METHODS USED BY FRANCE, GERMANY, ITALY AND SWEDEN TO STREAMLINE ASYLUM PROCEDURES. RAPID EVIDENCE BRIEF

JULY 2023

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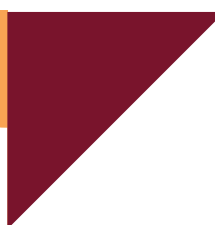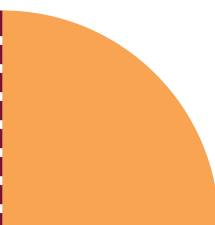
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EXECUTIVE SUMMARY

Aim: The purpose of this rapid evidence review was to rapidly map the literature and policy on asylum procedures and develop a report providing an overview of asylum systems in EU countries (France, Germany, Italy and Sweden) and summarising the evidence on how they have attempted to streamline their asylum procedures.

Design: The rapid review of evidence was conducted in 12 weeks and includes grey literature and peer-reviewed articles published from 2015 onwards and available in English.

Results:

- 40 included publications
  - Organisational grey literature publications (n=18)
    - Asylum Information Database (n= 9)
    - EMN (n= 4)
    - Other organisations (n=5)
  - Academic publications (n=22):
    - Peer reviewed articles (n=18)
    - 4 book chapters (n=4)
    - Discussing: France (n=3), Germany (n=10), Italy (n=10), Sweden (n=5)

Findings

- **Recognising the intent of new arrivals to seek asylum before filing an official claim and speeding up access to services.** The registration authorities of France and Germany shifted to registering a new arrival's intent to apply for international protection and issuing a document as proof (pre-registration), leaving the rigorous process of filing an asylum claim and checking if another Member State is responsible to a later date (full registration).
  - France also imposes a 90-day limit on filing for asylum before the case is automatically tracked under its accelerated procedures.
- **Distribution systems:** In cooperation with the Federal States, German asylum authority BAMF manages the Initial Distribution of Asylum Seekers system, which allocates places according to a quota system, based on the size and the economic strength of the Federal States where the centres are located.
- **Improving the quality of the data collected about new arrivals in the registration phase and improving digital infrastructure in general.**
  - Gathering more comprehensive information at initial stage about an asylum seeker's identity, personal history, travel route, and reasons for fleeing enables asylum authorities to verify with greater speed and certainty whether the person is entitled to protection across the selected countries.
    - Germany's DIAS dialect detection software
  - Use of remote interpretation services in Germany and France when there is a lack of availability or, in the case of rare languages, enabling applications to progress, and also enables a single interpreter to interpret for a number of cases being conducted in different branches.
- **Setting up arrival centres to streamline registration, reception and return processes and co-locating authorities and services involved in processing asylum cases under one roof.**
  - At these centres, registration, reception, asylum, and law enforcement authorities work together. Rather than a linear pipeline whereby authorities conduct specific tasks in specific orders (e.g., registration, health check) before handing over a case to another authority to fulfil another task (e.g., allocation of reception place), signifying a shift towards a more process-oriented approach.
    - France single desk arrival centres (Guichet unique)
    - Germany AnkER Centres
    - Italy and EU Hotspot System

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- **Involvement and consultation of private companies in the design and implementation of asylum procedures**
  - Germany and Sweden have both hired management consulting firms such as Ernst & Young and McKinsey & Company to help streamline asylum procedures and design arrival processes with a focus on accelerating processing times and reducing costs.
- **Tailoring asylum procedures to the incoming caseload using a triage system and improving the speed and accuracy with which unfounded asylum claims are processed.** Key considerations include the variety of tracks and the determining criteria (e.g., country of origin, the ease with which personal information can be obtained and verified); what procedural processes to include, whether to conduct a personal interview (e.g., accelerated and admissibility procedures), what processing times can be reasonably expected, and which authorities to deploy.
  - Italy notifies asylum seekers at Hotspots whose protection claims are presumed unfounded of their return options.
  - Sweden's use of a five-track system to triaging asylum seekers based on their initial likelihood of receiving asylum (Germany briefly employed a similar system but later abandoned it).
  - Asylum systems in Europe may receive applications from persons originating from a wide range of countries with different religious, ethno-cultural and political affiliations and varied personal characteristics (e.g., military service, LGBTQ). All these factors affect their chances of receiving international protection.
    - Whereas the nature of the war in Syria often provides Syrians seeking asylum a clear case for protection, those fleeing protracted conflicts in states where violence emerges in one region, then dies down, and re-emerges in another area (such as in Afghanistan) present far more complex cases.
- **Processing claims at border or disembarkation points** as a means to prevent (via detention) or deter (via accelerated procedures) asylum seekers from onward movement as it (a) offers clarity to applicants on likelihood of their applications success (b) helps to facilitate return after a rejected asylum claim or within the framework of bilateral agreements (c) discourage entry attempts by those without valid travel documents or grounds for protection.
  - There is a growing push to conduct asylum procedures at the border, shortly after newcomers have disembarked from a boat or crossed a land border and indicated their intentions to seek asylum.
    - Italy's use of the EU Hotspot approach
    - Germany setting up AnkER centres on southern border
- **Suspension of Dublin system as an example of streamlining in times of crisis to avoid backlogs and help those under more pressure or with a lower capacity**
  - The Dublin system, which obliges asylum seekers to apply for asylum in the first EU country they enter, was suspended, and many Member States (such as France, Germany, and Sweden) ended up assuming responsibility for those who had travelled onwards to, and through, their territory.
- **Issue-linkage and conditionality in bilateral agreements**
  - Development investment in Countries of Origin
  - Return and readmission agreements
  - Financial and material incentives for Assisted and Voluntary Return
  - Liberalising legal pathways to labour market

Limits and recommendations

One of the most elusive aspects of asylum procedures is how to define and assess optimal reception capacity and asylum processing.

- **Procedures**
  - Decision-making tools and quality reports should systematically be made public by registration and determining authorities in order to ensure greater transparency of asylum procedures and further enable external quality monitoring.
  - Registration and determining authorities should avoid frequent rotations of staff and enhance their capacity through long-term planning and ongoing training, thereby providing for more stability during the asylum procedure.

- **Digital**
  - Establish a clear legal framework for the use of digital tools.
  - Ensure adequate technical infrastructure and sufficient resources.
  - Digital transformation of public sector institutions is a cultural change process that should be carefully guided with the input of those who are intended to use them.
- **Return**
  - Limit the time that those with irregular status or no legal basis to be in a country spend on territory, to limit the development of factors which can otherwise complicate the return of a person, such children's education, formation of new family ties, ties between migrants and the community they live in and contribute to
  - Reduce the risk of absconding: by mandating the presence of arrivals considered at risk.
  - Ensure sufficient human and material resources: Whether a centre has the necessary staff and funding will determine whether it is able to swiftly process asylum claims and return migrants to their origin countries.
- **Labour**
  - Apply a clear policy logic on how specific legal pathways can address policy objectives. Is it a foreign policy logic required to ease return and deportation policies with countries of origin? Is it to reduce irregular migration from a country or region and substitute them to regular channels? Is it based on real demands of the labour market?
  - Depending on the country or region, different factors regarding the labour market, skills and cultural/ diaspora ties etc. will impact how regulation plays out in practice.

Limitations

The limitations of the review methodology include the potential to have missed any data published after January 2023; the potential to have missed key terms from the search strategy; the potential to have missed key publications; the exclusive inclusion of English language publications; as well as the focus on national systems limiting the authors' ability to capture all instruments relating to asylum streamlining which stem from the EU.

DISCLAIMER

Project Background

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INTRODUCTION

In light of mounting migratory pressure in the EU, which peaked in 2015, European countries have sought to streamline their asylum policies (EUROSTAT, 2023). Streamlining can have different meanings, although it generally implies improving the efficiency of asylum processing and can serve as the basis for a range of measures in asylum policy, both restrictive and liberalising. Attempts to accelerate judicial and administrative procedures have been introduced to reduce costs, decrease backlogs and waiting periods and prevent the alleged abuses of social services. This review seeks to shed some light on the methods European countries have adopted in their attempts to streamline asylum procedures in the hope of revealing insights for policy makers in the UK.

METHODS

Research Question
This rapid evidence brief was guided by the following question:

1. What methods have EU countries (Germany, France, Italy, and Sweden) used to streamline asylum procedures?

Design
The review was designed as a rapid evidence review following the approach developed by Tricco et al. (2017). It is a mixed-review and as such explored peer reviewed and grey literature. The Preferred Reporting Items for Systematic Reviews and Meta-Analysis (PRISMA) statement was used to guide stages of the review and reporting process (Page et al., 2021). The review was carried out over 10 weeks.

The aim of the project is to conduct a rapid review of grey and academic literature and develop a report summarising the evidence on the methods EU countries (Germany, France, Sweden, Italy) have used in attempts to streamline their asylum procedures. For the purpose of this evidence brief Germany and France have been selected as they are the two largest EU Member States in terms of population, economy and number of asylum seekers and have typically adopted contrasting approaches to asylum management, Sweden has traditionally been a liberal outlier and Italy provides a contrast as a point of entry for asylum seekers into the EU and a southern member state with restrictive tendencies. Moreover, they are all countries that receive large numbers of asylum seekers. As the report is focused on national asylum systems, this review will not focus specifically on the EU's Common European Asylum System (CEAS), which provides common minimum standards for the treatment of all asylum seekers and applications, beyond specific reference to national procedures.

The report is presented in two parts. The first section is designed to provide an overview of each of the countries' asylum systems and procedures. The second section of the report contains a rapid review of academic and grey literature on the streamlining of asylum policies in France, Germany, Italy, and Sweden.

Search strategy
We identified search terms using a combination of free-text and controlled terms building on terminologies identified in the literature and through consultation with the client. We tested and refined terms by running exploratory searches on Google and Google Scholar. Searches for academic peer reviewed articles and book chapters were conducted on Google Scholar. Different terms and combinations were tested, searching the first 10 pages for results. We have included a list of the primary search terms in Appendix A at the end of this document.

Following initial searches on Google, the team identified several resources as suitable for researching the asylum policy landscape in each of the selected countries. The team first identified the European Council on Refugees and Exiles (ECRE), which is an alliance of 110 NGOs across 40 European countries. AIDA is a database managed by the European Council on Refugees and Exiles (ECRE), containing information on asylum procedures, reception conditions, detention, and international protection across 23 countries (19 EU Member States + UK, Switzerland, Serbia, and Turkey). The EMN is an EU network of migration and asylum experts who work to provide objective, comparable policy-relevant information and knowledge on emerging issues

relating to asylum and migration in Europe and coordinated by the Directorate-General for Migration and Home Affairs of the European Commission coordinates the EMN.

Ultimately a variety of searches were conducted, using the advanced search functions where possible, and setting limits to reflect the timeline. The primary search terms included in the review have been listed in Annex A, at the end of this document. For the policy literature we ran some initial exploratory searches on Google which led to the identification of the following resources:

- European Council on Refugees and Exiles (ECRE): https://ecre.org/our-work/
- Asylum Information Database (AIDA): https://asylumineurope.org/
- European Migration Network (EMN): https://home-affairs.ec.europa.eu/networks/european-migration-network-emn_en

We conducted searches on Google Scholar for academic literature.

- Google Scholar: https://scholar.google.com/

All databases were searched in January 2023. As such, literature which was published thereafter will not be captured by this review.

Eligibility criteria

The search results were imported into an Excel spreadsheet for full-text screening. The eligibility criteria are listed in the table below.

Table 1. Eligibility criteria

INCLUSION	EXCLUSION
Focus on asylum procedures streamlining	No focus on asylum streamlining or procedural efficiency
Focus on France, Germany, Italy, or Sweden	No focus on any key country
Peer reviewed articles and book chapters	Dissertations, theses, newspaper articles
Organisational publications reviewing any of the key countries (e.g., NGOs, foundations)	
Available in English	Not available in English
Published since 2015	Published prior to 2015

Screening process and document selection

The research team conducted searches for peer-reviewed and grey literature and simultaneously screened the publications' titles and abstracts or executive summaries, excluding any that did not appear to meet the inclusion criteria. All relevant documents identified through searches were downloaded, with details and web links recorded in an Excel file. Publications were screened based on full text against the eligibility criteria. Relevant records were then marked for exclusion in the Excel sheet and the reasons for exclusion were noted. Following rapid review methods, the two researchers involved in the screening process cross-checked the title and abstracts of a random 25% of each other's excluded items. Any discrepancies between the reviewers' scores were discussed until resolved at both title/abstract and full text screening stages.

Data extraction

The data from the grey literature and organisational documents were extracted in a form created in Excel using a list based on the categories identified while screening them. The main details extracted were the type of document, the publishing organisation, the date of publication, the scope (e.g., application for asylum, reception, appeals and adjudication, return, and the aim of the document. The main categories extracted pertained to the four countries, i.e., data were extracted according to the country discussed: France, Germany, Italy, or Sweden. Additional categories pertained to challenges and recommendations.

The data from the included articles were likewise extracted using a data extraction form made in Excel using a pre-defined list based on categories identified in the screening process. The study details that were extracted

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from all articles included information on the author, article type, the publication year, the countries addressed and the aim and the procedural focus. The main categories extracted from the articles included: general (relevant contextual), information on procedure, enablers, challenges, and recommendations.
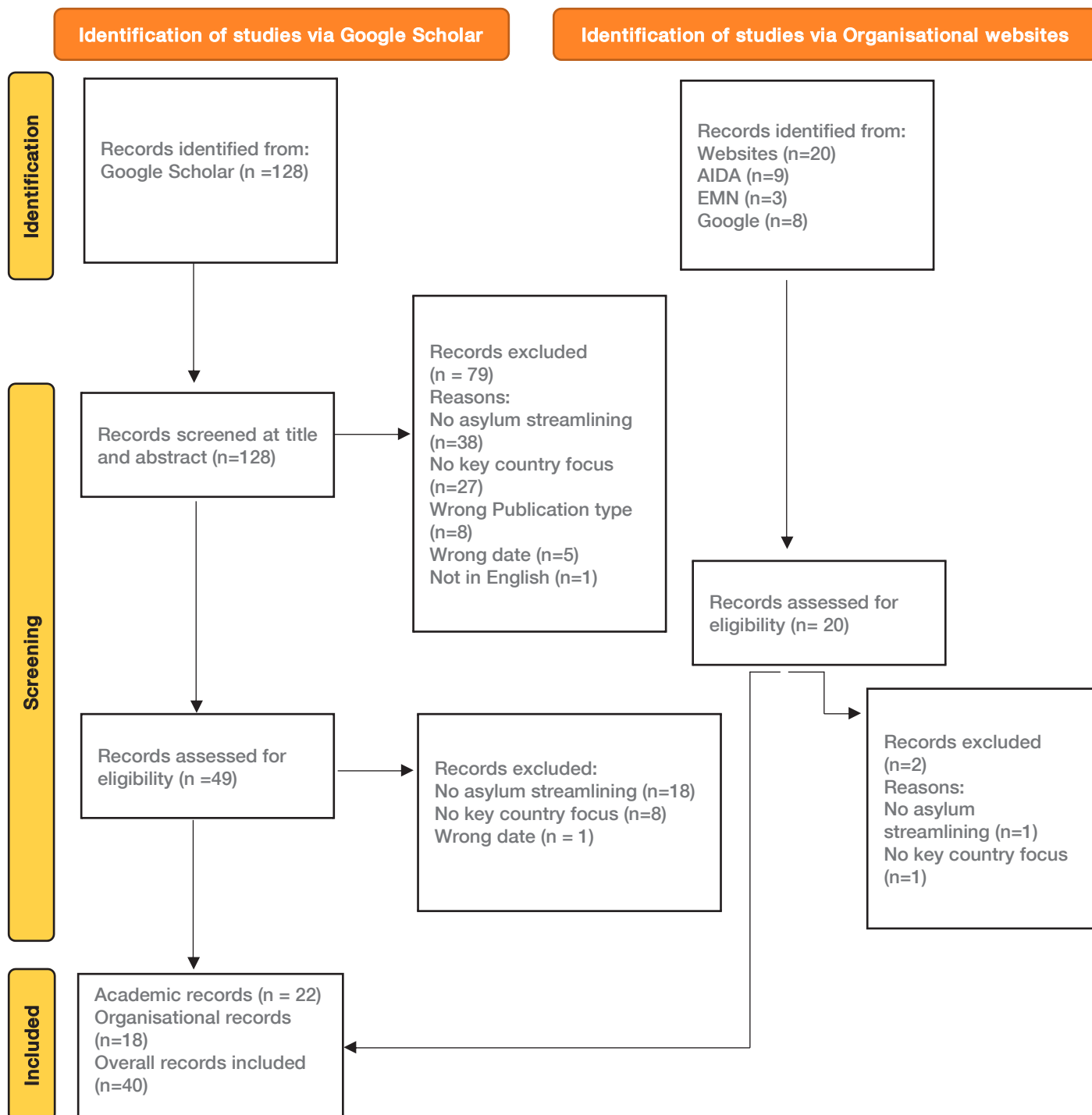
Data synthesis

The data were synthesized using framework analysis (Gale et al., 2013) and the narrative synthesis method (Popay et al., 2006). Framework analysis was used to develop an analytical framework mirroring the data extraction form and based on the themes that had been identified from screening the papers. Key data from the national strategies and articles were charted into the data extraction framework. The research team then synthesized the charted data to identify similarities and differences between the topics discussed in the articles, leading to the development of a typology of the different themes. Narrative synthesis was used to summarise the key characteristics of each article and the countries discussed within the article, highlighting any similarities and differences. An overview of the findings, informed by the principle of meta-aggregation presents the key policy focus (Aromataris & Munn, 2020). The report structure is based on the categories used in the data extraction form on Excel as well as additional categories of information reported in the articles. The final synthesis of findings was guided by the review question.

