



## **EMN Ad-Hoc Query on SI NCP Ad-Hoc Query on changes in migration policy in situation of mass migration**

Requested by Helena KOROSEC on 4th February 2016

### **Border**

Responses from Austria, Blocked / Unknown, Bulgaria, Croatia, Czech Republic, Estonia, Finland, Germany, Italy, Latvia, Lithuania, Luxembourg, Poland, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom, Norway (19 in total)

#### Disclaimer:

*The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.*



### **Background information:**

Current situation regarding large volume of migration has put law enforcement and other stakeholders in terms of migration policy to unprecedented challenges. Large numbers of migrants transiting from Turkey across Western Balkan to the destination countries in Central and Northern Europe have caused several problems. One of main problems was huge pressure on human resources dedicated for management of migration flows. Main reasons remain increased demands in terms of registration and other procedures with migrants and increased needs for border control. Unprecedented migration flow has put national migration systems to the test.

Based on this, the Slovenian Border Police Division would like replies the following questions:

### **Questions**

1. 1.) Have you identified needs of legislation changes in terms of (*please describe the changes you have already implemented or the changes you are going to implement*):
  - a.) Police powers;
  - b.) International protection procedures;
2. 2.) Have you planned reinforcement of police or border guard in terms of human resources or their motivation for better performance?
3. 3.) Do you already have military service available for assistance in terms of migration management or border control?
4. 4.) If YES, what are the powers of military service performing duties related to migration management or border control?
5. 5.) Have you faced any challenges related to extremist groups oriented against migration movements? Please provide for general description.

### **Responses**

	<b>Country</b>	<b>Wider Dissemination</b>	<b>Response</b>
	Austria	Yes	<b>1.</b> We have identified the following needs for legislation changes: a. In terms of powers for border guards we are adapting the relevant federal act to explicitly enclose also the power to take

			<p>fingerprints and facial images of migrants carrying no travel documents and to check these personal data against relevant police data base and to store these data. Source: Federal Ministry of the Interior.</p> <p><b>2.</b> In 2016 we have started the additional recruitment of 125 officers in the province of Styria. They will be especially trained for border control and aliens police matters. Source: Federal Ministry of the Interior.</p> <p><b>3.</b> Yes, within the frame of security police border operation. Source: Federal Ministry of the Interior.</p> <p><b>4.</b> Army personnel assist the police pursuant Art. 79(2) federal constitution mainly with assistance to border surveillance (Art. 12 SBC) and with logistical support like food supply, transport, accommodation etc. Source: Federal Ministry of the Interior.</p> <p><b>5.</b> By now no occurrences in the context of the migration flow and extremist groups are reported. However, it can't be excluded that there might be demonstrations/confrontations especially if migrants set criminal offences. Source: Federal Ministry of the Interior.</p>
	Blocked / Unknown	Yes	<p><b>1.</b> a.) There is the possibility to incriminate trespassing in port areas and the refusal to deliver fingerprints. b.) - In the draft bill of the Transposition of the Reception Recast Directive 2013/32/EU, which is currently developed by the Immigration Office, the Commissioner General for Refugees and Stateless Persons (CGRS) and the Aliens Litigation Council, a specific border procedure for the treatment of applicants of international protection is foreseen. The CGRS's decision concerning the application for international protection at the border has to be taken within 4 weeks; the CGVS may only take a decision regarding the eligibility or on the basis of the accelerated border procedure. - On 18 December 2015, the Council of ministers has approved a draft bill. The bill provides to turn the residence permit of unlimited duration for refugees into a 5 years temporary right to stay. The intention is also to increase the processing time for the family reunification procedure (from 6 to 9 months).</p> <p><b>2.</b> a. Yes. In order to react to this extraordinary situation the Hungary decided to introduce new legal instruments. The legal framework for the prevention of border violations was set as of 15 September. The framework provides for illegal border crossings being penalized by imprisonment from six</p>

months up to three years (e.g. in cases when the physical barrier has been damaged). Furthermore, the legislation on asylum has been revised allowing the Office of Immigration and Nationality to assess asylum applications with an accelerated procedure. b.)Amendments were adopted to the asylum law (Act LXXX of 2007 on Asylum and implementing Government Decrees). The amendments aimed at quicker decision-making in the asylum proceedings: the length of the procedure was shortened in order to ensure that protection is provided to those who are in genuine need of it and those who are not in need of protection could return to their countries of origin in a more timely manner. Moreover, in line with the Asylum Procedures Directive, the accelerated procedure was introduced in order to reinforce tools against abuses of the asylum procedure. Furthermore, provisions on border procedures were also transposed from the Asylum Procedures Directive. In line with Article 43 (1) of the Asylum Procedures Directive, in cases of applications submitted at the transit zone, the admissibility of asylum claims are examined in a transit zone under an accelerated procedure. If the application is admissible, moreover, if no decision was made within 4 weeks, the applicant may enter the territory of Hungary and the application is examined under the general provisions. It is important to note that this procedure cannot be applied in case of persons with special needs (including minors, the elderly, pregnant women, single parents, victims of torture, etc.). In addition, the Government established the list of safe countries of origin and the list of safe third countries (Government Decree 191/2015 (VII.21.))

