



INFORMATION

ACCURATE, TIMELY, INTEROPERABLE? DATA MANAGEMENT IN THE ASYLUM PROCEDURE

- a comparative overview of data management in the procedure of international protection in the Republic of Croatia and the Member States of the European Union and Norway

June 2021

The European Migration Network has published a Synthesis Report of the EMN study on data management in the international protection procedure based on the national contributions of the EMN NCPs for the period 2014-2020.¹ The purpose of the study is to analyse data management during the stages of the international protection process in the Member States and Norway by comparing and mapping approaches to data management. The study also approached detection of procedural changes made in order to improve data exchange and consequences of those procedural changes on data management in the international protection procedure, as well as identifying competent authorities, methods and timing of data collection, then categorizing data storage, exchange and quality assessment of data and overviews existing data protection mechanisms.

Statistics from this study were sourced from Eurostat, national authorities and other (national) databases.

DISCLAIMER

This Information is produced exclusively by EMN NCP Croatia in order to highlight the most important findings in the Study and to **provide a comparative overview of data management in the international protection procedure in the Republic of Croatia in connection to the Member States and Norway.**

EMN synthesis reports and more information can be found [here](#).

DATA COLLECTION IN THE CONTEXT OF THE INTERNATIONAL PROTECTION PROCEDURE

During the international protection procedure, the Member States collect a number of data of different categories and formats in order to carry out the procedure and decide on international protection applications. However, the categories of data collected in the procedure, as well as the time of

their collection, vary from one Member State to another. Study found that certain basic types of data are collected in all Member States, but the methods, authorities, time, and mechanisms of data collection, processing, and storage may vary.

¹ AT, BE, CY, CZ, DE, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, SE, SI, SK and NO.

According to the EASO definition, there are four phases of the international protection procedure: making, registering, lodging, and examination phase.²

The general categories of data collected in all Member States and Norway relate to data such as name, date of birth, nationality, health status, photographs, fingerprints, data on family members, vulnerabilities, and level of education. The Republic of Croatia, as well as a number of other Member States, re-collects general data in the later stages of the procedure.³

The re-collection of general data and other specific data takes place at all stages of the international protection procedure as a mechanism for the data quality assessment, ie accuracy and validity of the collected data, which is why it is applied in all Member States and Norway.⁴ Such an approach is particularly pronounced in the Republic of Croatia, where the largest share of data is re-collected at all stages which plays a major role in data quality assessment.

COMPETENT AUTHORITIES IN DATA COLLECTION AND MANAGEMENT

The authorities competent in international procedure phases vary from one Member State to another due to different organizational structures and division of competences, but it is possible to distinguish a centralized and a decentralized system of data collection and processing. A decentralized approach to data collection has been found in several Member States, while 8 Member States and Norway have a centralized approach to data collection.⁵

The Republic of Croatia belongs to the group of countries that have centralized data collection,

given that the competent authority for data collection and processing in the procedure for international protection is the Ministry of the Interior.

However, this division of competencies should be put into context; despite the fact that the border police or local police are involved in the initial stages of the procedure in most Member States, including the Republic of Croatia, in some Member States data collection is potentially decentralized because the border or local police do not belong to the same organization as the authorities in later stages of the procedure.

COLLECTION, PROCESSING, AND STORAGE OF DATA

Despite the increased implementation of digitization in the procedure for international protection in recent years, traditional methods of data collection and management remain significant and primarily used in the Member States and Norway. Data on applicants for international protection are primarily collected orally (interviews), followed by questionnaires and electronic tools.

Some Member States have started to use "new" technology to collect data analyzing social media networks, mobile devices, and implementing other tools based on artificial intelligence.⁶ It is interesting to note that Greece, Netherlands and

Norway rely on online self-registration in collecting almost all data from applicants for international protection.

Data collection also requires an elaborate data storage protocol, and since digital technologies provide indisputably better conditions for data management, Member States use digital databases. While in some Member States the emphasis is exclusively on digital databases, some Member States also rely on physical data formats due to the nature of the data or the data storage protocols. The Republic of Croatia would be one of the countries in question, given that it complements the digital database with physical data.⁷

² EASO, 'Guidance on asylum procedure: operational standards and indicators', September 2019, https://easo.europa.eu/sites/default/files/Guidance_on_asylum_procedure_operational_standards_and_indicators_EN.pdf

³ AT, CY, CZ, ES, HR, HU, FR, IT, LV, PT, SI, SE, SK, NO.

⁴ Except EL, MT, LT, LV.

⁵ EE, EL, HR, IE, IT, PL, SE, SK, NO.

⁶ BE, DE, EL, FI, FR, LT, NL, PT, NO.

⁷ CY, CZ, EE, EL, FR, HR, HU, IE, IT, LU, LT, LV, MT, PL, SK.

CROSS-CHECKING DATA AND DATA QUALITY ASSESSMENT

Cross-checking databases is extremely important for the international protection procedure in order to establish the circumstances relevant to the application and prevent abuses of the international protection systems. Most Member States and Norway cross-check European and national databases, but a minority check international databases.