RESULTS

Study selection

In total, we identified 148 documents and sources for screening across academic and grey literature. We screened titles and abstracts of 128 academic publications and summaries of 20 documents from organisation websites to include 49 articles and 20 other documents (including four webpages) for full text screening and data extraction. However, 25 articles were excluded due to the following reasons: no focus on streamlining asylum procedures (n=17); no focus on our selected EU countries (n=5); information no longer invalid (n=1); published before 2015 (n=1); and insufficient extractable information (n=1). Two (n=2) organisational documents were excluded due to no focus on streamlining asylum procedures (n=1) and no focus on national asylum systems of selected countries (n=1). The final report includes 40 records, 22 academic publications and 18 organisational publications in the final review and synthesis. Please refer to Figure 1.

FIGURE 1. PRISMA FLOW DIAGRAM OF SELECTION AND SCREENING PROCESS

Identification of studies via Google Scholar	Identification of studies via Organisational websites

Identification

Records identified from:
Google Scholar (n =128)

Records identified from:
Websites (n=20)
AIDA (n=9)
EMN (n=3)
Google (n=8)

Screening

Records screened at title and abstract (n=128)

Records excluded
(n = 79)
Reasons:
No asylum streamlining
(n=38)
No key country focus
(n=27)
Wrong Publication type
(n=8)
Wrong date (n=5)
Not in English (n=1)

Records assessed for eligibility (n= 20)

Records assessed for eligibility (n =49)

Records excluded:
No asylum streamlining (n=18)
No key country focus (n=8)
Wrong date (n = 1)

Records excluded
(n=2)
Reasons:
No asylum streamlining (n=1)
No key country focus
(n=1)

Included

Academic records (n = 22)
Organisational records
(n=18)
Overall records included
(n=40)

Study Characteristics

An overview of the study characteristics of the included literature can be found in Appendix B and Appendix C at the end of this report.

Academic Literature

The publication types of the 22 papers were peer reviewed journal articles (n=18) and book chapters (n=4). A summary of the key characteristics of included papers can be found in Table 2. From the peer reviewed articles, we included the following: commentary (n=1), reviews (n=13), qualitative studies (n=4). Most of the academic literature included was published between 2020 and 2022 (n=14), with the remaining eight papers published between 2017 and 2019 (n=8). Of the academic publications the highest number discussed Germany (n=10) and Italy (n=10), Followed by Sweden (n=5) and finally France (n=5). In total 14 of the articles discussed specific asylum procedures (n=14) covering a range of procedures and stages including arrivals, reception, registration, removal, and adjudication. Four of the articles (n=4) addressed the use of bilateral agreements with third countries consolidating issue-linkages between migration, development, and security. Two of the articles (n=2) discussed asylum in specific relation to the imposition of restrictions aimed at deterrence. Finally, two (n=2) of the articles discussed the trend towards digitalising asylum systems and procedures in Germany.

Organisation Documents

A total of 18 policy documents were included in our review, comprising of country report webpages (n=4), comparative reports (n=3), legal briefings (n=2), working papers (n=2), information reports (n=2), a policy report (n=1), a research report (n=1) and an annual report (n=1). A summary of the key characteristics of included papers can be found in Table 3. In total the number of papers discussing all four countries (n=11), discussing Germany, Italy, and Sweden (n=2), discussing Germany only (n=2), France (n=1), Italy (n=1), Sweden (n=1). Overall, the majority of organisational literature came from the Asylum Information Database (AIDA) (n=9), three were published by the European Migration Network (n=3), two by RESPOND (n=2), and three from other organisations (n=3), including one from the Migration Policy Institute and Bertelsmann Stiftung (n=1), one from the German Marshall Fund of the United States and Bertelsmann Stiftung (n=1), and one by the Max Plank Institute (n=1).

OVERVIEW OF NATIONAL ASYLUM SYSTEMS AND PROCEDURES

This section is designed to provide a broad overview of the national asylum systems, with a focus on the authorities and procedures that are in place in France, Germany, Italy, and Sweden. Due to time constraints the overview provided is not exhaustive and focuses on aspects relating to asylum procedures. The information in this section is primarily synthesised from the European Council on Exiles and Refugees' (ECRE) Asylum Information Database (AIDA) which contains online country reports detailing the profile of national systems.

Asylum and migration are areas which come under the EU acquis, which is the body of common rights and obligations that is binding on EU Member States and that is constantly evolving. Some areas of asylum policy in Member States are governed by the EU's Common European Asylum System (CEAS). Although the CEAS is not the focus of this review, it is important to acknowledge what it is so that readers are aware of how the EU asylum regime interacts with national systems. It is a legal and policy framework developed to establish harmonised and uniform minimum standards for people seeking international protection in the EU and sets out mechanisms for cooperation among Member States (European Commission, 2022). The CEAS is based on an understanding that the EU, an area of open borders and freedom of movement where countries share the same fundamental values, needs to have a common approach to implement transparent, effective, and equitable procedures. The system is governed by five legislative instruments and one agency:

- The **Asylum Procedures Directive** aims to set out the conditions for fair, quick, and accurate asylum decisions. Asylum seekers with special needs receive the necessary support to explain their claim and in particular protection of unaccompanied minors and victims of torture is ensured.
- The **Reception Conditions Directive** sets out to ensure that common standards for reception conditions (such as housing, food and clothing and access to health care, education, or employment under certain conditions) are provided for asylum seekers across the EU to ensure a dignified standard of living in accordance with the Charter of fundamental rights.
- The **Qualification Directive** clarifies the grounds for granting international protection and therefore making asylum decisions more robust. It also provides access to rights and integration measures for beneficiaries of international protection.
- The **Dublin Regulation** seeks to enhance the protection of asylum seekers during the process of establishing the State responsible for examining the application and clarifies the rules governing the relations between states. It creates a system to detect early problems in national asylum or reception systems and address their root causes before they develop into fully fledged crises.
- The **EURODAC Regulation** supports the determination of the Member State responsible under the Dublin Regulation and allows law enforcement authorities access to the EU database of the fingerprints of asylum seekers under strictly limited circumstances in order to prevent, detect or investigate the most serious crimes, such as murder, and terrorism.
- The **European Union Agency for Asylum** contributes to improving the functioning and implementation of the Common European Asylum System. It provides operational and technical assistance to Member States in the assessment of applications for international protection across Europe.

Accelerated vs Prioritised procedures

The 2005 Asylum Procedures Directive and 2013 recast Asylum Procedures Directive make provisions for applying special procedures to deal with specific caseloads which may warrant swifter decisions, both negative and positive. The recast Directive clearly draws a normative distinction between 'prioritised' and 'accelerated procedures' with the preamble explaining that prioritised procedures require a more rapid examination of claims "without derogating from normally applicable procedural time limits, principles and guarantees", while accelerated procedures differ from regular procedural rules "in particular by introducing shorter, but reasonable time limits for certain procedural steps" (Directive/2013/32/EU). Under EU legislation accelerated procedures involve shorter time limits for appeals and often do not include (automatic) suspensive effect regarding removal decisions, thereby exposing asylum seekers to the risk of being deported before their appeal is decided. The recast Directive draws a clearer normative distinction between the 'prioritisation' and the 'acceleration' of processing applications in the asylum procedure. On one hand, Member States are encouraged to favourably prioritise the applications of persons with manifestly well-founded claims or vulnerabilities which warrant special procedural guarantees. While on the other hand, unfounded or manifestly unfounded claims can be accelerated under a less protective procedural regime, based on the assumption that they will most likely be

rejected.

N.B. Member states also use the term fast track to refer to prioritised procedures.

FRANCE OVERVIEW

N.B. Unless otherwise stated information in this section is drawn from AIDA and ECRE online country report: France Country Report

The French Office for the Protection of Refugees and Stateless Persons (OFPRA) is responsible for examining international protection applications and taking first instance decisions. It is an administrative body, under the responsibility of the Ministry of Interior. Nevertheless, its institutional independence is explicitly enshrined in law (Article L.721-2 CESEDA), which means that it is not subject to direct instruction from the Ministry of Interior (AIDA & ECRE, 2022a).

OFPRA's internal structure has different units for dealing with different procedures and different asylum applicants. This includes a unit entitled "asylum at the border", which is responsible exclusively for claims lodged in waiting zones and detention centres (AIDA & ECRE, 2022a). OFPRA has also set up five thematic groups *(groupes de référents thématiques)* of approximately 20-30 staff each dealing with vulnerable applicants, covering the following topics: sexual orientation and gender identity; unaccompanied children; torture; trafficking in human beings; and violence against women (AIDA & ECRE, 2022a). Another administrative arrangement in OFPRA relates to the units which are organised according to geographical criteria.

Table 3. French Authorities intervening in different asylum procedures

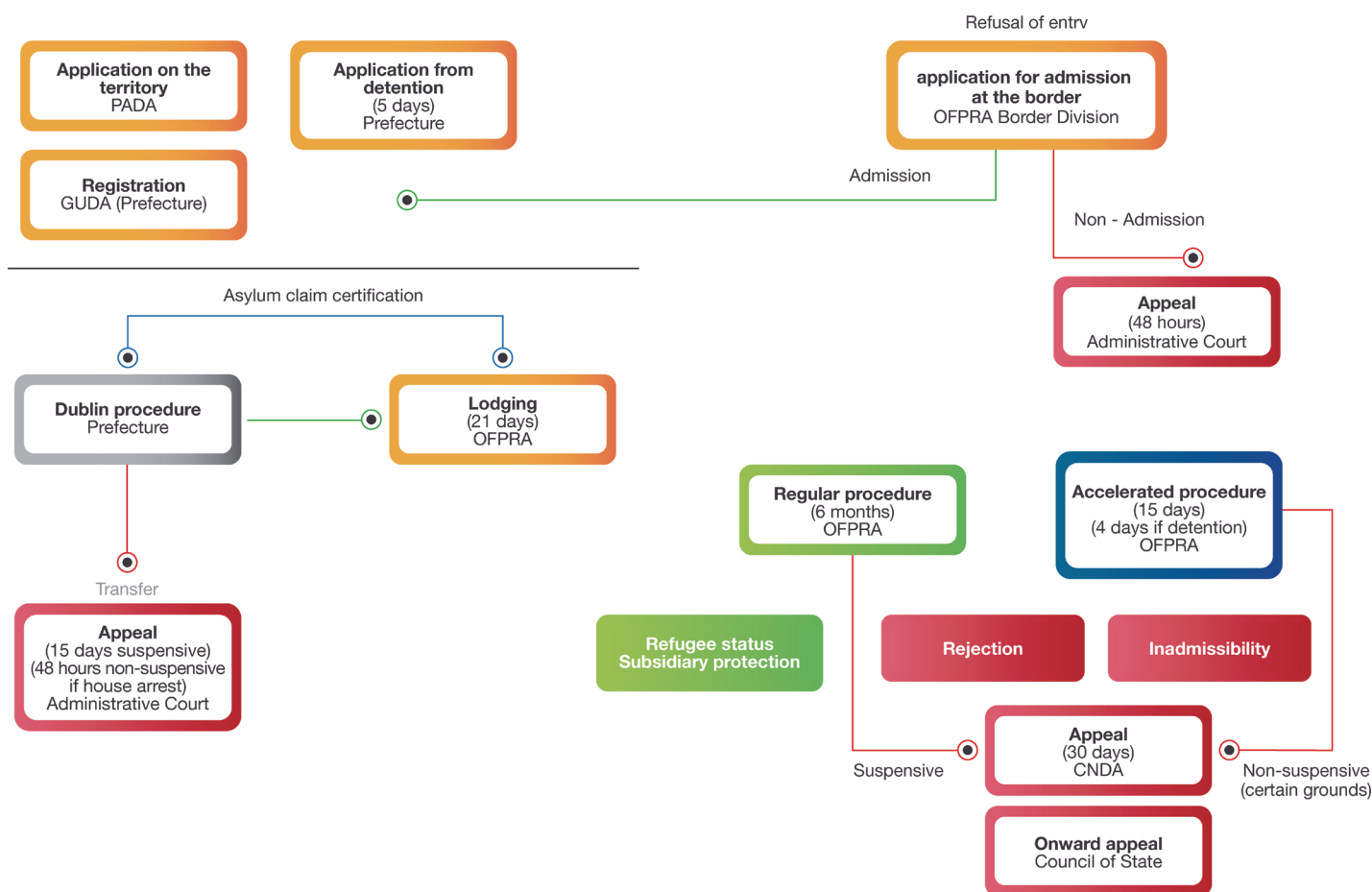| AUTHORITIES INTERVENING AT DIFFERENT STAGES: FRANCE		
ASYLUM PROCEDURE/STAGE	**COMPETENT AUTHORITY (EN)**	**COMPETENT AUTHORITY (FR)**
Application at the border	Border Division, Office for the Protection of Refugees and Stateless Persons (OFPRA)	Division de l'asile à la frontière, Office Français de Protection des Réfugiés et Apatrides (OFPRA)
Application on the territory	Prefecture (local government under Ministry of Interior's remit) / French Office for Immigration and Integration (OFII)	Préfecture /Office Français de l'Immigration et l'Intégration (OFII)
Dublin procedure	Prefecture	Préfecture
Accelerated procedure	Office for the Protection of Refugees and Stateless Persons (OFPRA)	Office Français de Protection des Réfugiés et Apatrides (OFPRA)
Refugee status determination (RSD)	Office for the Protection of Refugees and Stateless Persons (OFPRA)	Office Français de Protection des Réfugiés et Apatrides (OFPRA)
Appeal	National Court of Asylum (CNDA)	Cour nationale du droit d'asile (CNDA)
Onward appeal	Council of State	Conseil d'Etat
Subsequent application (admissibility)	Office for the Protection of Refugees and Stateless Persons (OFPRA)	Office Français de Protection des Réfugiés et Apatrides (OFPRA)

OFPRA staff: 1,003 of which approximately 450 are protection officers charged with the examination of asylum applications (2022)

Types of international protection:

1. Refugee status according to the 1951 Refugee Convention and to the Qualification Directive (granted for 10 years)

2. Subsidiary protection as part of the international protection under the Qualification Directive (granted for four years)

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Figure 2. Flowchart of French asylum procedures

France

Asylum procedures applied in France:

1. Regular procedure

To lodge a protection application in France, asylum seekers must first present themselves to the local responsible information and initial reception platform *(plateforme d'accueil de demandeurs d'asile, PADA)* which is charged with centralising the collection of intentions to lodge asylum claims and to give appointments to asylum seekers for the 'single desk for asylum seekers' *(guichet unique de demande d'asile, GUDA)* of the local Prefecture (AIDA & ECRE, 2022a). At the GUDA asylum seekers meet with prefecture agents followed by OFII agents to register their claims.

A 6-month limit (180 days) is set for OFPRA to take decisions under the regular procedure (AIDA, 2016, AIDA & ECRE, 2022a). OFPRA must inform the applicant within 15 days prior to the expiration of that period when a decision cannot be taken within 6 months. An additional 9-month period for OFPRA to take a decision commences and, under exceptional circumstances, can be further extended another three months. Despite this, French law does not provide for any consequences for cases where authorities do not comply with these time limits. In 2017, the Government set a target processing time of 2 months for asylum applications examined by OFPRA (AIDA& ECRE, 2022a). However, processing times continue to take longer with an average of 8.5 months in 2021, although this has been significantly reduced to 5 months in 2022 (AIDA & ECRE, 2022a).

1.1. Fast-track processing

The law provides the possibility for OFPRA to give priority to claims made by vulnerable persons having identified specific needs relating to reception conditions or specific procedural needs. OFPRA also conducts

decentralised and external missions to accelerate the examination of asylum claims by applicants of specific nationalities or with specific needs. This means that interviews are sometimes conducted in places beyond the OFPRA premises in the Paris region. This has resulted in 50 missions in 2021 especially in Bordeaux, Lille, Lyon, Metz, Strasbourg, and overseas (6 missions in Mayotte).

N.B. There is no explicit policy to treat the claims of specific nationalities as manifestly well-founded, although some nationalities benefit from higher protection rates than the average e.g., Syria, Iraq or Afghanistan (AIDA & ECRE, 2022a). In September 2021, the CNDA decided that subsidiary protection based on the existence of a generalised conflict in Afghanistan was no longer applicable because the takeover of the Taliban had put an end to this conflict. Protection under the Geneva Convention is of course still possible, but more difficult to obtain.

2. Border procedure

A specific border procedure for requesting entry into the country on asylum grounds is specified under French law, for arrivals through airports, ports, or train stations (AIDA & ECRE, 2022a). Those detained at the border must file their claim within five days (AIDA, 2017). This procedure is distinct from the regular asylum procedure, insofar as it examines entry into the territory to seek asylum rather than the asylum application itself. The first authority involved in the border procedure is the Border Police, which is responsible for border management, and typically the first authority applicants encounter. Upon arrival the Border Police conduct an initial interview collecting the basic identification information, on which basis OFPRA prepares the subsequent interview. As soon as arrivals apply for asylum after refusal of entry into the territory, they are directed to a waiting zone (32 waiting zones in France). Waiting zones can be extended by up to 10km from a border point, when it is found that a group of 10 foreigners or more crossed the border. The group may be identified at the same location or various locations within the 10km area. This exceptional extended waiting zone can be maintained for a maximum of 26 days.

3. Admissibility procedure

French law provides OFPRA with the possibility to decide on the admissibility of asylum applications lodged before it (AIDA & ECRE, 2022a). The following are cases for inadmissibility:

I. The asylum seeker already benefits from international protection (refugee or subsidiary protection) in another EU Member State (as per Dublin Regulations).

II. The asylum seeker has already been granted refugee status and benefits from an effective protection in another third country and they can effectively be readmitted there.