**3.** The government has decided to allocate 35 additional policemen to the Aviation police and 40 to the Naval police in order to reinforce the Aviation and Naval police’s establishment plan. Belgium did not introduce internal (Schengen) border controls at the Belgian borders. There are however increased police controls in the border region, especially with France and Germany (around highways, railway stations etc).

**4.** Yes. The Border Police Offices at the border to Serbia first received support from other branches of the police, from counties all over Hungary and especially from the riot police. A temporary “Border Police Directorate” was formed with approximately 2,000 riot police officers being sent to the border.

**5.** No

			<p><b>6.</b> Yes</p> <p><b>7.</b> N/A</p> <p><b>8.</b> The Hungarian military were transferred to the border area. Based on a parliamentary decision, the military forces shall support the border police in patrolling activities at the green border. They are under constant police command and supervision.</p> <p><b>9.</b> Not really. However, some concerns at local level regarding asylum seekers are noticed, especially when opening new reception centers for asylum seekers. Local municipalities and reception actors try to inform the local population as best as possible.</p> <p><b>10.</b> Only a few isolated cases were reported from our services. Hungarian authorities identified and took measures against a limited number of ad-hoc “migrants hunter” group or individuals, especially close to the borders affected by the migration flow. In parallel, Internet sites and social media profiles were also made unavailable.</p>
	Bulgaria	Yes	<p><b>1.</b> No</p> <p><b>2.</b> No</p> <p><b>3.</b> No</p> <p><b>4.</b> N/A</p> <p><b>5.</b> No</p>
	Croatia	Yes	<p><b>1.</b> 1.No. There has been discussion and conclusion to introduce some legislation changes, but simply in the area of social welfare.</p> <p><b>2.</b> 2. Partially. For the purpose of management of the migration flows, police troops from areas not affected by the migrant influx have been deployed to help police colleagues in the field. No</p>

			<p>additional recruitment of police officers was necessary to assist in management of migration flows. In terms of motivation, officers dealing with massive migration flows receive additional fee.</p> <p><b>3. 3.</b> Croatian Minister of Defence issued a decision that the military should provide assistance in coping with the influx. Military service was not involved in border control until migration crisis.</p> <p><b>4. 4.</b> In connection with the migration crisis, military service preformed duties only to assist police and civil institutions, in particular, to border surveillance with logistical support.</p> <p><b>5. 5.</b> No.</p>
	Czech Republic	Yes	<p><b>1.</b> a) NO b) NO</p> <p><b>2.</b> Yes. Due to the migration crisis, the Czech Republic plans to establish 594 new police posts.</p> <p><b>3.</b> Yes. It also consists of the Army of the Czech Republic.</p> <p><b>4.</b> Cannot be further specified.</p> <p><b>5.</b> In the Czech Republic the topic of migration attracts not only traditionally right-wing extremist subjects, but also recently created subjects – populist ones – which abuses anti-Muslim and anti-immigration rhetoric. We can mention in this case for example the Worker’s Party of Social Justice, the National Democracy, informal groups of former neo-Nazis (right-wing extremist subjects), or the Block Against Islam (populist and against Islam). These groups are active on the Internet, especially on social networking sites. They publish their own printed materials. They also often organize public gatherings and other meetings or they initiate petitions. Established and also new subjects do not keep in secret that they have political ambitions. Nowadays, as dangerous we regard also the fact that these subjects may incite militant persons to actions (we mean for example attacks based on ethnicity or religious believes, arson attacks etc.).</p>
	Estonia	Yes	<p><b>1.</b> Concerning the police powers, there is no need to make changes in the legislation. As regards to international protection procedures, the draft act to amend the act on Granting International</p>

Protection to Aliens is being processed at the Parliament. The draft act has mainly been developed in order to transpose to Estonian legislation the directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing International protection and the directive 2013/33/EU of the European Parliament and of the Council laying down standards for the reception of applicants for international protection. Most of the amendments are not drafted because of the unprecedented migration flows except for the new procedural provisions concerning relocation and resettlement to Estonia and the provision according to which the Police and Border Guard Board will have the possibility to determine the list of safe countries of origin.

**2.** The situation of the mass influx of refugees is resolved according to the regulation laid down by the decree of the Director General of the Police and Border Guard Board. This regulation has been updated in May 2015 and due to the rapidly changed migration situation will be further reviewed and changed if necessary. Additionally at the end of 2015 the possible need for human resources, accommodation and transportation possibilities and further activities were mapped to ensure preparedness.