During cross-checks of databases, a large proportion of Member States, as well as the Republic of Croatia, record various challenges they face during all phases of data collection and processing, including database interoperability, validity and accuracy of data, lack of documents and transliteration.

Almost all Member States and Norway assess the quality of alphanumeric and biometric data during

the procedure in terms of accuracy, timeliness, completeness, consistency, duplication and validity (Figure 1). Data quality management can be performed during all phases of the procedure or during certain phases. The Republic of Croatia belongs to the group of Member States that manage data quality during all phases of the procedure.⁸

The study found that data quality assessment procedures and strategies may also vary. Thus, in Sweden, the assessment of data quality is performed through regular checks with focus on certain phases of the procedure, while in Slovenia systematic checks are performed using special software. Belgium, on the other hand, includes applicants for international protection in the data quality assessment process.

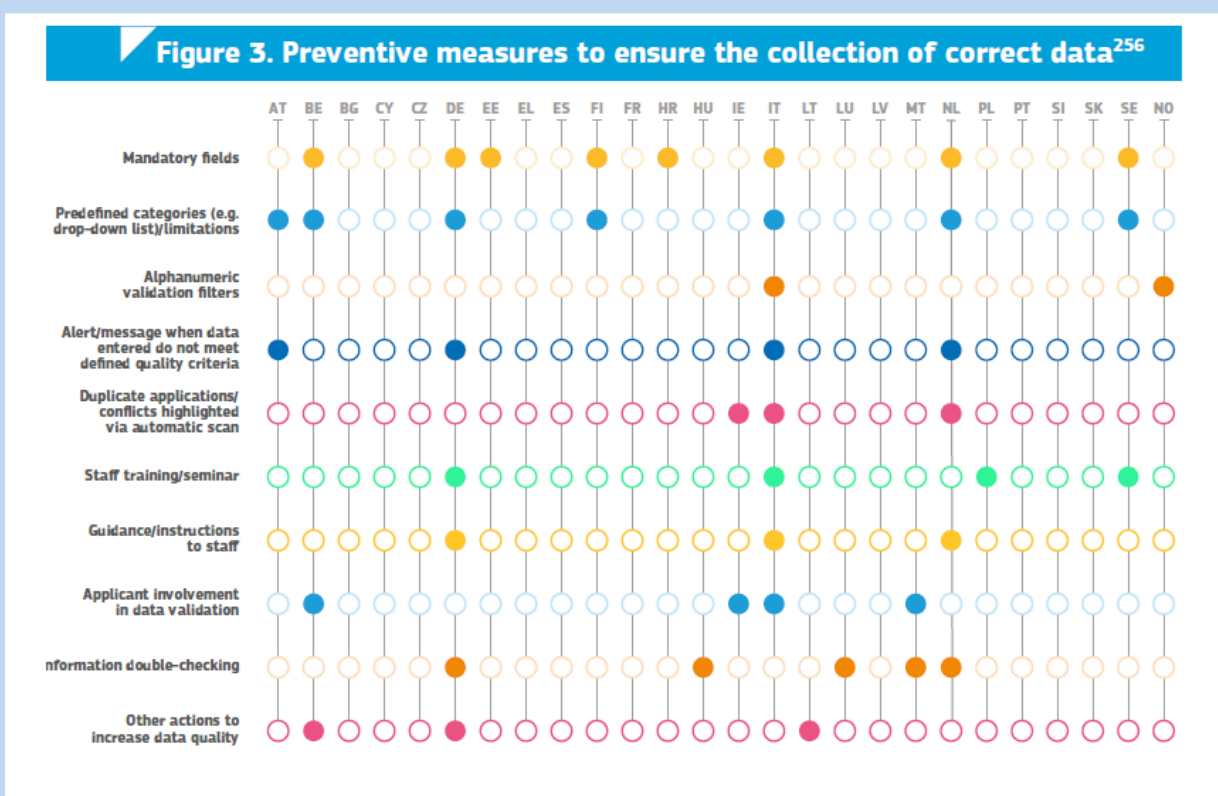


Figure 1 – Display of preventive measures of ensuring the collection of correct data prikupljanju podataka

Source: EMN Synthesis Report „Accurate, timely, interoperable? Data management in the asylum procedure“

⁸ AT, BE, DE, HR, IE, LV, NL, SE, NO.