III. New facts and elements presented to introduce a subsequent application are deemed insufficient by OFPRA.

The applicability of these grounds may be established by OFPRA upon registration or later, during the interview or post-interview investigations. However, there is a specific time limit in the case of subsequent applications wherein a preliminary examination of their admissibility must be conducted within 8 days of registration. The possibility to determine a claim inadmissible also applies to claims introduced at the border or in detention centres.

4. Accelerated procedure

The reasons for channelling an asylum seeker into an accelerated procedure are outlined in Article L.723-2 Ceseda which lists 10 grounds (AIDA & ECRE, 2022a). The accelerated procedure is automatically applied where:

I. The applicant originates from a Safe Country of Origin

II. The applicant's Subsequent Application is not inadmissible.

The asylum claim is tracked under the accelerated procedure, where the Prefecture has reported that:

I. The asylum seeker refuses to be fingerprinted;

II. When registering their claim, the asylum seeker has presented falsified identity or travel documents, or provided wrong information on their nationality or on their conditions of entry on the French territory or has made several asylum claims under different identities;

III. The claim has not been registered within 90 days of entering the French territory;

IV. The claim has only been made to prevent a notified or imminent removal order; or

V. The presence of the foreign national in France constitutes a serious threat to public order, public safety, or national security.

While processing an asylum claim, OFPRA may also channel a claim under an accelerated procedure where:

I. The applicant has provided falsified documents, or wrong information on their nationality or their conditions of entry, or has introduced several asylum claims under different identities;

II. The applicant has supported their claim only with irrelevant questions regarding their claim;

III. The asylum seeker has given manifestly contradictory and incoherent or manifestly wrong or less likely statements that are contradictory to country of origin information.

OFPRA may use discretion to decide not to process a claim under an accelerated procedure when deemed necessary. For example, OFPRA may use its discretion to decide not to apply the accelerated procedure when an asylum seeker originating from a safe country of origin raises serious grounds to believe that their country of origin might not be safe considering their individual situation. At the end of 2021 the French list of safe countries included the following 13 countries: Albania; Armenia; Bosnia-Herzegovina; Cape Verde; Georgia; India; Kosovo; North Macedonia; Mauritius; Moldova; Mongolia; Montenegro.

5. Dublin procedure

The Dublin procedure is applied to all asylum seekers without exception, as per the Regulation. The official policy of the French Dublin Unit is that it does not transfer unaccompanied children under the Dublin Regulation.

GERMANY OVERVIEW

N.B. unless otherwise stated information in this section is drawn from AIDA and ECRE online country reports: Germany Country Report

The Federal Office for Migration and Refugees (BAMF) is responsible for examining asylum applications and for taking decisions at first instance. The Ministry of the Interior is responsible for BAMF; however, the responsible Minister cannot interfere with decision making in individual cases (AIDA & ECRE, 2022b).

The BAMF has branches in all of Germany's Federal States. The branch offices process the asylum applications, and carry out additional tasks (e.g., they function as contact points for authorities and organisations focussed on the integration of foreign nationals). In cooperation with the Federal States, BAMF manages a distribution system for asylum seekers called the Initial Distribution of Asylum Seekers (Erstverteilung der Asylbegehrenden, EASY) system, which allocates places according to a quota system under Section 45 of the Asylum Act (AIDA & ECRE, 2022b). The quota is based on the population size and the economic strength (particularly regarding tax revenues) of the Federal States in which the centres are located. Furthermore, the system considers which branch office of the BAMF deals with an asylum seeker's country of origin.

Table 4. German Authorities intervening in different asylum procedures

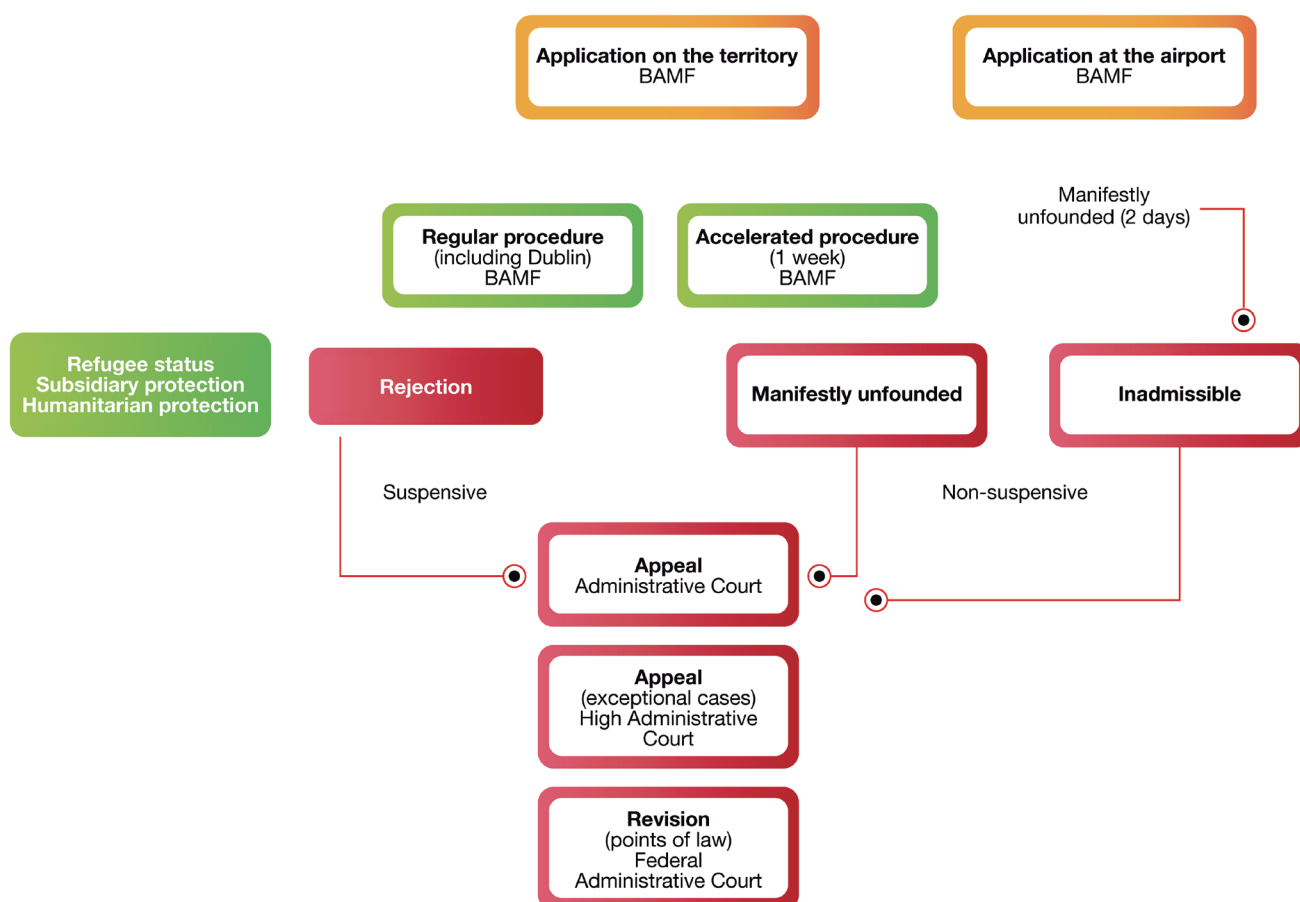| AUTHORITIES INTERVENING AT DIFFERENT STAGES: GERMANY		
ASYLUM PROCEDURE/STAGE	**COMPETENT AUTHORITY (EN)**	**COMPETENT AUTHORITY (DE)**
Application at the border	Border Police	Bundespolizei
Application on the territory	Federal Office for Migration and Refugees (BAMF)	Bundesamt für Migration und Flüchtlinge (BAMF)
Dublin procedure	Federal Office for Migration and Refugees (BAMF)	Bundesamt für Migration und Flüchtlinge (BAMF)
Airport procedure	Federal Office for Migration and Refugees (BAMF)	Bundesamt für Migration und Flüchtlinge (BAMF)
Accelerated procedure	Special Reception Centres run by Federal Office for Migration and Refugees (BAMF)	AnkER-zentrum / besondere Aufnahmeeinrichtung Bundesamt für Migration und Flüchtlinge (BAMF)
Refugee status determination (RSD)	Federal Office for Migration and Refugees (BAMF)	Bundesamt für Migration und Flüchtlinge (BAMF)
Appeal	Administrative Court (local)	Verwaltungsgericht
Second appeal	High Administrative Court (regional)	Oberverwaltungsgericht or Verwaltungsgerichtshof
Final appeal	Federal Administrative Court	Bundesverwaltungsgericht
Subsequent application (admissibility)	Federal Office for Migration and Refugees (BAMF)	Bundesamt für Migration und Flüchtlinge (BAMF)

BAMF staff: 8,141 of which 3,326 are full-time positions in various asylum departments (as of 2022)

Types of international protection

1. Constitutional asylum, restricted to people persecuted by state actors for political reasons; (granted for three years)

2. Refugee status according to the 1951 Refugee Convention and to the Qualification Directive; (granted for three years)

3. Subsidiary protection as part of the international protection under the Qualification Directive (granted for two years)

4. Other forms of protection, called prohibition of removal (Abschiebungsverbot) or humanitarian protection (granted for one year)

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Figure 3. Flowchart of German asylum procedures

Germany

Procedures applied in Germany:

1. Regular procedure

If migrants report at the border while trying to enter Germany without the necessary documents, entry to the territory may be refused on the basis that the migrant has travelled through a "safe third country" (AIDA & ECRE, 2022b). However, if they apply for asylum, they would generally be referred to the BAMF. Once persons seeking protection are on the territory, the law obliges asylum seekers to report immediately to a "reception facility" (Aufnahmeeinrichtung). Alternatively, they can report to a police station or to the foreigners' authority's office. Once asylum seekers have reported to the reception facility, they are issued an "arrival certificate" (Ankunftsnachweis). Following this, the responsible BAMF branch office is determined with the help of the Initial Distribution of Asylum Seekers system.

German legislation does not set a time limit for the BAMF to decide on an application. If no decision has been taken within 6 months (180 days), the BAMF must notify asylum seekers upon request about when the decision is likely to be taken. For the period 2013 to 2021, statistics show significant variation in length of procedures, depending on the countries of origin of asylum seekers and on the decision practice in the BAMF (AIDA & ECRE, 2022b). In 2022 the average processing time was 7.5 months, which is not far from the BAMF's target of six months, however the length also varies significantly with regards to the claimant's country of origin (AIDA & ECRE, 2022b)

1.1. Arrival centres (Ankunftszentren)

The arrival centres were introduced in 2015 with the aim of fast-tracking procedures. To this end, federal authorities (in particular, the BAMF) and regional authorities began close cooperation centres. At the beginning

of 2022, 18 out of 58 branch offices of the BAMF were integrated in arrival centres in 12 Federal States. The concept of arrival centres is not based in law but has been developed by business consultants such as Ernst & Young and McKinsey, under the heading "integrated refugee management" (AIDA & ECRE, 2022b). Accordingly, this method for fast-tracking of procedures must not be confused with the Accelerated Procedure introduced in 2016.

In these centres, the tasks of different authorities are streamlined, such as recording personal data, medical examinations, registration of the asylum applications, interviews, and decision-making. The way the various authorities cooperate in the centres is based on agreements between the Federal States (responsible for reception and accommodation), BAMF branch offices (responsible for asylum procedures) and other institutions present in the facilities (such as medical and social services). The basic concept shared across the regions is that the centres are built on the notion of streamlining procedures.

1.2. AnkER centres (AnkER-zentren)

AnkER centres were introduced in 2018 when the Federal States of Bavaria, Saxony and Saarland started conducting a pilot project organising the authorities and reception facilities in AnkER centres where activities relating to the asylum procedure and return procedures (concerning rejected applications) are consolidated. As of May 2021, a total of 16 AnkER or functionally equivalent centres were established in Germany, with around a quarter of all asylum applications processed in such facilities (AIDA & ECRE, 2022b). The average duration of the first instance procedure in the AnkER centres was 6 months in 2020, compared to 8 months for all procedures (AIDA & ECRE, 2022b).

The AnkER centres are intended to streamline the returns of rejected asylum seekers, particularly by establishing return counselling services in the facilities and by obliging rejected asylum seekers to remain in them for up to two years (24 months). The BAMF finds that asylum seekers in AnkER centres whose application is rejected are more likely to decide to return voluntarily (AIDA & ECRE, 2022b). However, the rate of absconding is also higher among rejected applicants living in AnkER centres, and the rate of forced removals has been found to be lower (AIDA & ECRE, 2022b). It also appears that rejected asylum seekers stay in these facilities for prolonged time periods, sometimes up to the two-year limit.

2. Border procedure

In Germany, the border procedure is called an "airport procedure" as regulated in Section 18a of the German Asylum Act and is only applied in international airports (AIDA & ECRE, 2022b). The airport procedure is defined as the asylum procedure that shall be conducted prior to the decision on entry to the territory. The German Asylum Act foresees the applicability of the airport procedure where the asylum seeker arriving at the airport:

- Comes from a "safe country of origin";
- Is unable to prove his or her identity with a valid passport or other means of documentation.

The maximum duration of the airport procedure is 19 days:

- The BAMF examines the application, conducts the personal interview and decides within two days whether the applicant can enter Germany, or if the application is rejected as manifestly unfounded;
- In the case of rejection, applicants may appeal within three days to the competent Administrative Court and request an interim measure (i.e., granting of suspensive effect to the appeal);
- If the Administrative Court grants the suspensive effect or if it does not rule within two weeks, the applicant can enter the territory of Germany

3. Admissibility procedure

There is no procedure preceding the regular procedure wherein decisions on admissibility of applications are taken. However, applications may be declared inadmissible during the regular procedure, based on the grounds set out in Section 29 of the Asylum Act (AIDA & ECRE, 2022b). Applications are deemed inadmissible under the following circumstances:

1. Another country is responsible for carrying out the asylum procedure, according to the Dublin Regulation or other international treaties;

2. Another EU Member State has already granted the applicant international protection;

3. A country that is willing to readmit them is regarded as a "safe third country";

4. A country that is not an EU Member State and is willing to readmit the foreigner is regarded as "another third country";

5. The applicant has made a subsequent (any claim which is submitted after a previous application has been withdrawn or has been finally rejected), or secondary application (If the application for international protection was rejected in another EU Member State, Norway or Switzerland)

The present list of safe countries consists of: Ghana; Senegal; Serbia; North Macedonia; Bosnia-Herzegovina; Albania; Kosovo; Montenegro. The inclusion of the following countries to the list has regularly been debated in Germany: Algeria; Georgia; Morocco; Tunisia. However, they are not presently considered safe, despite very low asylum recognition rates.

4. Accelerated procedure

According to Asylum Act's Section 30a, the accelerated procedure can be conducted in branch offices of the BAMF that are assigned to a "special reception centre" (AIDA & ECRE, 2022b). In these centres accelerated procedures are carried out for asylum seekers who:

1. Are from a Safe Country of Origin;

2. Have clearly misled authorities about their identities or nationalities by presenting false information or documents or by withholding documents;

3. Have destroyed or disposed of documents that would establish their identities, or if circumstances clearly indicate that this the case;

4. Have filed a subsequent application, (e.g., in case they have left Germany after an initial asylum procedure had been concluded);

5. Have made an application to delay or frustrate the enforcement of a decision which would result in their removal;

6. Refuse to be fingerprinted in line with Eurodac Regulations; or

7. Were expelled due to serious public security and order concerns.

The BAMF should provide a decision within one week under accelerated procedures. If it rejects the application as manifestly unfounded or inadmissible within this period, the application continues under the accelerated procedure and applicants must stay in special reception centres. Special reception centres are not closed or detention centres, however they do put limits on the freedom of movement of asylum seekers. Indeed, if they leave the district where the centre is located it is presumed that they have failed to pursue their application and their case can be rejected on that basis (AIDA & ECRE, 2022b). If the BAMF fails to take a decision within seven days or if protection is granted, the applicant is allowed to leave the special reception centre and their application continues under the regular procedure. Under the accelerated procedure, asylum seekers face significantly stricter sanctions for non-compliance with residence obligations, meaning if they leave the town or district where the special reception centre is located, it is concluded that they have failed to pursue the asylum procedure, which may lead to the termination of their asylum procedure and the rejection of their application (AIDA &ECRE, 2022b).

5. Dublin procedure

The Dublin procedure is applied to all asylum seekers, as per the Regulation. The examination of whether another Member State is responsible for carrying out the asylum procedure is an admissibility assessment and as such a part of the regular procedure. Thus, in the legal sense, the term "Dublin procedure" does not refer to a separate procedure in the German context, but merely to the shifting of responsibility for an asylum application within the administration to by the BAMF's Dublin Units (AIDA & ECRE, 2022b).

ITALY OVERVIEW

N.B. unless otherwise stated information in this section is primarily drawn from AIDA and ECRE online report: Italy Country Report

In Italy the authorities charged with taking first instance decisions are the Territorial Commissions for the Recognition of International Protection, which are administrative bodies specialised in asylum, under the Ministry of Interior. The Territorial Commissions come under the remit of local Prefectures. The law foresees the creation of 20 Territorial Commissions and up to 30 sub-Commissions across the national territory, in order to

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enhance the management of the increasing number of applications for international protection. As of 2022, there were 20 Territorial Commissions and 21 sub-Commissions across Italy. As amended by LD 220/2017, each Territorial Commission is composed of at least six members, in compliance with gender balance, including:

• 1 President, with prefectural experience, appointed by the Ministry of Interior;

• 1 expert representative in international protection and human rights, designated by UNHCR (but cannot conduct interviews);

• 4 or more highly qualified administrative officials of the Ministry of Interior, appointed by periodic public tenders.

The Territorial Commissions may be supplemented, upon request by the President of the National Commission for the Right to Asylum (CNDA), or by an official of the Ministry of Foreign Affairs when, in relation to an asylum seeker, it is necessary to acquire specific assessments regarding the situation in the country of origin. The Ministry of Interior has several members sitting in the Territorial Commissions and can thereby exert influence on the examination of asylum applications, in contrast to France (AIDA, 2020A).