**3.** The involvement of the Defence Forces and the Defence League is regulated in the Emergency Act. In case of emergency it is possible to involve the Defence Forces and the Defence League in resolving the emergency situation according to the abovementioned act. In emergency situations an emergency response plan is prepared. The Government of the Republic shall establish by an order a list of those emergencies concerning which a risk assessment shall be prepared, and shall appoint competent authorities of executive power to prepare the emergency risk assessment. One of the emergency situations described is the mass influx of refugees in result of which the country is unable to guarantee liveable conditions for migrants and which paralyzes the functioning of vital services (emergency medicine, stationary specialised medical care, law enforcement etc.). The responsible authority for preparing the emergency risk assessment and resolving plan for dealing with the emergency situation concerning mass influx is the Ministry of Social Affairs.

**4.** The members of the Defence League, who have passed the training for assistant police officer, have the rights to perform duties concerning law enforcement. According to the Emergency act the members of the Defence Forces and the Defence League are only used to ensure public order and

			<p>perform supporting activities.</p> <p><b>5.</b> In relation to the migration crisis, there has been an increase in anti-refugee manifestations in Estonia. In particular in social media different webpages have been created that are associated with anti-refugee mentality. The content of the pages are against migration movements, but there have been only a few posts that instigate violence.</p>
+	Finland	Yes	<p><b>1. a.)</b> Police powers; Due to the increase in the number of asylum seekers, measures have been undertaken at many levels and have been and will be implemented over different periods of time. At the political level, the following measures and action plans have been published: On 11 September 2015, the Finnish Government approved the Government migration policies that contain a total of 65 planned actions at international, national and EU levels. The actions apply to migration flows and entry management as well as to reception, processing procedures, social security and integration. They emphasise that unmanaged migration must be brought under control and that people must be directed to legal and safe routes. Furthermore, comprehensive actions are needed in countries of origin and transit, at the EU level and in Finland. The actions also highlight the need for fast practical measures to save lives and to manage migration as well as the need for long-term measures with which the situation is brought sustainably under control. The Government migration policies emphasise the significance of help provided by civil society and identify concrete measures for combating terrorism, improving the efficiency of border control and controlling entry bans. Countries of origin will also be informed of changes in migration policy. The efficiency of the reception, processing and removal process will be improved and bottlenecks related to legal aid in the appeal process will be addressed. The actions focus on efficient integration which activates immigrants and is carried out by ensuring sufficient availability of municipal placements, through fast and obligatory inclusion in integration-supporting actions as well as through better utilisation of the immigrants' innovation and entrepreneurship potential. Some of the planned migration policy actions have already led to practical measures, while others are still at the planning stage. - The Finnish Government published its action plan on asylum policy on Tuesday, 8 December. Finland's short-term objective is to stop the uncontrolled flow of asylum seekers into our country, to bring asylum costs under control and to integrate effectively those who have been granted asylum. In addition, Finland will increase the efficiency of its asylum and return processes and aim at exerting</p>