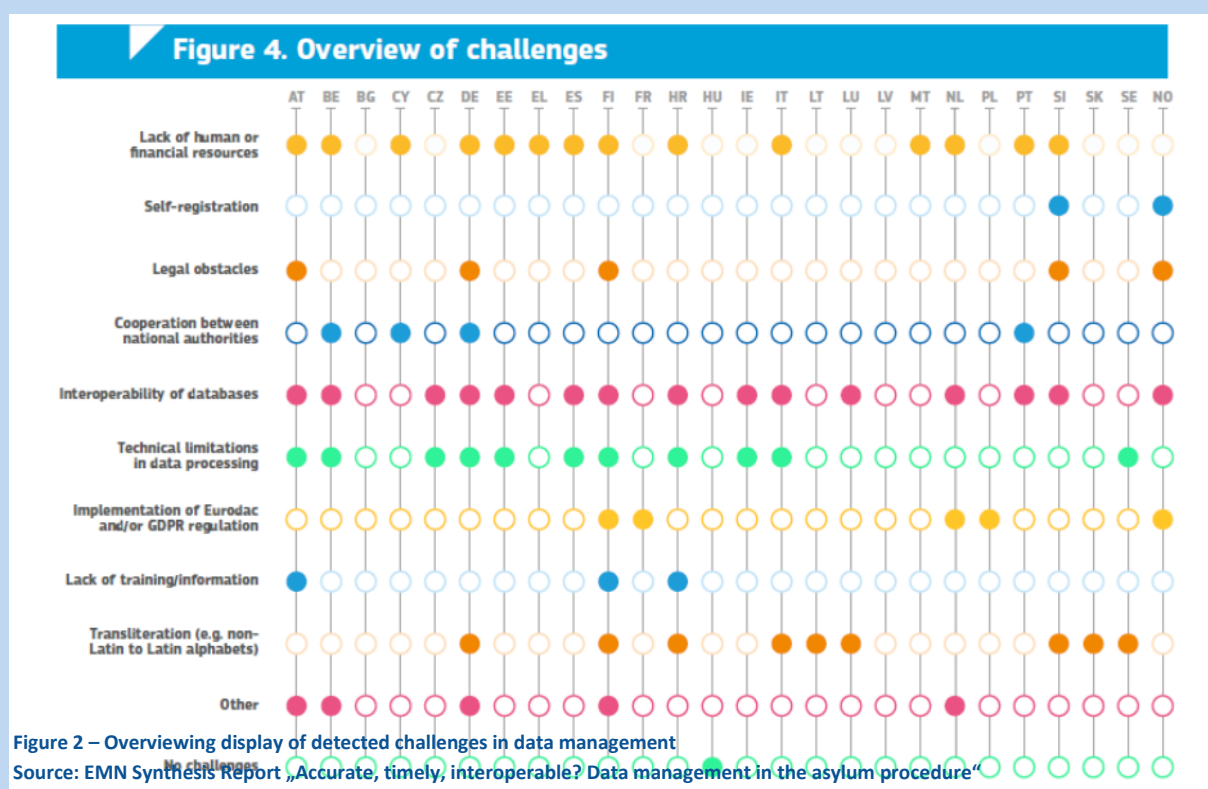
DATA PROTECTION SAFEGUARDS IN DATA MANAGEMENT

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data,⁹ proscribes safeguards to ensure the right to data protection. In order to comply with the provisions of this Regulation, Member States have implemented a number of safeguard mechanisms in the international protection procedure. A protection system to ensure lawful data processing in 11 Member States and Norway has been established in the form of a supervisory mechanism for the data protection authority.¹⁰ The Croatian Personal Data Protection Agency is an independent state authority that supervises the implementation of the General Regulation in the Republic of Croatia.

Under the Regulation, applicants for international protection may request access, deletion and rectification of their personal data. Depending on the Member State, the request for access and

rectification can be made in person, electronically or by post, but certain categories of data may be exempted from deletion in accordance with the Regulation.¹¹

Most Member States and Norway provide information on data protection relating to the collection and processing of personal data. The provision of information regarding data protection in the Republic of Croatia is carried out in all phases of the procedure for international protection. In addition to statutory data protection mechanisms and the protection of the rights of applicants for international protection, additional data protection safeguards such as encryption, restrictions on the provision of data and restrictions on access to data are applied in the Member States. In the Republic of Croatia, restrictions on the provision of data and restrictions on access to data apply in the procedure of international protection.



⁹ <https://eur-lex.europa.eu/legal-content/HR/TXT/HTML/?uri=CELEX:32016R0679&from=HR>

¹⁰ BE, HR, CY, CZ, HU, IE, IT, LT, PT, SI, SK, NO.

¹¹ FI, HR, IT, LV, LU, MT, NL.

The challenges faced by Member States in collecting and managing data are mainly related to the lack of human and financial resources, but also to the interoperability of databases, technical constraints and practical challenges. The challenges facing the Republic of Croatia are similar and comparable with the data of majority of Member States, which can be seen in Figure 2.

Data management changes and reforms have taken place in most Member States since 2014.¹² The changes relate primarily to the digitalization of data management, the application of the GDPR and the organization and reorganization of databases.

The COVID-19 pandemic has affected data management adaptations in some Member States and Norway.¹³ Notable changes include temporary suspensions of registration of applicants for international protection, digitization of certain processes in the process for international protection and adapted collection of biometric fingerprints.

¹² AT, BE, CZ, DE, EE, EL, ES, FI, FR, HR, IT, LV, MT, NL, PL, SE.

¹³ BE, DE, EL, FI, HR, LT, NL, SE, NO.