Throughout 2021 the support offered by the European Union Agency for Asylum (EUAA, formerly EASO) to the Italian Asylum Authorities continued at different stages of the procedure. Following the 2021 agreed support plan, EUAA deployed 233 different experts in Italy throughout the year, mostly temporary agency workers (179) (AIDA & ECRE, 2022c). The majority were research officers (64), registration officers (32), reception and information officers (19), project officers (17), and quality assurance officers (12).

Table 5. Italian Authorities intervening in different asylum procedures

| AUTHORITIES INTERVENING AT DIFFERENT STAGES: ITALY		
ASYLUM PROCEDURE/STAGE	**COMPETENT AUTHORITY (EN)**	**COMPETENT AUTHORITY (IT)**
Application at the border	Border Police	Polizia di Frontiera
Application on the territory	Police Immigration Office	Ufficio Immigrazione, Questura
Dublin procedure	Ministry of Interior's Dublin Unit	Unità Dublino, Ministero dell'Interno
Accelerated procedure	Territorial Commissions for the Recognition of International Protection	Commissioni Territoriali per il Riconoscimento della Protezione Internazionale
Refugee status determination (RSD)	Territorial Commissions for the Recognition of International Protection	Commissioni Territoriali per il Riconoscimento della Protezione Internazionale
First Appeal	Civil Court	Tribunale Civile
Onward appeal	Court of Cassation	Corte di Cassazione
Subsequent application (admissibility)	Territorial Commissions for the Recognition of International Protection	Commissioni Territoriali per il Riconoscimento della Protezione Internazionale

N.B. We were unable to find a figure for the number of staff employed by the Territorial Commissions in Italy.

Types of Protection:

1) Refugee status according to the 1951 Refugee Convention and to the Qualification Directive (granted for 5 years)

2) Subsidiary protection as part of the international protection under the Qualification Directive (granted for 5 years)

3) Special Protection, which replaced the old humanitarian protection category and applies to those who cannot be expelled or refouled (introduced by Immigration Decree no. 130/2020 and granted for 2 years)

a) This new permit is granted for two years and is eligible for conversion to a work permit, as was the abolished humanitarian protection permit.

Figure 4. flowchart of Italian asylum procedures

Italy
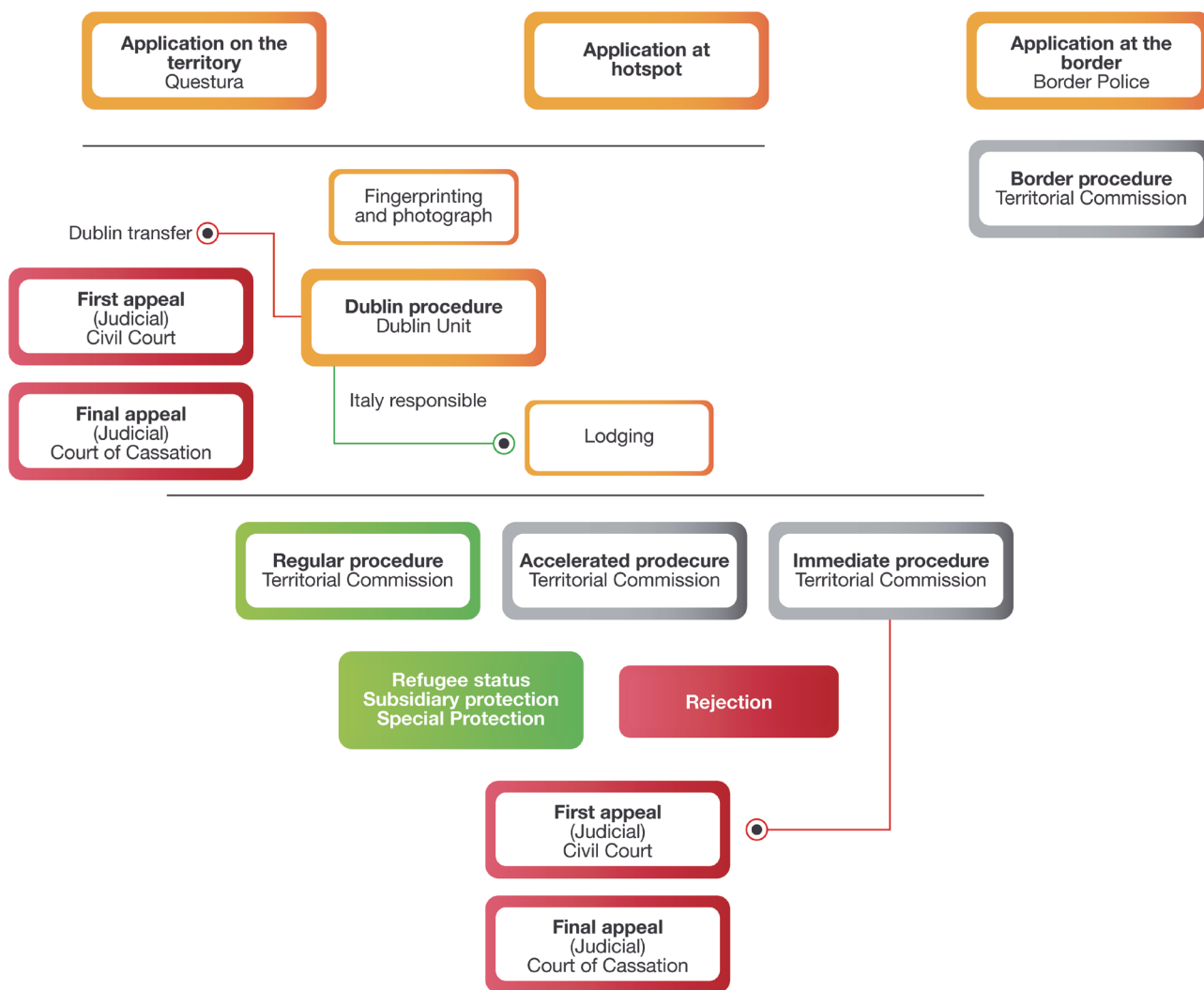
Asylum procedures applied in Italy:

1. Regular procedure

Under Italian law, there is no formal timeframe for making an asylum application. The intention to make an asylum application may be expressed orally by the applicant in their language with an interpreter's assistance. Nevertheless, asylum seekers should make their application as soon as possible. The asylum application can be made at a border police station or on the territory at the provincial Immigration Office *(Ufficio immigrazione)* of the Police headquarters *(Questura)*, where fingerprinting and photographing are carried out.

According to the Procedure Decree, the regular asylum procedure should theoretically take 33 days (AIDA, 2016). The Territorial Commission interviews the applicant within 30 days after having received the application and decides in the following three working days. When the Territorial Commission does not take a decision within this timeframe, for example if it needs to acquire further information, the procedure is concluded within six months of the lodging of the application. The Territorial Commission may extend the limit for a period not exceeding a further nine months, where:

- Complex issues of fact and/or law are involved;
- A large volume of asylum applications are made simultaneously; or
- The delay can clearly be attributed to the failure of the applicant to comply with his or her obligations of cooperation.

Territorial Commissions, in accordingly justified circumstances, may exceed this time limit by a further three months where necessary to ensure a complete examination of the application. Considering the possibilities for extension, the asylum procedure may last for a maximum period of 18 months. In practice, however, the time limits for completing the regular procedure are not complied with and may take longer (AIDA & ECRE, 2022c). The law does not foresee consequences for authorities not complying with the time limits, and by providing the possibility of extensions it effectively accounts for the fact that applications typically take longer.

Under the Procedure Decree, an asylum application is deemed manifestly unfounded where the applicant, not belonging to a vulnerable category:

1 Has only raised issues unrelated to international protection;

2 Comes from a Safe Country of Origin;

3 Has issued clearly contradictory or clearly false declarations, which contradict verified information on the country of origin;

4 Has misled authorities by presenting false information or by withholding information with respect to their identity, or has destroyed or disposed of documents in bad faith that would have helped establish their identity;

5 Irregularly entered the territory, or irregularly prolonged his or her stay, and without justified reason, did not make an asylum application promptly;

6 Refuses to comply with the obligation of being fingerprinted under the Eurodac Regulation;

7 Is detained in a pre-removal centre for reasons of exclusion under Article 1F of the 1951 Convention, public order or security grounds, or there are grounds to believe that the application is lodged merely to frustrate a removal order;

8 Can access an alternative form of international protection.

1.1. Prioritised examination and fast-track processing

The Italian Procedure Decree provides for an accelerated and a prioritised procedure. The President of the Territorial Commission identifies the cases to be processed under the prioritised or accelerated procedure. Article 28 of the Procedure Decree, amended in 2020, requires that the President of the Territorial Commission, after a preliminary exam, identifies the cases to be processed under the prioritised procedure, when (AIDA & ECRE, 2022c):

a) The application is deemed to be well-founded;

b) The applicant is vulnerable, in particular if they are an unaccompanied child or person in need of special procedural guarantees;

c) The applicant comes from a country identified by the Territorial Commission as allowing for the omission of a personal interview when considering that there are satisfactory grounds available to grant subsidiary protection.

2. Border procedure

Decree Law 113/2018 amended the Procedure Decree introducing a border procedure, applicable in border areas and transit zones (AIDA & ECRE, 2022c). Immigration legislation prescribes a deadline of eight days from arrival for migrants to present themselves to the authorities, whereas there is no similar deadline concerning other procedures (AIDA 2017, AIDA & ECRE, 2022c). The decree does not provide a definition of border or transit areas, but it identified those already existing in the following provinces:

• Trieste and Gorizia in the north-east;

• Crotone, Cosenza, Matera, Taranto, Lecce and Brindisi in the south;

• Caltanissetta, Ragusa, Siracusa, Catania, Messina, Trapani and Agrigento in Sicily;

• Cagliari in Sardinia.

Many of these areas correspond to hotspots (Taranto, Messina and Agrigento (Lampedusa hotspot)), or locations affected by landings, such as Cagliari, or near pre-removal detention centres such as in Gorizia and Trieste, Brindisi, Trapani, and Caltanissetta. Under the border procedure, the entire application procedure can occur at the border area or transit zone.

The border procedure under the Procedure Decree follows the same rules as the 9-day Accelerated Procedure (elaborated below) relating to applications made from pre-removal detention centres or in hotspots under Article 28-bis (2):

a) for the applicants coming from a safe country of origin

b) applications manifestly unfounded

c) and applications submitted to avoid an imminent removal.

Following the application's submission, the 'Questura' immediately transmits the necessary documents to the Territorial Commission, which must take steps for the personal interview within seven days of receiving the documentation. The decision must then be taken within the following two days.

3. Admissibility

Article 29 of the Procedure Decree sets out the inadmissibility grounds (AIDA & ECRE, 2022c). Decree Law 130/2020 amended the Procedure Decree, establishing an additional inadmissibility ground (see ground IV). An asylum application may thus be declared inadmissible where the applicant:

I   Is already a beneficiary of international protection status in another state according to the 1951 Refugee Convention;

II Has made a subsequent application after a prior decision has been taken by the Territorial Commission, without presenting new elements concerning their personal condition or the situation in their country of origin;

III Has made a subsequent application to frustrate a removal decision;

IV Has made a subsequent application following the previous application's termination by the Territorial Commission after the expiry of 12 months on the basis that the applicant was unreachable (irreperibile) for unjustified leaving of the reception or detention centres and failure to attend the hearing.

4. Accelerated

Article 28-bis of the Procedure Decree, amended by Decree Law 130/2020, implemented by Law 173/2020, provides for different accelerated procedures foreseeing different time limits following the immediate transmission of the case file from the 'Questura' to the Territorial Commission, depending on the applicable ground:

4.1. 5-day procedure (immediate procedure): The Territorial Commission takes a decision within 5 days where:

a) The applicant makes a Subsequent Application without presenting new elements. In this case an oral hearing can be omitted.

b) The asylum application is made by a person under investigation for some of the crimes preventing the recognition of international protection pursuant to the Qualifications Decree.

4.2. 9-day procedure: The Territorial Commission takes steps to organise the personal interview within seven days and sets out to decide on the application within the two following days in cases where:

a) The asylum application is made by a person detained in a pre-removal detention centre, in a hotspot or first reception centre;

b) The asylum application is made at border or transit areas and is subject to the Border Procedure, following apprehension for evading or attempting to evade border controls;

c) The applicant comes from a Safe Country of Origin;

d) The application is manifestly unfounded (see Regular procedure);

e) The applicant made an application after being apprehended for irregular stay, solely to delay or frustrate the issuance or enforcement of a removal order.

As of 2019 Italy's list of safe countries comprises: Albania, Algeria, Bosnia and Herzegovina, Cape Verde, Ghana, Kosovo, North Macedonia, Morocco, Montenegro, Senegal, Serbia, Tunisia and Ukraine (currently suspended due to ongoing conflict).

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5. Dublin procedure

The staff of the Italian Dublin Unit was significantly increased in 2018 and benefitted from the support of personnel from the European Union Asylum Agency (EUAA, formerly EASO), mainly in relation to outgoing transfer requests concerning family reunification and children.

6. Hotspot procedure

An approach where the EUAA, European Border and Coast Guard (Frontex/ECBG), and Europol work with frontline EU Member State authorities facing disproportionate migratory pressures at the EU's external borders to help fulfil their obligations under EU law and swiftly identify, register, and fingerprint incoming migrants (AIDA & ECRE, 2022c). The Consolidated Act on Immigration (as amended by L 46/2017) provides that foreigners apprehended for irregular crossing of the Italian border or having arrived in Italy after rescue at sea are directed to appropriate reception centres where they are initially held and their personal information is collected. People arriving at hotspots are classified as asylum seekers or economic migrants depending on a summary assessment, mainly carried out either by using questionnaires shared at disembarkation, or by orally asking questions relating to the reason why they have come to Italy. It is asserted that people are often classified solely based on their nationality (AIDA & ECRE, 2022c). Migrants coming from countries considered as safe, even informally such as Nigeria, are classified as economic migrants, prevented from accessing the asylum procedure, and handed removal decisions (AIDA & ECRE, 2022c).

SWEDEN OVERVIEW

N.B. unless otherwise stated information in this section is primarily drawn from AIDA and ECRE online report:
Sweden Country Report

The administrative system in Sweden is different from other European countries in terms of division of tasks (AIDA & ECRE, 2022d). All government decisions in Sweden are collective and all public agencies are subordinate to, whilst maintaining independence from, the Government. Unlike in most other EU countries, Swedish Secretaries of State, or ministers, have limited discretion to take independent decisions. All government decisions are taken jointly by the Government. Different Secretaries of State are responsible for different areas and may also act as heads of ministries. There are currently four Migration Courts, which are special divisions of the County Administrative Courts *(Förvaltningsrätten)*. As a general rule, the Ministry of Justice and other Government Offices cannot intervene in individual cases concerning applicants for international protection. However, in cases concerning serious threats to national security, the Act concerning Special Controls in Respect of Aliens may be used.

Table 6. Swedish Authorities intervening in different asylum procedures

| AUTHORITIES INTERVENING AT DIFFERENT STAGES: SWEDEN		
ASYLUM PROCEDURE/STAGE	COMPETENT AUTHORITY (EN)	COMPETENT AUTHORITY (SV)
Application on the territory	Migration Agency	Migrationsverket
Dublin procedure	Migration Agency	Migrationsverket
Accelerated procedure	Migration Agency	Migrationsverket
Refugee status determination (RSD)	Migration Agency	Migrationsverket
First Appeal	Migration Court	Förvaltningsrätten Migrationsdomstolen
Onward appeal	Migration Court of Appeal	Kammarrätten i Stockholm, Migrationsöverdomstolen
Subsequent application (admissibility)	Migration Agency	Migrationsverket
N.B.: The police also have the authority to intervene at all stages of the procedure. The government has authority to intervene in cases raising issues of national security.		