		<p>influence on the improvement of the EU's external border management. The main points of the action plan are the following: 1. Finland will participate by setting an example and in cooperation with EU Member States in implementing jointly agreed decisions in third countries and in the EU area to manage large-scale migration. This includes, inter alia, the prevention of conflicts, efficient external border management and participation in Frontex-coordinated border control operations. 2. Finland will harmonise asylum practices with EU and Nordic countries. 3. Finland will enhance the asylum procedure to ensure fast decision-making and curb reception costs both by increasing resources and by changing legislation. 4. Finland will provide essential reception services only, while respecting asylum seekers' human dignity. This means, among other things, establishing special return centres for those whose asylum application has been refused, arranging working tasks for asylum seekers and evaluating reception arrangements. 5. Finland will intensify returns and removals by cooperating with third countries and negotiating bilateral readmission agreements. 6. Finland will maintain security and enhance communication by maintaining the monitoring and preventive activity practised by the Police, the Border Guard and the Finnish Security Intelligence Service and by improving the security of reception centres and their environment. 7. Finland will support in diverse ways settling in municipalities and the cost-effective integration of those who have been granted a residence permit. Due to the increasing number of asylum seekers, the following concrete measures have been undertaken in 2015: - On 4 September 2015, the Ministry of the Interior established an expert group to manage the situation generated by the sharp increase in the number of asylum seekers in Finland. To support the operations of the group, daily and weekly asylum status reports are compiled, making it possible to launch required proactive measures at all levels throughout the administrative sector. - The Ministry of the Interior has set up a project to amend the Ministry of the Interior Decree on Fees Charged for Services Provided by the Finnish Immigration Service. Under the amended Decree, an application fee would be payable for residence permit applications lodged by family members of beneficiaries of international protection. This amendment is necessary because the Finnish authorities received a record high number of applications last year, and their processing will require considerably more resources than before. - The requirements for granting international protection under the Aliens Act will be specified. According to the proposal, international protection would only be granted to those fulfilling the requirements laid down in EU and international law. Residence permits would no longer be issued on humanitarian grounds. The amendment aims to bring our legislation in line with EU law and the relevant legislation in other member states. In</p>
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			<p>future, the concept of international protection would be in compliance with Union legislation and refer to refugee status and subsidiary protection only. - Positive discussions are ongoing between Finland and Iraq concerning the return of Iraqis whose application for asylum in Finland has been refused or who have cancelled their application. Both countries would like to step up cooperation on voluntary return, in particular. - Restrictions to the residence based social security for persons with protection based residence permits are under the investigation. b.) International protection procedures; - The staff resources of the asylum unit of the Finnish Immigration Service have been increased from around 100 to approximately 500, with 355 officials doing asylum interviews. New sections of the asylum unit have been opened in different parts of the country and a situation centre has been established to gather real-time information on the reception capacity in the country. - The reception centre capacity has been increased considerably. At the end of 2015, there were a total of 212 units (reception centres and special units for asylum-seeking unaccompanied minors) around the country. - On 17 September 2015, the Finnish Government decided that a registration centre (hotspot), or a first-stage reception unit, be established as a response to the sharp increase in the number of asylum seekers. The centre established in Tornio is the place where immigrants are directed if their identity is unclear or if it cannot be determined whether they meet the requirements for entry. The aim of having all immigrants registered in a controlled manner has been achieved as asylum seekers can no longer move on to other parts of Finland uncontrollably. The registration centre is mainly operated by the personnel of the Police, the Border Guard and the Finnish Immigration Service. When authorised by the Ministry of the Interior, authorities other than Police and Border Guard officers may also register asylum seekers at the centre. Initially, the registration centre was established for three months. On 26 November 2015, it was decided that the registration centre operations would be extended by three months after the expiry of the initial fixed-term decision on 18 December 2015. - Finland is also preparing for the number of applicants who will be returned to their countries of origin. A transit department for those who return voluntarily is being opened and Finnish Immigration Service is also planning to open a return centre for asylum seekers who are not willing to return voluntarily process quickly and efficiently. The backlog of applications will be cleared by the end of 2016. - In addition, at the beginning of November 2015, the police and the Finnish Immigration Service adopted a common operating model in which a single authority will conduct both the initial hearing and the asylum interview at the same time. The aim is to clear the accumulated backlog of applications. - The Ministry of the Interior has set up a project on the</p>
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transfer of the foreign-national permit matters and certain asylum process tasks to the Finnish Immigration Service. The term of the project is from 5 February 2015 to 30 September 2016. The aim of the project is to prepare a proposal on transferring certain immigration administration tasks from the Police and the Finnish Border Guard to the Finnish Immigration Service. The transfer would involve permit matters related to the foreign national's right of residence as well as some of the tasks in the early stages of the asylum process, which are currently the responsibility of the Police and the Finnish Border Guard. - On 21 December 2015, the Ministry of the Interior set up a legislative project to prepare necessary regulation proposals that would enable the presence of security guards at reception centres. It should be possible to hire security guards to maintain order. The term of the project is from 21 December 2015 to 30 June 2016. The legislative project also assesses the mandate that security guards in these facilities should have. - The procedure for serving decisions on applications for international protection, or 'asylum de-cisions', will be simplified. Besides the police, the Finnish Immigration Service could directly notify applicants of its decisions other than those to remove a person from the country. In practice, the Finnish Immigration Service would give notification of decisions to applicants who have been granted asylum. This amendment would save the resources of the authorities and speed up the procedure for serving asylum decisions now that their number is growing. - In addition, the collection of processing fees will be enhanced. It is proposed that the authorities would not continue the processing of an application for asylum until the applicant has paid the chargeable processing fee. - The Finnish government is moving to tighten the requirements for family reunification as it anticipates a flood of applications from refugees hoping to live with their families. The Interior Ministry is currently working on legislation to ensure that refugees who bring their families to Finland have the means to support them financially, as well as in integrating into Finnish society. - New legislative reforms are considered in order to accelerate the expulsion of foreign nationals who have been found guilty of crimes and who have had a residence permit in Finland.

**2.** Police has a standby team for the asylum process tasks. This standby team with an additional resource from the Police University College was used during the autumn and is still partly in use. In addition the Government has granted an additional resource to hire 115 persons for 3-4 months at the end of the year 2015 and 230 persons for the year 2016.

