritrean origin, language analysis is not found to be a reliable tool. Checklists for origin verification exist in some countries, but they can only be used for a very short time before questions are known. Country of origin information about the daily life in



Eritrea can be shared among states in the framework of the EASO COI Specialist Network on Eritrea.

- The combat against human trafficking should not have any influence on the status determination. The fact that an Eritrean national has used the services of a facilitator does not mean his or her application is non well-founded.
- The high percentage of victims of torture among Eritrean applicants needs to be addressed. Many Eritreans are subject to abductions for ransom, and there is evidence of torture houses in the Sinai and possibly also in Libya. EASO may need to play a coordinating role.
- Pull factors of importance when analysing the Eritrean caseload may relate to the high recognition rate, to the speed by which statuses are granted, to the rights and benefits attached to the status (which in some MS are the same for refugee status and subsidiary protection status), and to possibilities for family reunification. It is important to note that the choice of destination country is often based on perceptions, hence the attention paid by some MS on communication campaigns. As pull and push factor analyses are still too often based on assumptions, EASO should further expand its evidence-based research into this topic.

Next steps

- EASO to further coordinate questions relating to (the quality of) interpreters.
- EASO to continue its evidence-based analysis of pull and push factors
- EASO to take up coordinating role related to victims of torture
- EASO to pool resources on COI (within COI specialist network on Eritrea)
- EASO and MS to exchange information on trafficking and abuses en route (abductions, torture)