Migration Agency Staff: 5,733 (as of 2022)

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Types of Protection:

1. Refugee status according to the 1951 Refugee Convention and to the Qualification Directive (granted for 3 years, renewable for 2 years)

2. Subsidiary protection as part of the international protection under the Qualification Directive (granted for 13 months, renewable for 2 years)

3. Humanitarian Protection (granted for 13 months)

Figure 5. Flowchart of Swedish asylum procedures

Sweden
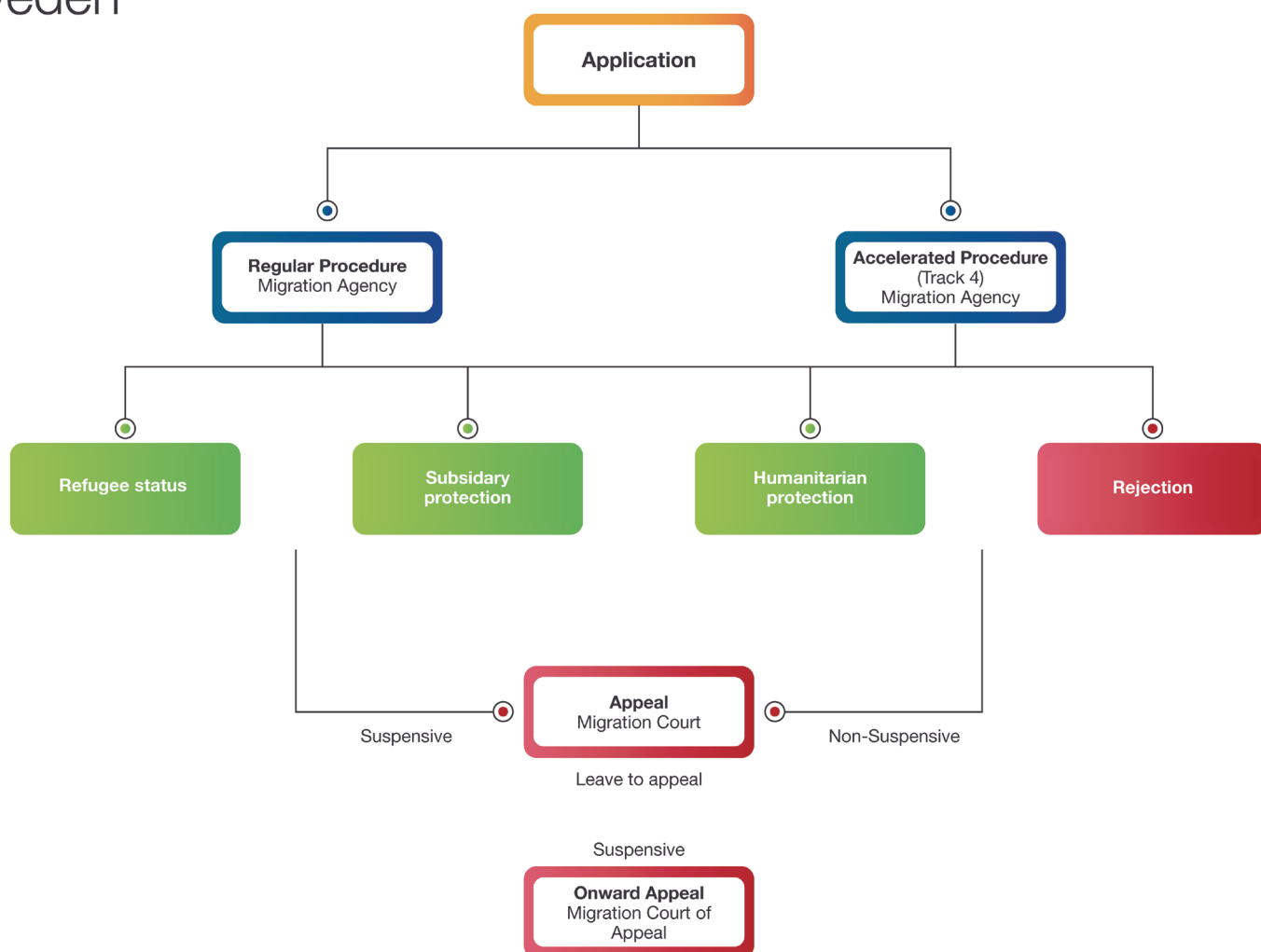
Asylum procedures applied in Sweden:

1. Regular procedure

Asylum applications can only be made at designated offices of the Swedish Migration Agency, to which applicants at airports and ports are referred (AIDA & ECRE, 2022d). As such, it is important to note that there is no distinct border procedure in Sweden. The Migration Agency states that the international protection application process consists of three parts: (1) initial, which includes identification, registration, and the lodging of the application, (2) appeal, in cases where applicants are unsuccessful and (3) enforcement processes, relating to the removal of rejected asylum seekers. It runs from the application for asylum to the decision being enforced either by settlement or return. Since 2016, cases are screened and classified into different tracks based on the information provided during the initial process. There are currently eight tracks through which an asylum claim can be processed (see below Table 7). The different tracks provide guidance on how extensive an investigation should be in an individual case and thus create an efficient procedural flow. There is no time limit for the regular procedure, although it typically takes at least 6 months (AIDA & ECRE, 2022d). In 2021 the average processing time was 8.5 months and reduced to 5.5 months in 2022 (similarly to France) (AIDA & ECRE, 2022d).

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Table 7. Sweden's Asylum Track system

ASYLUM TRACK	DESCRIPTION
Track 1	Presumed positive outcome: Track 1 categorises cases where the presumption is that the case will be successful. The aim is to create preconditions for rapid settlement for persons who are likely to stay in Sweden.
Track 2	Presumed negative outcome: Track 2 categorises cases where there is no presumption of approval. The aim of track 2 is to deal with cases where the outcome of the case is unclear.
Track 3	Delayed case processing: In track 3 cases are categorised where the handling time will extend more than 6 months because of the complexities of the case.
Track 4A	Accelerated Procedure: In track 4A cases are categorised based on presumption that the application will be refused and foresees expulsion with immediate effect or where the applicant is an EU citizen. The purpose of Track 4A is for persons with no asylum grounds to stay as short time as possible in the reception system.
Track 4B	In track 4B cases are categorised based on an applicant coming from a country with a high rejection rate where a rapid assessment procedure is possible and return feasible. The purpose of track 4B is for persons in this category to remain as short a time as possible in the reception system.
Track 5A	Concerns cases dealt with under Dublin Procedure.
Track 5B	Track 5B concerns cases which can be refused because the applicant has been granted protection in another EU Member State or in Norway, Switzerland, Iceland, or Liechtenstein.
Track 5C	Cases where an applicant can be refused because protection status has been granted in another country which is neither an EU Member State nor Norway, Switzerland, Iceland, or Liechtenstein. This track is also used for cases where the applicant can be sent to a safe third country.

1.1. Prioritised examination and fast-track processing ('Track 1')

In 2016 the Migration Agency introduced an asylum track policy for different types of caseloads. Track 1 concerns cases where:

- There is a presumption that the claim will be successful;
- There is no need to appoint public counsel;
- The identity of the claimant has been ascertained based on the documents submitted;
- No other major processing steps are needed other than an oral interview.

2. Admissibility procedure

According to Chapter 5, Section 1b of the Aliens Act, an application can be dismissed as inadmissible where the applicant (AIDA & ECRE, 2022d):

1. Has obtained international protection in another EU Member State;

2. Comes from a First Country of Asylum;

3. Comes from a Safe Third Country.

As of 2016, the Migration Agency deals with cases of persons benefitting from protection in another EU country under 'Track 5B'. Cases concerning third countries are processed under 'Track 5C'. The Migration Agency commits to providing a decision on the admissibility of the application within three months. As of 2021 the Swedish Migration Agency has published a provision designating the following countries as safe countries of origin: Albania; Bosnia and Herzegovina; Chile; Georgia; Mongolia; Kosovo; North Macedonia; Serbia (AIDA & ECRE, 2022d).

3. Accelerated procedure

Swedish law makes no explicit reference to 'accelerated procedure'. However, the Migration Agency has established a dedicated track for two categories of cases (AIDA & ECRE, 2022d):

a) Manifestly unfounded claims ('Track 4A');

b) Claims from nationalities with a recognition rate below 15% ('Track 4B'). The countries currently listed: Albania, Algeria, Angola, Armenia, Belarus, Bosnia and Herzegovina, Brazil, Chile, Colombia, Cuba, Georgia, Ghana, Honduras, India, Israel, Kazakhstan, Kyrgyzstan, Kosovo, North Macedonia, Mexico, Mozambique, Morocco, Moldavia, Mongolia, Montenegro, Nepal, Peru, Philippines, Serbia, Sri Lanka, South Africa, Thailand, Tunisia, Ukraine, USA, Uzbekistan, Venezuela and Vietnam.

Under Sweden's Aliens Act, unfounded claims can be channelled into an expedited asylum procedure, with the Migration Agency able to issue return orders with immediate effect (AIDA & ECRE, 2022d). A 2021 legal instruction by the Legal Unit of the Migration Agency, established that an expulsion with immediate effect should be considered in the following cases:

• The application is unrelated to the right of asylum;

• The application presents manifestly insufficient grounds for asylum;

• EU citizens and persons from safe countries of origin applying for asylum;

• The applicant has provided false information in all essential elements (e.g., name, age, nationality etc.);

• If the asylum application is based exclusively on health reasons.

4. Dublin procedure

Track 5A deals with cases under the Dublin Regulation. These cases are not sent to the Distribution Unit but channelled immediately into this track.

DISCUSSION

The following section presents an overview of the methods used to streamline national asylum systems in France, Germany, Italy and Sweden with a discussion integrating academic literature and organisation publications.

STREAMLINING AND EFFICIENCY

Across France, Germany, Italy, and Sweden attempts to accelerate judicial and administrative procedures and reorganise their infrastructure have been introduced to cut costs, reduce backlogs and waiting periods, restrict sociolegal access to the state and prevent alleged abuses of social services (Borelli & Wyss, 2022). At the national level, France and Belgium are the only EU Member States in which national legislation explicitly regulates the institutional independence of their asylum authorities (AIDA, 2020a). This is significant as it serves to guarantee the impartiality and independence of those processing applications, whose objective and individualised examination of claims, without political interference, is require. Despite this, it is noteworthy that OFPRA must sign a contract with the Ministry of the Interior every three years to optimise support for asylum claimants, reduce processing timeframes, and improve the effectiveness of efforts confronting irregular immigration (Giametta, 2020). As such, its institutional arrangement clearly evidences the government's orientation towards efficiency.

To reduce the asylum procedure duration, France introduced various measures, such as paperless interview invitations and decisions to asylum seekers, opting for emails and SMS messages instead (EMN, 2022). France has also sought to reduce the time periods for 'pre-applicants' to make an appointment at the Prefecture in order to enable them to file their application as soon as possible (EMN, 2022). Other measures included prioritising certain categories of applicants and hiring additional staff (EMN, 2022a). France has also established a specialist division within OFPRA to deal with Sexual Orientation and Gender Identity (SOGI) claims, granting the advantage of longer timeframes to allow authorities to establish the facts and present a fair case (Giametta, 2020). Nevertheless, it is important to note that while such authorities may follow an official line of action, the practices of the individual decision makers vary according to their use of discretion and individual beliefs (Carlsson-Wall et al., 2021).

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Despite France being a heavily centralised state, it is one of the countries along with Germany and Italy whose asylum authorities are also divided according to geographical divisions (AIDA, 2020a). This logically appears to be an effective method as it enables authorities to target priority areas and allocate resources according to need (AIDA, 2020a). The BAMF, which has offices in all Federal States, has established an asylum distribution system in Germany, known as the as Initial Distribution of Asylum Seekers system (AIDA, 2020a). The system, reflective of Germany's federal character, allocates spaces according to a quota based on the capacities of centres, which are in turn dependent on the economic strength and size of the Federal States where they are located, whilst also considering which BAMF office is responsible for processing the individual's claim (AIDA, 2020a). In Germany, sub-national level actors, including the federal states and municipalities, have various roles and responsibilities relating to asylum including reception and return, which generates intense multi-level debates and reveals a distinct political dynamic from France which is highly centralised, for example.

HIRING ADDITIONAL STAFF

Hiring additional staff was a method used across the four countries since 2015 to make their asylum systems function with greater efficiency (AIDA 2020a; Beirens, 2020). Italy increased the number of Territorial Commissions across the country and benefitted from the support of the EEAA through the EU's 'Hotspot System' which is designed to prevent protracted spatial concentrations of migrants in critical border zones (Tazzioli, 2018; Fontana, 2019; EMN 2022a). Between 2014 and 2016 Germany's BAMF staff doubled and new branch offices were opened including inside new arrival centres (Will, 2018) This was accompanied by legislative reforms streamlining procedures and enabling increasing digitisation of asylum documentation (Will, 2018). Moreover, reforms to the Integration Act in Germany allowed the BAMF to transfer preliminary interviews of asylum seekers to other authorities in cases where a high influx of asylum seekers need to be processed, provided they are appropriately trained and do not wear the uniform of their institution (Hohenlohe-Oehringen, 2017). The authorities in question must have tasks defined under the German Asylum Act or in the Residence Act (Hoenlohe-Oehringen, 2017). The 2015 German Asylum Procedure Acceleration Act can be perceived to effectively enable 'speed' and 'efficiency' to become directly applied values guiding the interaction between the state and asylum seekers (Borelli & Wyss, 2022: 952). This act risks undermining the quality of decision making on asylum cases as it diminishes the care and attention due to individual cases in the name of enhancing the speed at which applications are processed. However, Germany justifies this acceleration as reducing the uncertainty faced by asylum seekers whilst reducing the costs and enhancing the efficiency of the state apparatus. Indeed, the spatial centralisation of arrival centres is founded on the premise of expediting processes, wherein the state can decide on cases with low prospects of success and prepare for the removal of rejected applicants from the territory (Borelli & Wyss, 2022).

Since 2015, measures have been taken in Germany to support the entry into the labour market of those with a high probability of receiving a residence permit on humanitarian grounds (Will, 2015). Meeting defined conditions (e.g., linked to learning German, finding employment, and attaining financial autonomy) has become central for persons found to be entitled to asylum to subsequently receive permanent residence rights, and illustrates the increasing restriction of pathways to permanent residence. People entitled to asylum now must wait two years longer for a permanent residence visa if they do not successfully 'integrate' by learning German, finding employment, and achieving financial independence from the German state. Until 2016 a permanent residence permit was issued after a minimum of 3 years, dependent upon whether the applicants' claims for humanitarian protection were still found to be relevant. This minimum waiting-time to get a residence permit was increased in 2016 for most individuals to 5 years (Will, 2015). It could, however, be reduced to the previous waiting-period of three years if the applicant shows a high level of integration performance at that point, having mastered the German language, and attained financial independence. However, here integration seems to be viewed by Germany as the asylum seeker's ability to reduce their cost on the state apparatus.

TEMPORARY MEASURES

German asylum reforms in 2015 streamlined procedures in cases of uncooperative applicants by stipulating that the application is considered withdrawn when the applicant does not cooperate, for example by refusing to provide information about identity, withholding documents or not appearing for the formal application procedure (Hohenlohe-Oehringen, 2017). As such, the reform effectively stresses the obligations of the applicant during the procedure with non-cooperation a ground for termination. As such, the German reforms seem to oscillate between restriction, deterrence and improving integration. In 2015 Sweden passed

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the Temporary Alien Act which expired in 2019. Under the law refugee status was reduced from being a permanent to being valid for three years accompanied by the increased granting of subsidiary protection (Bech, Borevi & Mouritsen, 2017; Garvik & Valenta, 2021). Moreover, those receiving subsidiary protection would no longer be entitled to family reunification thereby reducing the number of subsequent arrivals (Bech, Borevi & Mouritsen, 2017). Thus, it is evident that in the face of mounting migratory pressure Sweden turned to restricting access through temporary measures and moving farther from the previous view of refugee status as permanent.

Sweden increased its asylum staff from 3,000 to 7,000 in 2015 in order to meet the rapidly rising number of asylum claims, although this number of staff has since reduced slightly (Carlsson-Wall et al., 2021). This was coupled with organisational restructuring, such as the introduction of a 'lean management' approach. This imposed a radically different work method on Swedish Migration officers, as they stopped being responsible for individual cases and thus individuals, and instead became members of a team, focusing on specific phases within the procedural flow of applications (Vianelli, 2022). Considering the increasingly fragmented procedure, it is worth noting that asylum staff focusing on particular aspects of the procedure may in turn have a reduced ability to get a bigger picture of an individual's application. The emphasis on time and quantitative targets may negatively affect the accuracy of the decision-making process. Another result of streamlining is the lack of face-to-face encounters, with decisions based purely on paperwork as asylum office employees become responsible for a single stage or aspect (Borelli & Wyss, 2022). Indeed, the Swedish Migration officers interviewed in Borelli and Wyss's article highlight the importance of asylum officers conducting face-to-face interviews, arguing that a personal conversation might reveal critical details that could affect the final decision (2022: 953).

ACCELERATED PROCEDURES

Procedural simplification is increasingly being realised through the introduction of exceptional measures, without much regard for predictability or transparency, in so far as asylum rules undergo frequent changes at both formal and informal levels. This is evident when we consider the restrictions on legal guarantees and rights, for example the increasing trend to expand inadmissibility rules, restrict appeal rights, eliminating automatic suspensive effect (an automatic right of applicants appealing against negative decisions to remain in the territory of the concerned EU Member State whilst there appeal is heard) and the granting of more precarious subsidiary forms of protection instead of refugee status (EMN, 2022a).The effect of restricting access to refugee protection has been the result of the national implementation of instruments and procedures provided by the EU asylum acquis and implemented according to the evolving Common European Asylum System. Specifically, domestic legislation can exploit procedures provided by the recast Asylum Procedures Directive which aimed to streamline the Refugee Status Determination (RSD) process, by creating the following procedures: (RESPOND, 2018: 38)

- An "admissibility procedure" which does not examine the merit of asylum claims protection needs, for asylum seekers who may be the responsibility of another country or have lodged repetitive claims;
- An "accelerated procedure" to examine protection needs of manifestly unfounded or security-related cases;
- A "border procedure" to rapidly conduct admissibility or examine the merits under an accelerated procedure at borders or in transit zones.

In France people now have only 90 days to file an asylum application after entering French territory, after which their claim is automatically placed in accelerated procedures (AIDA, 2020b; Hambly & Gill, 2020). This appears to be an attempt to encourage those with the intention of seeking asylum to do so as soon as possible whilst equally being a method for identifying those who only file a claim when they have been apprehended on the territory. In Italy the limit is only eight days in theory, whilst Germany and Sweden do not prescribe a limit (AIDA, 2020a).

The fragmentation of refugee status determination has taken on distinct forms with the use of procedural 'track' or 'cluster' approaches in Sweden and Germany respectively (Germany has abandoned its cluster approach since the end of 2017; nevertheless, the use of this modality remains notable) (AIDA, 2017). Germany established a specific cluster (Cluster B) for accelerated procedures in arrival centres for applicants from countries of origin with a recognition rate below 20%, including many countries which were not listed as safe countries of origin (AIDA, 2017). In Sweden, under Track 4B a manifestly unfounded procedure is similarly applied to asylum seekers from countries with a recognition rate below 15% (AIDA, 2017). The use of asylum recognition rates allows countries to apply accelerated procedures to bypass safe countries of origin lists and

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effectively circumvent procedural guarantees, where they cannot simply rule inadmissibility. This system risks undermining protection rights as it effectively places those in Track 4B under accelerated procedures even if they are not from a safe country of origin, sensu stricto.