**3.** At this moment there are neither defense force regulars nor conscripts in the missions mentioned

			<p>above. According to the administrative assistance request the De-fense Forces has assisted the police in the registration center in Tornio 21.9 - 17.12.2015. The unit consisted of 4 regulars and approximately 30 conscripts. The administrative assistance was ended when the amount of immigrants arriving via Tornio had dropped. The Defense Forces is ready to resume the administrative assistance again if needed. At this moment there are neither defense force regulars nor conscripts in the missions mentioned above. According to the administrative assistance request the De-fense Forces has assisted the police in the registration center in Tornio 21.9 - 17.12.2015. The unit consisted of 4 regulars and approximately 30 conscripts. The administrative assistance was ended when the amount of immigrants arriving via Tornio had dropped. The Defense Forces is ready to resume the administrative assistance again if needed.</p> <p><b>4.</b> The administrative assistance unit has for example assisted the immigrants in the Swedish border to the buses and organized the queues to the security checks. In addition the conscripts had surveillance duties. The unit did not take part in the interviews or for example to maintaining order or other duties that would have required the use of force. The duties requiring the use of force cannot be assigned to conscripts. If the use of force is required that must be mentioned in the request for the administrative assistance and only the Defence Forces regulars may use force under the management of the police.</p> <p><b>5.</b> - Within the autumn street patrols have become an intensifying phenomenon that also have participants from extremist movements. Street patrols operate in several localities. Organized street patrolling is practiced by an organization called Soldiers of Odin whose leader and some of the members have previously been convicted of racistical motivated violations. For example the Minister of the Interior and the Chief of the Intelligence Service have stated that these kinds of patrols do not necessarily improve the security, but instead may actually reduce it. The street patrols haven't caused risks against the public order and security so far.</p>
	Germany	Yes	<p><b>1.</b> a)An increase of police power guidelines due to the present migration crisis has not been deemed as necessary so far. b)On 24 October 2015 the Law on accelerated Asylum Procedures entered into force. The law includes specific measures for applicants originating from safe countries of origin with regard to their obligation to stay in a reception centre. Furthermore, some legal amendments are</p>

			<p>in the legislative process. These amendments intend: • Benefits for asylum applicants will depend on a new document, the so-called Arrival Certificate • Introduction of an accelerated asylum procedure for applicants whose prospects for international protection are low. • Algeria, Morocco and Tunisia shall be designated as safe countries of origin.</p> <p><b>2.</b> Staff members of the German Federal Police shall receive a flat rate expense allowance of 200 Euro per month to be back dated to 01 October 2015. Officers who are entitled to severance pay, employees subject to collective agreements and police trainees who have been deployed to the German Federal Police Department in Munich and Frankfurt am Main shall be entitled to such allowances. The flat rate expense allowance serves as compensation for the expenses incurred as a re-sult of the deployment, especially for weekly returns home to the family and as a conse-quence has therefore a direct influence on the motivation of the forces deployed.</p> <p><b>3.</b> Yes, staff members of the German Armed Forces support the German Federal Office for Migration and Refugees during the first registration procedure of migrants on the so-called processing lines in Bavaria.</p> <p><b>4.</b> Forensic processes, that is taking fingerprints and photographs. Preparation of the preliminary file in MARIS (electronic Asylum Process File).</p> <p><b>5.</b> No findings.</p>
	Italy	Yes	<p><b>1.</b> (1-4) An increase in migratory flows and of the terrorist threat have already determined some changes in domestic legislation in Italy. In particular: a) As regards police powers and border control: Operation “Mare Sicuro” (Secure Sea) was launched by the Navy and the Air Force on 12 March 2015, with the task of carrying out maritime patrolling, surveillance and security activities in the Central Mediterranean. This operation covers a stretch of sea equivalent to 160,000 km2. The area concerned is in the Central Mediterranean off the Libyan coasts. This operation sees the involvement of 5 vessels and around 1000 military personnel each day (Source: Ministry of Defence). Within domestic borders, Operation “Strade Sicure” (Secure Streets) has been deployed since 4 August 2008, under Law 24 July 2008, No 125, which provides for the possibility of using military personnel from the Army under exceptional circumstances in order to prevent crime in</p>

