

Summary of Ad Hoc Query on the registration of applications for international protection

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Requested by: EMN Belgium

Responses: 24 EMN Member Countries provided a public answer to this query: EMN NCP Austria, EMN NCP Belgium, EMN NCP Bulgaria, EMN NCP Croatia, EMN NCP Cyprus, EMN NCP Czech Republic, EMN NCP Estonia, EMN NCP Finland, EMN NCP France, EMN NCP Germany, EMN NCP Greece, EMN NCP Hungary, EMN NCP Ireland, EMN NCP Italy, EMN NCP Latvia, EMN NCP Lithuania, EMN NCP Luxembourg, EMN NCP Netherlands, EMN NCP Poland, EMN NCP Portugal, EMN NCP Slovakia, EMN NCP Slovenia, EMN NCP Spain, EMN NCP Sweden

Background

The Asylum Procedures Directive (2013/32/EU) sets out common procedures for granting and withdrawing international protection. Article 6(1) stipulates that EU Member States shall register an application for international protection no later than three working days after it is made. Pursuant to Article 6(2), EU Member States shall ensure that applicants have an effective opportunity to lodge their application as soon as possible.

In situations where an applicant does not lodge their application, EU Member States may apply the procedures related to implicit withdrawal or abandonment in accordance with Article 28 of the Directive. Moreover, when a large number of applications are made simultaneously, EU Member States may extend the registration time limit to ten working days.

In its judgment in case C-36/20, the Court of Justice of the European Union (CJEU) clarified that the act of making an application for international protection does not involve any administrative formalities, which only occur at the lodging stage. A third-country national acquires the status of an applicant for international protection, within the meaning of Article 2(c) of the Directive, from the moment they make an

application. Consequently, from that point onwards, the person concerned is entitled to the rights and subject to the obligations set out in Directives 2013/32/EU and 2013/33/EU.

This ad-hoc query, launched by Belgium, seeks to gather information on how other countries implement these provisions in practice.

Main findings

This ad hoc query examines how EMN Member and Observer Countries organise the process of applying for international protection, including the making, registering, and lodging of applications. It explores compliance with the time limit for registration as well as the activation of the possibility to extend this period in cases of mass simultaneous applications. The query also covers the practical accessibility of registration centres, whether vulnerability assessments are performed during registration, and what measures are taken when established deadlines are missed.

An analysis of the ad hoc query results shows that:

- Most responding countries **aim to complete the processes of making, registering and lodging applications for international protection as closely together as possible, often on the same day** (e.g. **BE, EE, LU, NL, PT, SK**). In most countries, the legal time limit for registration is three working days. Others, however, have specific procedures; for example, in **LV**, if an application is made to an authority other than the State Border Guard, that authority must inform the State Border Guard within three working days.
- **Accessibility to registration points varies across countries.** **HR** reported more than 140 locations where applications may be made, including police stations and border crossing points. In contrast, **CY** registers applicants exclusively in one closed facility within the First Reception Centre Pournara. **BE** also operates one central registration centre, which uses separate lines to prioritise families, minors, women, and other vulnerable persons. In **FI**, registration is carried out by police or border control authorities, after which applicants are directed to reception centres.
- Almost all responding countries (including **BE**) indicated that **a vulnerability assessment is conducted during the registration process.** In **BG**, a medical examination is used to identify whether the applicant belongs to a vulnerable group or has special needs, while in **LU** initial identification is based on visual assessment, with further evaluation if needs are detected later in the procedure. **IE** reported dedicated vulnerability assessments conducted on the day of application for accommodated applicants. Due to accommodation shortages, triage procedures are in place for single male applicants. These

assessments are voluntary and used to identify applicants with specific health or reception needs and to prioritise accommodation where necessary. **PL** was the only country explicitly reporting that no vulnerability assessment takes place during registration.

- Most countries (including **HR, CY, CZ, FI, HU, LV, LU, NL, PL, SK, SI, SE**) reported that they have not **activated the provision under Article 6(5) of the Asylum Procedures Directive allowing for the extension of the registration deadline from three to ten working days**. Several countries, however, have either made use of the extension possibility or encountered difficulties meeting the standard deadline. **BE** has applied the extension since 2021 due to capacity constraints linked to rising application numbers. **EL** uses the extension during sudden or unforeseen increases in arrivals. In **FR**, the Code for the entry and stay of the foreign nationals and right of asylum (CESEDA) provides the possibility to extend the registration deadline to ten working days “when a large number of foreign nationals apply for asylum simultaneously”. The standard deadline of 3 days could not be respected between 2022 and 2024 during some periods and in a few territories in relation to specific international contexts. **IT** and **LT** reported similar difficulties during periods of increased arrivals, the latter activating the extension during the 2021 state of emergency following the influx from Belarus. **SE** faced difficulties during the 2015 migration crisis, introducing a simplified registration procedure, while **PL** cited interpreter shortages, particularly for rare languages, as a cause of delay.
- **Countries that experienced registration challenges reported adopting mitigating measures.** These include prioritising vulnerable groups such as families, minors and single women (**BE, EL, IT, LT, NL, SE**), expanding registration capacities or opening new centres (**AT, BG, LT**), increasing staffing levels (**AT, BG, LT**), and scheduling applicants for later registration dates (**BE**).

Disclaimer: The responses regarding this ad-hoc query have been provided primarily for the purpose of information exchange among the EMN National Contact Points (NCPs) in the framework of the EMN. The contributing NCPs have provided information that is (to the best of their knowledge) up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN Member or Observer Country. This summary has been produced by EMN Belgium.