PRIORITY AND FAST-TRACK

During the peak of the migration wave to Europe in 2015, France, Germany and Sweden (among several other EU countries) suspended the Dublin System, which establishes the Member State responsible for the examination of the asylum application and provides for the transfer of an asylum seeker to that Member State Beirens, 2020). The countries took responsibility for arrivals that had passed through other Member States so as to avoid aggravating backlogs and to alleviate the pressure on frontline states and those with lower capacity. Germany exemplified this approach, going so far as sending trains to accept thousands of asylum seekers stranded in Hungary (Ilgit & Klotz, 2018). This is an illustrative example of a temporary measure being used to streamline asylum on an ad hoc basis.

Under Sweden's track system for triaging asylum seekers, 'Track 1' is applied to those where there is a presumption that the case will be successful (AIDA & ECRE, 2022d). The aim of this approach is to create preconditions for rapid settlement for those who are likely to stay in Sweden. Under this fast-track procedure there is no need to appoint public counsel, the identity of the claimant must be ascertainable based on the documents submitted and there must be no other major processing stages needed other than an oral interview (AIDA & ECRE, 2022d). Since Germany abandoned its cluster system, BAMF branch offices and arrival centres use their own discretion on whether to set any priority in dealing with caseloads, depending particularly on the availability of staff members with the necessary country expertise and interpreters (AIDA& ECRE, 2018b).

France does not have a system of giving priority to specific clusters of asylum applications, however similarly to Germany and Italy, there are nationalities which benefit from higher rates of protection recognition in France such as Syrians, Iraqis, and Afghans. In 2021 the French CNDA decided that the granting of subsidiary protection based on generalised conflict in Afghanistan was no longer applicable because the takeover of the Taliban had put an end to the conflict (AIDA & ECRE, 2022a). However, following this the French Government recognised ongoing risks in the country and put in place specific conditions for examining the visa applications of at-risk and vulnerable Afghans, including for asylum and family reunification to respond to their ongoing protection needs (EMN, 2022a). Meanwhile the Swedish Government removed requirements for an asylum seeker to be in a third country before resettlement to Sweden, meaning that Afghans could be transferred directly from Afghanistan and undergo the resettlement process upon arrival in Sweden (EMN, 2022a). This was significant in opening a legal albeit limited pathway to asylum for Afghans.

PROTECTION TYPES

Several articles report the increased granting of subsidiary forms of humanitarian protection by Germany, Sweden, and Italy (Slominski & Trauner, 2018; RESPOND, 2018). Sweden's 2016 reforms were designed to meet the minimum level of EU mandated asylum standards, guided by a logic of deterrence. A temporary law passed at that time (originally intended to last until 2019 but has since been extended through 2023) introduced changes including fewer grounds for protection, the provision of temporary residence permits as a rule, and restricted opportunities for family reunification (Garvik & Valenta, 2021). In 2016 grants of subsidiary protection constituted the majority of positive decisions, with the downgrading of guarantees being explicitly guided by deterrence with the aim of reducing the number of people arriving and making asylum applications (Bech, Borevi & Mouritsen, 2017; RESPOND, 2018; Garvik & Valenta, 2021). This is exemplified by the Swedish government heralding these restrictions as a means "to temporarily adjust the asylum regulations to the minimum level in the EU so that more people choose to seek asylum in other EU countries", with the aim of alleviating pressure on the national system (RESPOND, 2020: 33). Indeed, subsidiary protection holders are provided with more limited rights than those with refugee status and as such are construed as less burdensome on the state (RESPOND, 2020). In Sweden the suspension of rights, such as the right to family reunification for subsidiary protection beneficiaries between 2016-2019, coincided with the increased granting of subsidiary protection, which is illustrative of the increasing restriction of international protection provisions (RESPOND, 2018).

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REGISTRATION

In a concerted effort to align asylum registration and reception services, some EU Member States, notably France and Germany, set up first-arrival centres (Beirens, 2020). This model aims to place all relevant registration and reception authorities under one roof, enabling asylum seekers to rapidly find and access them whilst enabling authorities to rapidly identify and process individuals and facilitating removal in the case of rejected asylum applications. This approach overhauled the previously rigid sequence of registration, then reception, followed by asylum processing.

In France the 'guichet unique' (one-stop shop) refers to the system of first-arrival centres launched in the summer of 2015, of which there are now over 30 across the country (Beirens, 2020). The centres are staffed by both the local prefecture and asylum caseworkers from OFII who together take responsibility for recording and lodging asylum applications through a simplified procedure. The following steps occur once a migrant arrives at a 'guichet unique' (single desk) to apply for asylum (Beirens, 2020: 20)

1. Asylum caseworkers from Prefecture fingerprint the applicant and, during a screening interview, decide if France is responsible for the asylum claim after the applicant's data and fingerprints are checked against the EURODAC database.

2. If an applicant is eligible to seek asylum in France, the prefecture records the applicant in the National Reception Mechanism (Dispositif national d'accueil);

- An OFII caseworker conducts a vulnerability assessment and gives asylum seekers who report medical problems a 'health vulnerability' envelope with a medical certificate to be completed by a doctor;
- The OFII caseworker starts the administrative process through which the applicant will receive an asylum allowance; and
- Applicants are given an asylum claim certificate that is equivalent to a temporary residence permit and is valid for one month; they are also given an asylum application form to be completed and signed by OFPRA within 21 days.

3. The asylum application is sent to OFPRA, which arranges for a substantive interview with the applicant that will take place at its headquarters and after which the office decides whether to grant international protection.

Germany established 'AnkER' centres in 2015 (the term is a composite word for Arrival, Decision and Municipal Distribution or Return), which are similar to the French 'guichet unique' arrival centres by bringing together various government bodies, with the aim of accelerating asylum procedures, the distribution of asylum seekers, the returns of rejected asylum seekers and Dublin transfers (AIDA & ECRE, 2022). In 2018, Germany started establishing these centres on its southern border with Austria (Ilgit & Klotz, 2018; Beirens, 2020). Placing them at the border is perceived as preventative in that it effectively foresees a period of detention and is perceived as a deterrent since claims are processed rapidly, preventing applicants from moving onwards and facilitating their return in case of rejection. Moreover, this approach helps provide initial clarity to applicants on their eventual right to stay.

In contrast, since 2015 Italy has relied heavily on provisional reception facilities called *'Centri di Accoglienza Straordinaria'* (extraordinary reception centres) (Beirens, 2020; AIDA & ECRE, 202c). The centres were established in vacant public buildings such as old military barracks, schools, and other government buildings. The justification for this method is that spikes in arrivals do not necessarily justify the creation of permanent arrival centres, especially in a country like Italy where many of the arrivals are merely transitory. This method is clearly aimed at preserving resources and takes advantage of the EU Reception Conditions Directive which allows for the use of temporary facilities which do not meet normal standards for accommodation (Beirens, 2020). Although this is supposed to be a temporary measure, it appears Italy relies on this system to avoid the costs associated with fit for purpose infrastructure, with reports that the majority of arrivals are currently placed in these supposedly 'extraordinary' centres (AIDA and ECRE, 2022c).

Italy and the Hotspot approach

In 2019 the Italian Ministry of Interior issued a directive to all national law enforcement agencies, calling on them to prevent the irregular entry of migrants onto the Italian territory in the name of protecting order and security (AIDA, 2020a). The same directive classified Search and Rescue (SAR) at sea conducted by NGOs as a dangerous activity that is prejudicial to national interests and security, as it seeks to facilitate the

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entry of people in violation of immigration law (AIDA, 2020a). Moreover, the Security Decree approved in 2018, introduced provisions that tightened the rules for processing asylum claims and abolishing the lowest tier humanitarian protection (Fontana, 2019). However, according to observers, such reforms supposedly pertaining to improving the system's productivity seem to have coincided with a significant increase in the rejection of asylum applications (Fontana, 2019). The crisis logic seems to beget a perpetual state of urgency which serves to legitimise restrictive policies and lower recognition rates.

In Italy the hotspot approach is used as a primary means of controlling access to the state (RESPOND, 2018). The approach is part of the European Agenda on Migration and is aimed at assisting frontline Member States facing extraordinary migratory pressure with support from EEAA, the ECBG and EUROPOL. In Italy, undocumented migrants intercepted within Italian territory and asylum seekers rescued at sea are immediately taken to hotspots, where they are fingerprinted and receive information on international protection, relocation and assisted voluntary return. However, the hotspots have often suffered from a bottleneck effect, particularly at times of increasing arrivals due to the limited outflow of migrants combined with administrative delays affecting identification and registration (RESPOND, 2018: 49). The procedures seek to rapidly identify migrants who are eligible for relocation to other European Member States (e.g., Syrians, Eritreans, Iraqis, Afghans). On the other hand, the majority of migrant nationals from West Africa and from North Africa have been illegalised in so far as they are assumed to be 'economic migrants' if they are arriving from certain countries such as Tunisia and Nigeria (Tazzioli, 2018). Indeed, the non-juridical label 'economic migrant' is increasingly used to preclude access to the asylum procedure and oblige them to leave Italy in seven days (Tazzioli, 2018). This has been controversial as UNHCR have accused Italy of delaying and denying access to international protection and because it has led to accusations of nationality-based profiling (Pannia, 2021). Despite this, the majority remain in Italy except those nationals from Nigeria, Egypt and Tunisia that can be rapidly repatriated due to the return agreements between Italy and these countries (Tazzioli, 2018).

RECEPTION

Although logistical concerns within asylum management are by no means new, the process of 'logistification' was accelerated by the migration crisis in 2015, when most EU countries found themselves unprepared to deal with a significant increase in the arrival of asylum seekers and resorted to temporary emergency facilities (Vianelli, 2022). According to Vianelli this process is characterised by organisational and logistical concerns with reception being turned into a logistical matter of moving, accommodating and removing asylum seekers. This 'logisitifcation' also led to the 'arrival centres' used in France and Germany wherein all relevant authorities and parts of the procedure from registration through to removal can be conducted under one roof.

The 2016 package of asylum reforms in Germany extended the stay of arrivals in arrival centres from three to six months, with a focus on providing benefits in-kind (e.g., transport passes, food, clothing etc.) over financial aid (Mushaben, 2020). Freedom of movement was restricted as asylum seekers were prevented from leaving the districts in which their BAMF branches were located. The German Government also imposed a penalty of terminating asylum procedures for those who left while still in asylum centres. Meanwhile, subsidiary protection was reformed so that beneficiaries only become eligible for family reunification after two years instead of automatically (Mushaben, 2020). These policies are illustrative of attempts to render the asylum system more efficient by reducing the costs associated with alternative housing and cash payments whilst providing a deterrence for absconding and tightening the system by seeking to discourage people arriving with the intention of seeking asylum. Sweden adopted legislation in 2021 to enable the police to photograph and fingerprint people without proof of residence in their attempts to identify irregularly staying migrants at internal checks on foreign nationals (EMN, 2022a). This can thus be perceived as a measure for deterring rejected asylum seekers from remaining on the territory irregularly and complying with orders to leave the territory (EMN, 2022a).

The Swedish Government's involvement of leading global firms such as McKinsey & Company in the design and implementation of a project aimed to reduce the length of asylum procedures and cut public spending is indicative of the importance governments attach to organisational and economic efficiency (Vianelli, 2022). The same company was similarly appointed in Germany by BAMF to consult on streamlining asylum procedures during the supposed crisis in 2015 (AIDA & ECRE, 2022b; Vianelli, 2022). The involvement of such companies is telling of the increasing importance of organisational efficiency and economic imperatives in asylum management. Such a combination of public and private in the asylum domain potentially engenders

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higher costs for the system in general as public funding represents the main contribution to activities within the asylum reception chain even though many of them are outsourced to private companies, and thus constitute higher profit for some actors in the chain (e.g., the private contractors consulting government and managing reception measures). As such, it is argued by Vianelli that asylum procedures involving private actors, illustrate the extraction of public resources for the profit of private companies (2022).

DIGITALISATION AND COMMUNICATION TOOLS

In order to improve the accuracy and enhance the efficiency of identification and registration processes, countries are increasingly turning to methods involving the digitalisation of asylum procedures and the increasing use of technology. The rapid expansion in this area was largely driven by the COVID-19 pandemic and the need to reduce human contact whilst ensuring national systems continued to operate (AIDA, 2022b). Investing in technological infrastructure and digitalising operations and processes is increasingly perceived as a primary means of enhancing migration, asylum, and border management (EMN & OECD, 2022).

Online and telephone platforms have been introduced by specific regional authorities in France and Italy as ad hoc solutions to manage workload (AIDA, 2020b). However, experience in Italy and France demonstrates that whilst such platforms can provide additional technical support tools for registration or lodging purposes, they cannot substitute administrative capacity, as without it, they are liable to exacerbate backlogs if there is not an adequate number of staff or equipment to administer the platforms rather than speeding up access to protection (AIDA, 2020b). In France the use of telephones is reported as problematic due to the platform only operating a couple hours a day and due to technical issues related to following interviews, for example due to problems arising from simultaneous telephone interpretation and the fact that where a third party is present the phone is shared between the applicant and legal representative (AIDA, 2022).

France and Germany also employ remote interpretation services via videoconferencing when there is a lack of availability or in the case of rare languages, enabling the application to progress rather than be stalled until in-person interpretation services could be provided (AIDA, 2022). In Germany BAMF has used video interpretation since 2016 (AIDA, 2022). The system consists of video interpreter hubs being connected via video call directly to the live interview being held in BAMF branch offices (AIDA, 2022). This enables a single interpreter to interpret for a number of cases being conducted in different branches which may not be feasible if they had to go in person.

France and Sweden are reported to use videoconferencing to conduct remote interviews in the case of vulnerable individuals who cannot travel for security, health, or family reasons (AIDA, 2022). This is a useful method to facilitate the interview and enable the procedure to progress without delays. The two countries have also established the possibility for asylum applicants to submit appeals, briefs and other documents that may be required via remote tools such as secure web portals and by email (AIDA, 2022). This is also useful for storing documents as it enables both authorities and applicants to access their applications and all their files in a single place.

German Innovation

Germany is at the forefront of European countries in digitalising its state apparatus (Mergel, 2021). Indeed, the massive increase in asylum applications in 2015 needed to be reflected in the internal processes and the distribution of responsibilities with a view to coordinating information and tracing refugees across different levels of government (Mergel, 2021). The BAMF has established an internal IT Lab with the aim of introducing new project management tools, such as 'Scrum' to develop software together with the different agencies that are potential users of the technology (Mergel, 2021). The aim of these tools is to automate tasks related to asylum processing and facilitate coordination between agencies, such as the municipal and state immigration office, Federal Employment Agency, police, customs, federal intelligence services and others (Mergel, 2021).

Germany has been developing language biometrics in cooperation with universities to provide an initial, automated approximation of where applicants are from based on their accents and dialects, which is then referred to in the interview stage of the asylum application (Beirens, 2020). Authorities can access the data produced by these IT systems through a centralised database that expands on Germany's Central Register of Foreigners (*Ausländerzentralregister* (AZR)). The language and dialect identification assistance system (DIAS) is an AI tool that is considered to enhance the efficiency of processing cases where applicants lack identity documents (EMN & OECD, 2022). To counter the double registration of asylum seekers resulting from spelling

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variations that arise when Arabic names are written in different ways using the Latin alphabet, Germany introduced a new keyboard tool that transcribes Arabic in a standardised way in 2017 (Beirens, 2020; EMN & OECD, 2022). Moreover, the BAMF has recently launched a blockchain-based project called FLORA to streamline the management of information resources on asylum procedures across government agencies to create greater transparency, data security, simplification of manual efforts (e.g., inputting data and copying information) and enhanced inter-operability between agencies (EMN & OECD, 2022; Kassen, 2022). Data such as the digital identities of asylum seekers, many of whom lose their identification documents during the migratory process, can provide a useful workaround solution to federal agencies (Kassen, 2022). The project supports the coordination and exchange of data across the organisational workflows of different levels of government (EMN & OECD, 2022).

In 2018 the BAMF also founded the NExT network, which is an interdepartmental network for digital innovation, in collaboration with the federal chief information officer (Mergel et al., 2021). The network is composed of experts in different federal ministries whose shared goal is to shape and advance the digital transformation of German public administration. The network is divided into six sub-groups that focus on: how to develop digital projects; how to improve digital skills; what new technologies public servants need to consider; how to adapt organisational practices; what kind of cooperation between different government bodies is necessary (Mergel et al., 2018). Whilst this measure it not specific to asylum procedures, it demonstrates that in Germany the asylum authorities are at the forefront of digital development within the state apparatus and that they grasp the importance of learning from others to avoid reinventing the wheel each time. As such, the NeXT is a method of streamlining the learning and development process which surrounds the process of digitalisation.

APPEALS AND ADJUDICATION

In Italy the 2017 Minniti-Orlando decree established 26 specialised migration units within the Italian civil courts (Dallara & Lacchei, 2021). The objective of the reform is to streamline the appeal procedure by speeding up the judicial process and restricting some legal guarantees such as appeal rights. According to the reform, oral hearings before the court are considered a last resort, to be used only in a handful of cases, such as when the original interview before the Territorial Commission was not videotaped (Dallara & Lacchei, 2021). This contrasts sharply with Sweden, where oral hearings are not mandatory, but where courts must effectively grant an applicant's request for a hearing at appeal (AIDA, ECRe, 2022c). The Italian decree also removed the right to second instance appeals (Dallara & Lacchei, 2021; AIDA & ECRE, 2022c). Indeed, under the decree judges are supposed to decide the cases at appeal purely based on the videotaped interviews with the Territorial Commission. However, due to the de-centralised nature of the court, there exists a noticeable discrepancy between the court units, as some involve hearings with the asylum seeker in question and others do not, ultimately resulting in inconsistent rulings.