			<p>metropolitan or densely populated areas. This Law, still in force, establishes that the Army personnel are available to the Prefects, who will use them for the surveillance of high-risk sites and targets, and for patrolling activities together with Police forces. Due to terrorist threats, the Operation was extended a number of times, and the personnel have been increased from 3,000 to 4,800. b) From a legislation standpoint, by Legislative Decree of 18 August 2015, No 142, Italy implemented Directive 2013/33/EU, laying down standards for the reception of applicants for international protection, “recast” of Directive 2003/9/EC, and Directive 2013/32/EU on common procedures for granting and withdrawing international protection, “recast” of Directive 2005/85/EC. At present, secondary legislation is being adopted, including the Regulations implementing the above Legislative Decree and the decrees of the Ministry of the Interior setting up governmental first reception centres.</p> <p>2. See answer 1</p> <p>3. See answer 1</p> <p>4. See answer 1</p> <p>5. Law 17 April 2015 No 43, converted Decree-Law 18 February 2015 (on Urgent measures for countering terrorism, including international terrorism, and extension of the international missions of armed and police forces, initiatives of development cooperation and support to reconstruction processes and participation in the initiatives of international organisations for strengthening peace and stabilisation processes) amended terrorism prevention and repression measures. It introduced, among other things, what follows: a) a new offence punishing those who organise, finance and advertise travels for the purposes of terrorist conduct (detention from three to six years); b) punishability of “self-training” in terrorist techniques; and c) criminal and administrative penalties for violations of requirements on controlled substances that can be used to build explosive devices with commonly used materials. As regards prevention measures, the decree also provides for the following: a) the possibility of applying special surveillance measures of public security to potential foreign fighters; b) the power of the chief of local police (Questore) to withdraw the passport of persons suspected of being terrorists; c) an increase of penalties for incitement to terrorism through electronic media; and d) the possibility for Judicial Authorities of enjoining internet providers to</p>
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			prevent access to web sites used for committing the crimes of terrorism included in a specific list that is constantly updated by the Postal and Telecommunications Police of the State Police.
	Latvia	Yes	<p><b>1.</b> a.) There are no needs identified to make changes in legislation related with Police powers. b.) In the field of international protection procedures – a new Asylum law entered into force on 19 January 2016. The adoption of a new Asylum law was related with transposition of the EU Directives: 2013/32/EU, 2013/33/EU, and Regulations: 603/2013 and 604/2013. The aim was establishment of Common European Asylum System.</p> <p><b>2.</b> There are plans developed by the State Border Guard on involvement of additional staff in the border and immigration control (reserve personnel of the units and/or personnel from the other structural units of the State Border Guard). In terms of motivation the State Border Guard does not provide additional fee for staff dealing with massive migration flows.</p> <p><b>3.</b> In the Republic of Latvia military services are not involved in migration management or border control. There are multi-level action plans establishing procedures on involvement and cooperation between relevant authorities (State police, National armed forces, Security police, Emergency medical service, etc.) in case of massive influx of migrants. In accordance with adopted plans National armed forces in case of massive influx of migrants will provide accommodation, guarding, transportation to the relevant accommodation premises within the territory of Latvia.</p> <p><b>4.</b> NA</p> <p><b>5.</b> The Republic of Latvia has not faced with extremist groups oriented against migration movements.</p>
	Lithuania	Yes	<p><b>1.</b> a) Police powers: No changes in legislation. However, on a piratical level simulations on possible influx situation have been carried out with the aim to improve coordination between different institutions. b) International protection: Resettlement and relocation: Amendments to the Law on the legal status of aliens adopted on the 26 November 2015 include, inter alia, articles on the resettlement scheme as well as transposition of requirements from the Procedures Directive</p>

			<p>(accelerated procedures). Integration: In 2015 changes in the integration process for beneficiaries of international protection were adopted. These changes reduce the integration time and the duration during which allowances are paid to the beneficiaries of international protection (initial integration in the refugee reception centre has been reduced from 12 to 3 months and integration in the municipalities to 12 months period). Allowances paid during the integration time in municipalities will be reduced from the 7 month. Accommodation: Legal acts providing for alternative forms of accommodation as well as accommodation at the border crossing points are in the preparation process.</p> <p><b>2.</b> Not at the moment.</p> <p><b>3.</b> No</p> <p><b>4.</b> N/A</p> <p><b>5.</b> No information</p>
	Luxembourg	Yes	<p><b>1.</b> 1. Luxembourg has transposed the Directive n° 2013/32/EU through the Law of 18 December 2015 on international protection and temporary protection. a. Police powers: The Law of 18 December 2015 has not led to a change in police powers. b. International protection procedures. 1) Distinction between filing an application (“presentation de la demande”), registering the application (“enregistrement”) and lodging an application (“introduction de la demande”). There is a clear distinction between filing the application, the registration of the application and the lodging of the application. The registration of the application has to be done at the latest three days after the filing if it is done in the offices of the Directorate of Immigration. This delay can be extended to six days if the application is filed with an agent of the Central Unit of the Airport Police, the Detention Centre or in prison. If there are a high number of applications, this delay can be extended to ten days. After the applicant is registered the International Protection Applicant (IPA) is summoned at the earliest opportunity for the lodging of the application (“introduction de la demande”). However, the law does not foresee a specific deadline for this stage. 2) Interviews: The interviews will be conducted after having registered the application in the shortest timeframe (there is no deadline enshrined in law). During this interview, the judicial police proceeds with the necessary verification procedures to</p>

			<p>establish the identity and itinerary of the applicant(s), including to take the fingerprints of the applicant(s). In case the judicial police needs to identify the applicant, it can take pictures of the applicant and submit him/her to a language test. After the interview with the judicial police, the IPA has the right to a personal interview with an agent of the Directorate of Immigration. The absence of a lawyer does not preclude such an interview taking place. 3) Duration of the procedure: The maximum delay for taking a decision is six months. This deadline runs from the moment that the Minister determines that the Grand-Duchy of Luxembourg is competent to treat the application. However, if the deadline cannot be respected, the IPA must be informed of the reasons of the delay and of the expected timeframe when the decision will be taken. The deadline of six months can be extended up to nine months in cases where: a) there are complex factual or legal questions at stake; b) when there is a high number of IPAs; and c) the delay is due to the lack of respect of the IPA's legal obligations. This deadline can be extended for duly justified circumstances for an additional three months. The maximum duration of the normal procedure within both the extensions is of 18 months. The examination of the application can be postponed up to a maximum of 21 months in cases where there is an uncertain situation in the country of origin of the IPA. 4) Fast-track procedure: The new law only transposed the 10 motives (the old law contained 13 motives) contained in Article 31 (8) of Directive 2013/32/EU for applying the fast-track procedure to an international protection application. The decision of the Ministry has to be taken within a maximum delay of two months, but if needed, this maximum duration can be extended. 5) Deadline for appealing a negative decision. The IPA can file an appeal against a negative decision before the First instance Administrative Court within a deadline of one month after the decision is notified. If the decision of the First instance Administrative Court is negative, the IPA can file an appeal before the Administrative Court within a deadline of one month of the notification of the decision. 6) Legal aid: The access to legal aid changes. The IPA has the right to contact a lawyer regarding his/her international protection application on his/her own expenses during all the stages of the procedure, including after a negative decision. Free legal assistance can be provided during the normal international protection procedure and its recourses. Free legal assistance will be excluded if the recourse does not have any tangible prospects of success. 7) Special procedural guarantees for vulnerable international protection applicants. After filing the application and before that the Ministry in charge of Immigration takes a decision, the Ministry will undertake an evaluation of special procedural guarantees for vulnerable IPAs. This evaluation can also be carried out by the</p>
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	Poland	Yes	<p><b>1.</b> Yes, the Border Guard plans to implement a new border procedure related to acceptance of the applications for international protection.</p> <p><b>2.</b> Reinforcement of Border Guard in terms of human resources is not planned. However, a recruitment for new officers has been foreseen under yearly limits determined by the Ministry of the Interior and Administration. In order to improve an efficiency of BG, some activities aiming at introduction of new equipment and some technical solutions have been introduced and used in daily work. A potential increase in remuneration of BG officers depends on financial resources of the MIA.</p> <p><b>3.</b> According to the Act of 9 July 2015 on the amendment of the Border Guard Act and other acts, Border Guard may be supported by the units and sub-units of the Armed Forces and the soldiers of the Military Police, if there is a threat to public security or when public order is disturbed at a border crossing point and in a border zone.</p> <p><b>4.</b> While supporting the Border Guards, the Armed Force units are entitled, in that regard, to check travelers and their belongings, to verify documents, to apprehend foreigners (in justified</p>

			<p>circumstances), to monitor a border area and to use the coercive means and the weapons. Use of the units and sub-units of the Armed Force in the circumstances determined by law (threat to direct inviolability of the state borders or an executed attack on the border's inviolability, direct threat to citizens' life, health or freedom, significant risk of possible attack to the BG's facilities, a terrorist offence threat etc.) has to be appropriate to the level of a threat to public security or a threat to public order in the border area or at the border crossing point. Ongoing cooperation between the Border Guard and the Armed Force and between the BG and the Military Police has been regulated in the respective working documents.</p> <p><b>5.</b> There are no significant challenges so far. However, an increase in a number of persons who express openly their reluctance towards immigrants can be observed.</p>
	Slovak Republic	Yes	<p><b>1.</b> a) No. b) No.</p> <p><b>2.</b> On 3 November 2015, the Government of the Slovak Republic has adopted a resolution according to which the Police Force would increase its capacities by 300 employees in order to create a foreign police unit which would specifically serve to protect the Schengen Area's external borders.</p> <p><b>3.</b> Military service is available, however, it has not been used yet. According to the legislation of the Slovak Republic (Act from 1993), if the capacities and resources of the Police Force are not sufficient for ensuring protection of the state borders, protected area, public order or countering terrorism and organised crime, the Government can earmark professional staff for the necessary time in the state of security alert and in crisis situation. In October 2014, a joint training of the Police Force, fire fighter and rescue teams, Army Police of the Ministry of Interior and Armed Forces of the Slovak Republic was held. The aim of the training was to practice a joint deployment of mixed guards made up of the Police and the Army to patrol at control points set in advance along the entire Slovak-Hungarian border or at the border area in order to ensure protection of the public order. Fire fighter and rescue teams served as a technical support.</p> <p><b>4.</b> While on duty when serving under the Police, soldiers assigned with the tasks of the Police Force are subordinated to the organisation, management and control by the respective Police Force unit.</p>