In Italy there are now only 30 days to make an appeal after receiving an initial decision (compared to 60 before the reform) under the regular procedure and 15 under accelerated procedures (AIDA & ECRE, 2022c). The reform removed the possibility to appeal the decision before the Court of Appeal; in cases of negative decisions appellants must now lodge their appeal before the Court of Cassation within 30 days (compared to 60 before the reform) and within 15 days under accelerated procedures (Dallara & Lacchei, 2021). This is unusual, because unlike in other European countries, Italy entrusts asylum adjudication to civil and not administrative judges, thus in Italy this phase is disconnected from the rest of the asylum procedure (Dallara & Lacchei, 2021). This is usually the final ruling as it can only be further appealed before the Court of Cassation, which is the highest court of appeal in Italy.Moreover, the onward appeal is no longer automatically suspensive as the appellant must now apply for consideration of suspensive effect within 5 days of ruling (AIDA & ECRE, 2022c). Ultimately, the significance of this reform is that in Italy the judge alone re-examines the case on appeal to assess the asylum claim, meaning that Italian judges are vested with the power to decide asylum claims since they can overturn a decision by the Territorial Commissions and make their own ruling on the claimant's merits (Dallara & Lacchei, 2021). In some sense, these judges can be construed as policymakers since the rulings they make can set precedents and may influence other judges or even the decision makers from the asylum authorities to follow their reasoning.

Of the countries included in this review It is notable that only France allows suspensive effect in accelerated procedure appeals; Germany, Italy, and Sweden do not (AIDA, 2017). Nevertheless, France too has restricted

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its asylum appeals adjudication processes. Whilst the time limit for filing an appeal against a negative first instance decision remains 30 days, it imposed a 15-day limit for accessing legal aid, which in turn effectively enforces a 15- day limit (Hambly & Gill, 2020). In addition, the French reforms enables the notification of initial decisions by SMS, email, or voicemail, without the need for notification by physical document in the form of a letter, notice or certificate. Since asylum seekers often live in precarious situations and experience uncertain access to internet or phones, there is a significant risk of impeding their right to legal remedy through appeals.

The 2015 asylum reforms in France introduced accelerated procedures whereby, instead of facing a three-judge panel within five months of registration, appeals may be heard by a single judge within five weeks (AIDA, 2017; Hambly & Gill, 2020). The reforms also increased possibilities for decisions taken by 'ordonnance'– that is, by a single judge without any hearing making a ruling based on the original interview (AIDA, 2017; Hambly & Gill, 2020). The fact that a hearing is not necessary and that a single judge can rule on a case within weeks is an indication that time and efficiency are core concepts guiding such policy development. With a single judge, decision making is quicker as it bypasses panel discussion and deliberation. Moreover, it enables reduced costs as only one judge is required and finally, the hearing can be circumvented which effectively renders it much harder for the individual making the appeal to access effective legal remedy. It is reported that since 2015, the number of decisions taken under the regular procedure by a judicial panel has reduced to under half, with around a third of decisions taken by ordonnance (Hambly & Gill, 2020). The shift away from panel rulings to single-judge hearings and 'ordonnance' decisions represents a move towards a concentration of smaller decisional units. In 2017, panel rulings awarded some form of protection in 28% of decisions while single judges did so in 17% of decisions, indicating that single judge panels tend towards the restrictive (N.B. it is possible that the different judges are deciding on different cohorts of cases with different chances of success, this information was not clarified by the authors) (Hambly & Gill, 2020). Each set of cases usually comprises appeals from the same country of origin. As an organisational method, this enables a quicker passage between appeals; for example, if there is a common language requested, one interpreter may stay throughout the block (Hambly & Gill, 2020). Moreover, judges and rapporteurs are tasked with evaluating country conditions in several states and not countless different states.

It is important to note that due to the high caseload that courts must hear, the pressure to make a ruling threatens to undermine the quality of the decision itself, as the judge's role increasingly appears to focus on time management over judicial deliberation. Finally, it should be underlined that judicial panels afford a balancing function, which helps moderate the effect of 'extreme' judges (whether liberal 'granters' or restrictive 'refusers'). This balancing of judicial opinion exists by virtue of numbers, and because judges can check each other through deliberative discussion and persuasion thereby diffusing the effects of an individual judge's subjective bias (Hambly & Gill, 20202.

RETURN AND BILATERAL AGREEMENTS

Countries have also engaged in methods for streamlining the return of failed asylum seekers, ranging from bilateral agreements with countries of origin, assisted and voluntary return programmes, and the liberalisation of sectoral work visas with the aim of reducing asylum applications. In this respect, governments have engaged in the linkage of policy issues which bridge the nexus between migration-development-security through the creation of mutually beneficial agreements based on meeting particular conditions in a given policy area.

Indeed, pre-departure and post-arrival incentives for the voluntary departure of rejected asylum seekers are currently provided in the vast majority of Member States plus Norway, except for Italy which offers no such assistance (EMN, 2022b). This includes both in-kind and cash incentives, with in-kind incentives primarily consisting of information and counselling services as it allows authorities, NGOs or the IOM, to detect and respond to the specific needs of individuals. Other forms of in-kind aid are provided in the form of logistical support to organise the return journey and providing for the basic needs of the individual prior to return, including covering accommodation, healthcare, food support, and in some cases even providing access to vocational training upon return (EMN, 2022b). The level of cash incentive varies widely, typically based on the profile, needs and nationality of the beneficiary. In France, rejected asylum applicants can be accommodated in the Assisted Return Facilities established in 2021 across the country, with a capacity of 1,300 places as of 2022 (EMN, 2022a). This enables France to accommodate those who are willing to be returned in an alternative to detention centres. Voluntary return is incentivised through the provision of assistance for social and employment reintegration (EMN, 2022b). Social reintegration here consists of support with initial return

set-up costs relating to housing, food security and health as well as the children's education. The French programme is adapted to the needs and profile of the beneficiaries, with three levels of support offered to nationals of 28 different counties, with monetary amounts varying according to the country of return and includes support in finding employment or creating a business (EMN, 2022b).

Germany similarly provides reintegration support based on the country or region to which the individual is being returned, such as a programme geared towards nationals from Kosovo and Albania (Slominski & Trauner, 2018; EMN, 2022b). The BAMF has adopted reintegration projects URA Kosovo and URA Albania offering a wide variety of support measures (both in-cash and in-kind), reportedly tailored to the needs of individual returnees (EMN, 2022b). Germany implemented the project, 'Bridge Component Albania' to fill the gap between pre-departure measures, travel assistance and long-term reintegration for Albanian nationals, offering financial, in-kind and psychosocial support to boost the programmes' sustainability (EMN, 2022a). Such return assistance has helped Germany to be more efficient in its return of foreign nationals.

Germany's asylum policy manifests increasingly contradictory tendencies, which are at once liberal and restrictive. On the liberal approach, its interpretation of asylum has been expanded to recognise non-state agents of persecution, and it removed certain residency and employment restrictions for refugees (Ilgit & Klotz, 2018). On the restrictive side, the list of 'safe countries of origin' has expanded as have programmes foreseeing return, thereby putting certain arrivals on a fast-track to deportation (Ilgit & Klotz, 2018). In 2015 amid the increasingly high numbers of asylum seekers from Syria, Iraq and Afghanistan, the German Government turned its attention to reducing the numbers of arrivals from the six Western Balkan states (Bither & Ziebarth, 2018; Ilgit & Klotz, 2018).

Germany has recognised the importance of coupling increased return efforts with increased opportunities for nationals from those countries to access labour market opportunities in Germany as exemplified by sector specific work visa liberalisations for certain nationalities. New routes for accessing the labour market were opened through the Western Balkan Regulation at the same time as the German Asylum Package I entered into force (Bither & Ziebath, 2018). The regulation was limited to five years (since extended to 2023) and is not tied to a minimum skill level or formal qualifications, nor did it include German language requirements. Applicants from the Western Balkans can receive a temporary German work visa if they have an employment contract which has passed through verification by the national employment agency to ensure that there are no other eligible applicants to take the job in Germany (Bither & Ziebath, 2018). However, it is worth noting that initially the personnel at the embassies were not equipped to deal with the rapid increase in visa applications which resulted in significant delays.

Following a sharp rise in asylum claims from Moldova in 2020/21 (with a 99% rejection rate) Germany similarly engaged in a placement agreement with Moldova for the employment of seasonal harvest workers in agriculture. (EMN, 2022a). This has resulted in migration waves out of impoverished conditions being rerouted by legislation out of the field of humanitarian reception into that of (unskilled) labour migration (Will, 2018). Since then, work visas can be obtained at the German consul in one's respective (safe) country of origin but will not be issued to persons who have received benefits as asylum seekers in Germany within the 24 months prior to their application for a work permit (Will, 2018). Germany seems particularly discerning of the idea that visa procedures need to be both mutually beneficial and conditional on the cooperation of third countries with regards to the return of their citizens, if they do not cooperate in facilitating their return then Germany does not cooperate by facilitating its policy of providing visa access to its territory.

In Sweden, different assistance (in-cash and in-kind) was also available according to the country of return (EMN, 2022b). Regarding Sweden, it is noted that it has a high capacity for effecting successful voluntary return, making it a priority to adhere with the EU Return Directive and focusing on human rights, combined with Assisted and Voluntary Return (AVR) incentives (Lerkees & Van Houte, 2020). Sweden's low rate of forced return suggests that it is not primarily the threat of forced return that pressures migrants into accepting assisted return. However, according to the Swedish Migration Agency the perception of being forcefully removed or the risk of being issued an entry ban were the main drivers behind the decision to comply with the obligation to leave within the period for voluntary departure, in particular for individuals returning to countries with geographical proximity to the Schengen area (e.g., Albania) (EMN, 2022). Indeed, the incentives offered within AVR programmes are not necessarily the determining factor as other considerations, such as economic opportunities, security and safety, social surroundings, quality of life and threat of forced return have the greatest impact overall on a third-country national's decision to depart voluntarily (EMN, 2022b). In some

cases, these factors outweigh the incentives offered, leading to forced return or a continued stay. Nevertheless, return and reintegration assistance can help the third-country national to make the final step if they decide to depart voluntarily.

France, Sweden, and Germany have infrastructure for both forced return and assisted return, use social exclusion measures, and have policies to accommodate non-return. Lerkees and Van Houte characterise Germany and Sweden as having targeted enforcement regimes wherein under certain conditions rejected asylum seekers may be given opportunities to seek employment and eventually apply for residence, such as the 'Duldung' status in Germany which is comparable in some sense to the UK's leave to remain (2020). However, leave to remain is clearly different, as 'Duldung' is merely a tolerated stay or someone who cannot currently be removed and thus does not consist of an equivalent residence permit. Italy on the other hand is considered to have a weak enforcement regime, with far fewer effected returns (Lerkees & Van Houte, 2020). However, Italy also has a sizeable informal economy which depends on the labour of people with an irregular migration status, as such there is an incentive to accommodate non-return. As a result, Italy's approach is to provide occasional amnesties to regularise migrant workers (Lerkees &Van Houte, 2020). Between June and August 2020, to ensure health protection and facilitate sufficient levels of workers as industries suffered during the COVID-19 pandemic, Italy provided for asylum seekers to apply to change their status for a work permit (AIDA & ECRE, 2022c). According to the decree irregular migrants who previously worked in the targeted sectors of agriculture, fishing, care, and domestic work could ask to regularise their status (AIDA & ECRE, 2022c). The policy included two tracks to regularisation. The first route enabled employers to apply to regularise migrant workers without a regular contract by providing them with a formal employment contract (AIDA & ECRE, 2022c). The second route enabled irregular migrants who had been in Italy since at least October 2019 to apply for a six-month residence permit enabling them to legally seek employment (AIDA & ECRE, 2022c). Through this policy, Italy makes an observable link between shifting asylum seekers, who are perceived as a burden on the system, into regularised workers in key sectors and thus contributors to the economy. In return, migrants are presented with some stability via the regularisation of their status and a recognised regulated livelihood opportunity. Nonetheless, the regularisation process has been perceived as slow and non-inclusive.

It is important to note that effective return policies are not merely about influencing migrants' decision-making processes, they are also dependent on bilateral relations with the country of origin, embedded in good international relations. Indeed, if the country of origin has no incentive to accept returned nationals it can impede the process, meaning the countries seeking to remove them must either pay the costs of detaining them or tolerate their presence. By linking the issues of return cooperation with development aid, countries have been able conclude readmission agreements which facilitate the removal of failed asylum seekers (Slominski & Trauner, 2018). Countries are also investing in country of origin economies to enable the creation of opportunities which will reduce migratory push factors. Italy has launched 16 projects in African countries aimed at addressing the root causes of migration through activities geared towards improving the labour market and employment conditions, especially for young people to deter economic migrants going to Italy and subsequently claiming asylum (EMN, 2022a). France, Germany, and Sweden all participate in similar programmes (EMN, 2022a).

Italy-Libya cooperation

Since 2000, Italy has specifically engaged in extensive bilateral agreements with Libya on migration (de Guttry, Capone & Sommario, 2017; Borraccetti, 2020; Abbondanza, 2022). In 2017 the two countries signed a new memorandum of understanding to fight irregular migration and stem the flow of people arriving in Italy to claim asylum. The approach stresses the need to increase cooperation and strengthen technical support to Libya to enhance its capacity in preventing the outflow of migration, specifically via seaborne routes (de Guttry, Capone & Sommario, 2017). The deal also contained a component for the establishment of temporary reception centres funded by Italy as a means of improving the living conditions of migrants on Libyan territory (de Guttry, Capone & Sommario, 2017). Indeed, the fact that Italy provides Libyan authorities with assets and training is not without controversy given its lack of democratic legitimacy and its well documented record of human rights abuses (Cuttitta, 2020). In its fight to prevent arrivals at its sea border, Italy continues to facilitate indirect pushbacks by providing Libyan authorities with the means and technologies to improve their interception capabilities at sea. This approach is especially controversial from a transparency standpoint, since the agreement is informal in nature and the substance of the memoranda is not publicly available, which poses significant problems for human rights protection and accountability (indeed, this is often the nature of bilateral

agreements) (Borraccetti, 2020). Furthermore, it raises the issue of non-refoulement, as forced returns from international waters by the Libyan Coastguard to Libya, which is not a safe country is in clear contravention of international law (Cuttitta, 2020).

This policy of cooperation with Libya has been coupled with the increasing criminalisation of Mediterranean NGO SAR operations (Cuttitta, 2020; Pannia 2021). Until mid-2016, most migrants only entered Italy as a transit point on their way to more appealing destinations for asylum seekers (such as the France, Belgium, Netherlands, Scandinavian Countries, Germany and the UK), but since then, due to increased inner-European border controls, the trend has changed and a higher percentage of these migrants remain in Italy where they often apply for refugee status (de Guttry, Capone & Sommario, 2017). Indeed, since 2018, people rescued at sea by NGOs have generally only been allowed to disembark in Italy until after the agreement of partial redistribution to other EU Member States, thereby using its bargaining power as an arrival country to establish an informal relocation mechanism, although with only limited success since other governments are typically unwilling to accept such transfers (Cuttitta, 2020). Ultimately, these policies of criminalising the rescue of asylum seekers and of cooperation with Libya is symbolic of Italy effectively externalising its border, which is in line with EU policy trends more broadly (Cuttitta, 2020). A notable consequence of securitisation on both sides of the Mediterranean is that tougher border controls have served to increase 'illegality', leading to more complex and innovative techniques and the proliferation of diverse and often perilous migration routes which in turn provoke calls for further restrictions (Mushaben, 2020).

RECOMMENDATIONS

Several of the publications also made some recommendations regarding the streamlining of asylum procedures.

Hambly and Gill note that policymakers should ensure the acceleration of procedures does not result in procedures being rushed (2020). Overemphasising the need for procedures to be swift is counterproductive because the potential for mistakes and oversight results in more time being spent appealing inaccurate decisions which in turn increases the cost on the state and ultimately keeps people in asylum limbo for longer (Hambly & Gill, 2020).

Transparency

The AIDA report on Access to protection in Europe made the following recommendations regarding transparent and fair asylum procedures. (AIDA, 2020a)

1. The institutional environment of asylum authorities should be human rights and protection-oriented, regardless of EU or national interest. As such they require institutional independence. The main objective for determining authorities should always be to identify applicants who qualify for international protection.

2. Decision-making tools and quality reports should systematically be made public by registration and determining authorities to ensure greater transparency of asylum procedures and further enable external entities to contribute to quality monitoring.

3. Registration and determining authorities should avoid high rates of staff turnover, as well as excessive internal rotation of staff through their redeployment to other areas. Authorities should enhance their capacity through long-term planning and ongoing training, thereby providing for more stability during the asylum procedure.

Digital Transformation

Two publications discussed the limitations of data management and digitalisation and made recommendations.

At its core digital transformation of public sector institutions is a cultural change process that should be carefully guided with the input of those who are intended to use the digital systems. To that effect Mergel urges that public servants should be included to provide feedback loops and guide the process with their technical input (Mergel, 2021).

The AIDA report on the digitalisation of asylum procedures in Europe further raises important questions regarding confidentiality, data protection, and privacy rights and made the following recommendations (AIDA, 2022).

1. Establishing a clear legal framework for the use of digital tools:

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The disparity in the use of digital tools and the different methods of refugee status determination are highly illustrative of the gap in the EU asylum acquis and in national law in this area.

2. Ensure adequate technical infrastructure and sufficient resources:

In many circumstances, the use of digital tools is counterproductive and seems to pose severe problems in terms of technical issues, inadequate equipment, and likely effect on the quality of the procedure, in particular the ability of the parties to communicate clearly and effectively.

Return

The Migration Policy Institute report made the following recommendations (Beirens, 2020):

- **Limit the time that people with irregular status spend on the territory:**
  To mitigate the development of factors which can otherwise complicate removal procedures, such as the education of children, the formation of new family ties, the strengthening of ties between migrants and the community they live in and contribute to (e.g., through their jobs, participation in the local community, and social networks).