			<p><b>5.</b> No, no extremist group oriented against the migration movements has been detected. In relation to the migration movements, there has been rather a hate speech by persons with ultranationalist sentiments.</p>
	Slovenia	Yes	<p><b>1.</b> We have identified the following needs for legislation changes: a. In terms of police powers we have proposed accelerated administrative procedures regarding migrants and the power to have ability to check the activity and contents of materials saved on GSM phones within the profiling procedure. b. We are going to implement “fast track procedures” regarding international protection applications.</p> <p><b>2.</b> We have initiated recruitment procedures for border guards performing border surveillance at green border. In terms of motivation we are providing for additional fee for officers dealing with massive migration flows.</p> <p><b>3.</b> We haven’t had military service originally involved in border control. We have implemented reinforcement of migration management with our military service since the first wave of massive migration.</p> <p><b>4.</b> At first the military service assisted police with assistance to border surveillance and with logistical support. We are going to reinforce border control and protection of public order when dealing with massive migration flows with additional powers dedicated to military service. We have initiated proposal to authorise them with the powers of warning, giving directions, restrict movement of persons and to assist in management of riots.</p> <p><b>5.</b> By now there are very few cases of extremists acting against massive migration flows.</p>
	Spain	No	
	Sweden	Yes	<p><b>1.</b> a. Not police powers but the police is since the 12th November 2015 performing temporary Schengen internal border controls of people entering Swedish territory, especially at the Swedish – Danish border. b. As announced on 24th November 2015 and to be implemented 31 May 2016, the</p>

			<p>Swedish legislation on asylum will be temporarily brought into line with the minimum requirements in international conventions and EU law. With some exceptions, the legislation will apply to asylum decisions taken in the period during which the legislation is in force. It is a temporary legislation, which will be in force for three years and will entail the following temporary exceptions to the provisions of the Aliens Act. • Temporary residence permits (instead of permanent) for all persons in need of protection except quota refugees. • Refugees and persons eligible for subsidiary protection will be granted temporary residence permits. Refugees will be granted a residence permit for three years, and persons eligible for subsidiary protection for one year. These permits will be renewable. In the case of extension, the general rule will also be that a temporary permit will be granted if grounds for protection still exist. When a temporary residence permit expires, it is possible that a permanent residence permit may be granted if the person can support themselves. • In addition, tougher maintenance requirements will be introduced. The maintenance requirement is to apply to family member immigration and will be broadened to also include a requirement that the sponsor must be able to support family members who come to Sweden. The maintenance requirement does not apply when the sponsor is a refugee or a person eligible for subsidiary protection and the relative applies for a residence permit within the first three months after the person eligible for subsidiary protection has been granted a residence permit. Nor will the maintenance requirement apply if the sponsor is a child, or if the relative has applied for a residence permit by 31 May 2016. • The Government wants to introduce medical age determination of asylum seekers. For more information please see: <a href="http://www.government.se/government-policy/migration/">http://www.government.se/government-policy/migration/</a></p> <p><b>2.</b> The Swedish Police has identified a need for more personnel in order to perform border control at internal borders and other migration-related assignments that have increased as a result of the refugee situation.</p> <p><b>3.</b> NO</p> <p><b>4.</b> NA</p> <p><b>5.</b> Not publicly announced as organized by extremist groups but a number of reception centers or buildings intended to become reception centers have been vandalized or put on fire.</p>
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	United Kingdom	Yes	<ol style="list-style-type: none"> <li>1. The UK is not part of the Schengen border-free arrangements that other EU Member States take part in. The UK operates a secure border which involves carrying out 100% checks on arriving passengers in order to identify people of concern seeking to enter the country. We are committed to supporting our European partners in ensuring the full and proper management of the EU's external border, to reduce the impact of illegal migration and to deter people from risking their lives on perilous journeys. Increased security at the EU's external border directly benefits the UK.</li> <li>2. N/A</li> <li>3. N/A</li> <li>4. N/A</li> <li>5. N/A</li> </ol>
	Norway	Yes	<ol style="list-style-type: none"> <li>1. 25 November, 2015, the Norwegian Ministry of Justice and Public Security instructed the asylum adjudicating bodies, that is, the Directorate of Immigration (UDI) and the Immigration Appeals Board (UNE), to reject applications from asylum seekers arriving in Norway after having resided in Russia, without assessments of the substance of their applications. The intention is that asylum seekers, who do not get an assessment of the substance of their cases, may rapidly be returned to Russia. All cases are processed individually in order to identify any asylum seekers who, in exceptional circumstances, may have a real need for protection and thus qualify for full consideration of their case in Norway.</li> <li>2. *Yes, the police resources were reinforced in 2015 and will be reinforced further in 2016.</li> <li>3. Yes.</li> <li>4. The military service at the Norwegian-Russian border assists the police in border control/ guarding the border. Doing so, they act as police personnel and not the military.</li> <li>5. In its threat assessment for 2016, the Norwegian security policy stated that it considers the threat</li> </ol>

			<p>from right-wing milieus to be increasing. The asylum issue is fuelling right-wing activity, radicalisation and recruitment. On the other hand, right-wing extremism poses a lower risk of terrorism than extreme Islamism. This is because the milieus continue to suffer from poor organisation.</p>
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