- **Reduce the risk of absconding:**
  It is noted that migrants who disappear from asylum reception facilities often do so in the first 24 to 48 hours following their arrival. Making their presence in arrival/reception centres mandatory would deter unauthorised onward movement to other parts of the country or 'living in the shadows'.

- **Ensure sufficient human and material resources:**
  Whether a centre has the necessary staff and funding will determine whether it is able to swiftly process asylum claims and return migrants to their origin countries.

Legal pathways

Based on Germany's Western Balkan regulation, the following considerations were raised concerning policies establishing legal pathways to labour access for citizens from Balkan countries (Bither & Ziebarth, 2018).

1. Apply a clear policy logic on how particular legal pathways address a given policy objective. Is it a foreign relations logic needed to ease return with countries of origin? Is it to "re-route" or substitute irregular migration from a country or region to regular channels? Is it based on real demands of the labour market? Is there a demographic argument such as an ageing local population (e.g., Germany)?

2. Depending on the country or region of asylum seekers, different factors regarding a range of variables such as the labour market, skills and language will impact on how such a regulation for providing visa pathways plays out in practice.

3. Improve coordination processes between national governments and adapt mandates of various government agencies to maintain the feasibility of legal immigration channels. This includes establishing cooperation mechanisms between embassies, national labour ministries or agencies, and customs, among others.

4. Consider labour market and development implications both in destination country and country of origin (e.g., regarding brain drain from country of origin, or implications for the labour market in destination countries).

5. Develop a systematic and clear communication strategy, to limit misinformation and manage the expectations of individuals and governments in partner countries.

CONCLUSIONS

This review reveals that there is an ongoing shift towards process-oriented and efficiency-driven asylum procedures in the countries selected. The countries reviewed here are moving towards systems in which the stages in asylum from registration to refugee integration or return are no longer distinct but form part of a continuum, requiring cooperation by different authorities, as exemplified by the French and German arrival centres. This review illustrates that time is among the most important aspects involved in asylum governance, and that time pressure is in tension with the needs of decision making. The Asylum Information Database emphasises that accelerated decision-making is only a realistic target where asylum procedures are straightforward and comprehensible, transparent, and navigated with appropriate linguistic support and legal assistance throughout (AIDA, 2017).

It appears evident from this review that the general emphasis across these countries is on a restrictive view of efficiency, as it largely pertains to deterrence, preventing entry, speeding up the procedure of applications with presumed negative outcomes, reducing appeals, accelerating, and facilitating removals, and the increasing use of exceptional measures (Pannia, 2021). It must equally be acknowledged that 'time' is very important to people seeking asylum. In order to resume a safe and stable life, it is important that countries provide fair, speedy, and simplified procedures. Many of the measures taken by the government are logical in terms of increasing capacity and improving management, such as the hiring of more staff, the creation of specialised asylum divisions, or digitalising administrative practices. Nevertheless, the task of defining optimal reception capacity and asylum processing times remains elusive, as demonstrated across the four countries included here which all struggle to abide by the time limits, they themselves set. There is often an assumption that faster decisions are better, however, it is paramount that decisions are also accurate, and it may indeed be the case that more accurate decision making requires more time. Ultimately, it may not be possible to define an optimal processing time, but it is important to set limits which authorities can realistically meet, and which enable consistent and accurate decision making.

It is important to note that migration laws and rules change frequently, making it difficult to keep up with revisions. This is further exacerbated by the politicised nature of migration policies (Borelli & Wyss, 2022). Even when migration laws have not been reformed, state agencies follow internal guidelines which are regularly revised and reinterpreted. Given the strong politicisation of movement over borders, asylum and migration policy continuously undergo changes at formal (legal) and informal (discretionary) levels. The French Government has adopted a new reform of the law of immigration, asylum, or nationality on average every two years since the 1980s (Hambly & Gill, 2020), and Italy continuously reiterated its informal agreements on migration-security with Libya over the past 20 years. It is important to bear in mind that asylum policy does not operate in a vacuum and, as such, will always be affected by other policy areas and events, in both the country of destination and the country of origin, making it problematic for authorities to gain total control over the issue. Perhaps the most important factor which makes asylum policy a complex policy area is the unpredictable and often irregular nature of asylum migration. It is also important to note the need to reduce incoherencies resulting from frequent changes across different levels of government, the unintended exclusionary effects of accelerated procedures and being able to hold authorities accountable to a coherent system.

Accelerated asylum processes combined with limited appeal rights engender a particularly precarious balance between streamlining procedures and the quality of refugee status determination. Accelerated procedures coupled with rapidly changing policy, expose a systematic shift that values 'efficiency' over high quality case work and judicial decision making. Although streamlining is promoted by governments as seeking to infuse greater efficiency and simplicity into asylum management, the procedures being adopted by the countries in this review overall seem to serve preventative objectives based on a logic of containing asylum seekers and ultimately shrinking their access to international protection. It will be interesting to observe how these countries' asylum procedures develop as the EU is currently reviewing its common asylum system under the European Commission's 2020 New Pact on Migration and Asylum, with an approach built on rendering asylum and return procedures more efficient, enhancing responsibility sharing and strengthening partnerships with third countries (European Commission, 2022).

LIMITATIONS

The findings of this review should be considered in view of a series of limitations. Even though our search terms were generated and reviewed through a series of exploratory phased searches and were assessed by an experienced librarian, we might have missed important terms in our search strategy. Considering the limited information contained in academic databases relating to asylum policy, searches for academic literature were conducted exclusively on Google Scholar; as such the review is not exhaustive but rather a reflection of the results returned by our searches. We placed limits on language to only review documents available in English, therefore phrases or cultural descriptions used in other contexts might not have been identified. The short timeframe of the rapid evidence review led us to make decisions regarding the eligibility criteria, with a primary focus on information from key European information sources on migration and asylum, such as the EMN and AIDA, as well as a focus on the academic literature. As this review's focus is on national systems it is not able to capture all the asylum instruments related to streamlining which are EU based. Nevertheless, the review does discuss some EU instruments which were predominant in the literature in relation to national systems such as the hotspot system in Italy, Dublin Regulations and the Common European Asylum system

and its directives. The review does not reflect the entire policy landscape or all the tools available within those countries, but it provides a clear policy overview of the most predominant trends relating to the streamlining of national asylum policies.

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APPENDIX A: SEARCH TERMS

Searches were conducted manually and due to the high number of searches and the different combinations and variations within each search it was not possible to record them. As such we have included the key search terms which were used below.

Key search terms used:

- France
- Germany
- Italy
- Sweden
- Asylum procedures
- Asylum policy
- Asylum seekers
- Accelerated procedures
- Fast-track procedures
- Priority
- Arrival centres
- Registration
- Reception
- Return
- Removal
- Detention
- Discretion
- Inadmissibility
- Safe third country
- Safe country of origin
- Hotspot System
- Streamlining
- Efficiency

APPENDIX B: ACADEMIC LITERATURE CHARACTERISTICS TABLE

AUTHOR(S)	YEAR OF PUBLICATION	ARTICLE TYPE	COUNTRIES ADDRESSED	STUDY AIM/RESEARCH QUESTION/OVERVIEW	SCOPE/FOCUS
Bech, Borevi and Mouritsen	2017	Review	Sweden (Denmark, Norway)	Development of family reunification since the late 1990s as a distinct area of migration and integration policy – focusing on the trajectories of the Nordic countries Denmark, Norway and Sweden.	Family reunification of asylum seekers or those with temporary refugee status
De Guttry, Capone and Sommario	2017	Review	Italy	Review on recent treaties concluded between Italy and Libya.	Bilateral agreements and soft law
Ilgit and Klotz	2018	Commentary	Germany	Juxtapose securitisation theory with the coalition literature from migration studies in order to analyse societal contestation in Germany's responses to the Syrian refugee crisis.	Germany's role in EU asylum policies
Mushaben	2018	Review	Germany (and US)	Compare refugee and asylum policies in the United States and Germany, highlighting fundamental changes in the laws, procedures and resettlement benefits each now applies to persons seeking international protection.	Germany's changes in asylum procedures (2015 onwards extracted)
Slominski and Trauner	2018	Review	Germany (France)	Analyse how Member States have used the opportunities and avoided the constraints of the EU's multilevel governance architecture to return unwanted migrants.	Return of migrants and rejected asylum seekers
Tazzioli	2018	Ethnographic reflection	Italy (and Greece)	Provides an overview of the ways EU and member States enact temporal borders at times when spatial restrictions are deemed insufficient to contain migratory flows. The article focusses on the implementation of the Hotspot System in Italy and Greece, looking at the effects of its implementation.	Hot Spot system
Will	2018	Legislative review	Germany	Provide perspective on a series of legal changes during the legislative period between 2014-2017 that has restructured the field of humanitarian reception in Germany.	Humanitarian protection - integration, liberalisation of work visas

Fontana	2019	Review	Italy	Identify the actors and processes that influenced the implementation of Italian asylum policy, and rates of success of asylum applications, during the refugee crisis.	Asylum processing
Borraccetti	2020	Book Chapter	Italy	Analyse the current Italian legal framework from two perspectives: 1) international agreements signed with third Mediterranean countries and the full implementation of the Palermo Protocols on smuggling and on trafficking in human beings; 2) involvement of Italy, in the mobility partnership agreements signed between the EU and the Southern Mediterranean countries concerned.	Agreements with countries of origin and transit countries
Cuttitta	2020	Book chapter	Italy	Provides an overview of the EU, Italy and Malta's changing approach to SAR at sea and the increasing externalisation of border management through bilateral agreements with Libya.	Bilateral agreements
Giametta	2020	Qualitative analysis	France (and UK)	Elaborate on the discrepancy between the widening of refugee protection, through the inclusion of gender identity and sexual orientation as grounds of asylum, and the increasingly restrictive practices that define the refugee granting process in France and the UK.	Asylum filtering
Hambly & Gill	2020	Review	France	Examine how a politics of speed is manifest in a legal context via a detailed ethnography of the French National Court of Asylum (CNDA).	Asylum adjudication
Leerkes & Van Houte	2020	Policy review	Germany, Sweden and Italy	Provides a statistical overview of forced and assisted return in 12 European countries among rejected asylum seekers from six source countries and explores policy practices in six Western European and Scandinavian countries regarding deportability and effective non-deportability.	Deportation and removal instruments
Carlsson-Wall et al.	2021	Review	Sweden	Evaluating the role of management controls have in managing heterogeneous interests during situations of extreme pressure on the asylum system.	Asylum procedures

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Dallara and Lacchei	2021	Review	Italy	Assess the peculiarities of the Italian adjudication model and how judges concretely behave in shaping policy, we rely on the Street Level Bureaucracy (SLB) framework.	Asylum adjudication
Garvik and Valenta	2021	Review	Sweden (Norway, Denmark)	Observe new tools of internal and external deterrence and restrictive asylum policies, combined with tighter border controls.	Asylum restrictions
Mergel et al.	2021	Book chapter	Germany	An overview of the legal basis of digital transformation, centralised and decentralised organisational embeddedness of administrative responsibilities and highlight insights into selected implementation cases.	Digitalisation within asylum agency (BAMF)
Pannia	2021	Book Chapter	Italy	Explore and analyse the tangled interplay of political discourses, policies, and legislations in the field of asylum and migration that runs across the countries under scrutiny (the Czech Republic, Denmark, Finland, Greece, Italy, Switzerland and the UK).	Asylum procedures
Abbondanza	2022	Review	Italy (and Australia)	Comprehensive comparative analysis of Australian and Italian approaches to maritime migration flows.	Deterrence and arrival procedures
Borrelli and Wyss	2022	Qualitative	Germany	Demonstrate how procedural safeguards become empty and routinised, aggravating the structural violence at the heart of the distinction between citizens and non-citizens in interactions with the state.	Accelerated procedures
Kassen	2022	Review	Germany	Understand in which areas blockchain has the potential to promote innovation, what processes and procedures can be automated using blockchain technology, and what illustrative examples of government efficiency can be observed in this area.	Digitalisation within asylum agency (BAMF)
Vianelli	2022	Qualitative analysis	Italy and Sweden (Germany)	Argues 'logistification' of reception not only has dehumanising effects on asylum seekers, but also exposes the attempt to make profit out their management and transfer.	Reception

APPENDIX C: ORGANISATIONAL LITERATURE CHARACTERISTICS TABLE

ORGANISATION (AUTHOR)	DATE OF PUBLICATION	TYPE OF DOCUMENT (GUIDELINE, REPORT)	COUNTRIES DISCUSSED	PROCEDURE TYPE	SCOPE / FOCUS OF DOCUMENT
AIDA	2016	Legal briefing	France, Germany, Italy, Sweden	Time limits of different asylum procedures	The Procedures Directive in principle binds Member States to ensure that the examination procedure is concluded within six months of the lodging of the application. While the Directive has regulated time limits in asylum procedures to some extent, practice from administrations across Europe seems to illustrate that deadlines for examining an asylum claim are not strictly observed.
AIDA	2017	Legal briefing	France, Germany, Italy, Sweden	Accelerated, prioritised and fast-track asylum procedures	Examines the use of special procedures to accelerate, prioritise and fast-track asylum applications in European countries. Practice reveals a wide diversity and complexity of procedural models, tools and concepts across national systems.
AIDA	2020 B	Comparative report	France, Germany, Italy, Sweden	Asylum registration	Examines the effectiveness of access to protection through an analysis of legal systems and practice concerning registration of asylum applications.
AIDA	2020 A	Comparative report	France, Germany, Italy, Sweden	Asylum authorities	A comparative report published by AIDA, managed by ECRE, provides an overview of the structure, composition and functioning of asylum authorities at first instance. It aims to offer a better understanding of their operation and demonstrates that their ability to conduct a rigorous and fair examination of applications for international protection is inherent to their internal organisation and resources.
AIDA	2022	Comparative report	France, Germany, Italy, Sweden	Digitalisation	Provides an overview of the use of digital tools and remote working methods in 23 European countries based on ECRE's Asylum Information Database (AIDA). It questions the risks and benefits of the use of digital tools in asylum processes and highlights several fundamental guarantees and procedural safeguards which must continue to apply to ensure that they do not infringe the existing European Union asylum acquis.

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AIDA and ECRE	2022a	Country Report (webpage)	France	Asylum system	The webpages contain broad information documenting statistics, asylum procedures, reception conditions, detention and content of international protection. The webpage also contains links to the full downloadable reports.
AIDA and ECRE	2022b	Country Report (webpage)	Germany	Asylum system	The webpages contain broad information documenting statistics, asylum procedures, reception conditions, detention and content of international protection. The webpage also contains links to the full downloadable reports.
AIDA and ECRE	2022c	Country Report (webpage)	Italy	Asylum system	The webpages contain broad information documenting statistics, asylum procedures, reception conditions, detention and content of international protection. The webpage also contains links to the full downloadable reports.
AIDA and ECRE	2022d	Country Report (webpage)	Sweden	Asylum system	The webpages contain broad information documenting statistics, asylum procedures, reception conditions, detention and content of international protection. The webpage also contains links to the full downloadable reports.
EMN	2021	Research report	Germany, Sweden, France, Italy	Data management	This study examines how data are managed in the different phases of the asylum procedure (making, registering, lodging and examining) It maps data management approaches in the asylum procedure (i.e., data protection and safeguards), examines challenges faced by Member States, and analyses the impact of any procedural changes to enhance data-sharing among asylum authorities (and others).
EMN	2022b	Information report	Germany, Sweden, France, Italy	Voluntary return	This information brief focuses on the issue of Incentives and motives for voluntary departure from EU Member States and Norway, in compliance with - or in anticipation of - a return decision.
EMN	2022a	Annual report	Germany, Sweden, France, Italy	Migration and asylum procedures broadly	Outlines the most significant political and legislative developments and debates in the EU Member States and at EU level in 2021. The reports provide a unique overview of migration and asylum-related developments.
EMN & OECD	2022	Information report	Germany, Sweden, France, Italy	Data and digitalisation	This information brief focuses on specific areas in the asylum, migration and acquisition of citizenship procedures, and border control management, where digital technologies may be used.

German Marshall Fund of the United States and Bertelsmann Stiftung (Authors: Bither & Ziebarth)	2018	Report (grey Literature)	Germany	Labour visa liberalisation	Report on background of Western Balkan state asylum seekers in Germany, changes in regulations for their visa (work permits) and challenges to the Germany skilled labour market
Max Plank Institute (Author: Hohenlohe-Oehringen)	2017	Research report	Germany	Asylum procedures and returns	To review the 2015 German asylum reform packages in light of the ongoing influx of asylum seekers to Germany.
Migration Policy Istitute and Bertelsmann Stiftung (Author: Beirens)	2020	Policy report	Germany, Sweden, France, Italy	Asylum Systems - Arrival centres, Biometrics	This report unpacks varying approaches EU policymakers and Member States have taken at each stage of the asylum process to improve the performance of national asylum systems and help them meet their obligations under EU law.
RESPOND	2018	Comparative report	Germany, Sweden, Italy	The proliferation of asylum procedures	The aim is to provide a comparative legal and institutional analysis of migration governance across numerous countries, highlighting trends and similarities, as well as differences and relevant inconsistencies in the response to mass migration. The countries covered are Austria, Germany, Greece, Hungary, Iraq, Italy, Lebanon, Poland, Sweden, Turkey, and the UK.
RESPOND	2020	Comparative report	Germany, Sweden, Italy	Trends in asylum	This comparative report is based on RESPOND country reports and discusses the developments regarding legislation, policy and practices on refugee protection, and the implementation aspect in ten countries covered by the project (Austria, Germany, Greece, Iraq, Italy, Lebanon, Poland, Sweden, Turkey and the UK) for the 2011-2019 period.