



EMN Ad-Hoc Query on Ad Hoc Query on Afgan nationals with subsidiary protection

Requested by Bence SZABÓ on 9th October 2017

Protection

Responses from Austria, Belgium, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Slovak Republic, Slovenia, Sweden, United Kingdom, Norway (22 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:

Hungary previously provided subsidiary protection for Afghan nationals who were not qualified for refugee status. The conditions of subsidiary protection could be established based on the security situation of Afghanistan (Qualification Directive Section 15 c)). Based on the Hungarian legislation the conditions of subsidiary protection shall be reviewed within a given time period defined by the law. In many cases the subsidiary protection provided for Afghan nationals was revoked during the review procedure considering that – based on country of origin information – the asylum authority considered the security situation in Kabul not so serious to satisfy the conditions defined in Section 15 c) of the Qualification Directive. Therefore, Afghan nationals – considering their personal circumstances – may return and an internal protection alternative can be established.



During the judicial review of the revocation of these subsidiary protection statuses the Hungarian courts do not agree with the standpoint of the IAO, since in many cases the courts annulled the decisions of the asylum authority. The reasoning of the court decisions was that the asylum authority shall also consider the fact that the person previously provided subsidiary protection had lived many years in the European culture and adopted to it, so in case of return to Afghanistan it is possible he/she could face serious social rejection and repulsion.



Questions



1. 1. How did and currently does your MS evaluate the security situation in Afghanistan, especially in Kabul? Within the evaluation of COI what are the criteria and aspects, that are considered decisive by your MS during the examination of the security situation of Afghanistan, especially of Kabul? Were there any changes regarding the evaluation?
2. 2. If your MS considers that in case of Afghan nationals previously provided subsidiary protection based on Section 15 c) of the Qualification Directive is not necessary anymore, either because the security situation of the place of origin within the country does not qualify for the condition or because your MS considers that there is a part of Afghanistan where internal protection alternative may be applied taking into consideration the facts of the case, does your MS revoke the subsidiary protection provided earlier?
3. 3. What effect does it have on the asylum decision making of your MS during the revocation of subsidiary protection the fact that the foreigner has lived many years in a European country prior to the withdrawal, where he integrated and adopted to the European culture?

Responses


	Country	Wider Dissemination	Response
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	Austria	Yes	<p>1. Generally, the security situation in Afghanistan is being assessed to vary considerably on a regional level. The Afghan government retains control over Kabul, larger transit routes, provincial capitals and almost all district centers. The up-to-date information provided by the Country of Origin Information Unit in its country information fact sheet, has been serving since many years as criteria for the assessment of the security situation. According to settled case law of the Administrative High Court and the European Court of Human Rights, the general situation in Afghanistan is not such that the expulsion to Afghanistan would automatically violate article 3 ECHR (Administrative High Court 23.2.2016, Ra 2015/01/0134, cf. the judgments of the ECtHR each of 12.1.2016, each against the Netherlands: S. D. M., No. 8161/07; A. G. R., No. 13 442/08; A. W. Q. and D. H., No. 25 077/06; S. S., No. 39 575/06; M. R. A. inter alia, No. 46 856/07; confirmed in the decisions of 3.8.2017 each against the Netherlands: 72586/11, E.K.; 43538/11 and 63104/11 E.P. and A.R; 77691/11 G.R.S.; 46051/13 S.M.A.; 41509/12 Soleimankheel and Others). Source: FMI</p> <p>2. Whether the status of subsidiary protection is revoked, depends on the respective individual case. Furthermore, the individual circumstances of the applicant must be taken into account. Source: FMI</p> <p>3. In general, the integration of a foreigner does not influence the decision on international protection, unless the adoption of European attitudes would entail dangers covered by international protection in the case the foreigner returned to his/her country of origin (see Art. 3 and 8 Asylum Act). If a return decision entails the risk of a violation of the right to private and family life under Art. 8 ECHR, a residence title for humanitarian reasons could be issued instead (see Art. 55 Asylum Act). Source FMI</p>
	Belgium	Yes	<p>1. The Belgian Office of the Commissioner General for Refugees and Stateless Persons (CGRS) considers large parts of Afghanistan as ‘unsafe’ and therefore, if no internal flight alternative is applicable, grants subsidiary protection for citizens originating from these regions. Relevant factors in the evaluation of the security situation are: the number and nature of the incidents, casualties, number of IDP’s fleeing the fighting,... For citizens from Kabul (city and province) no Subsidiary protection is granted and there were no changes.</p>


			<p>2. It does happen that the security situation in certain provinces improves and consequently subsidiary protection is no longer granted for new applicants coming from these regions. In such cases the CGRS could revoke the protection status in such a situation. Besides, in case the beneficiary of international protection returns to Afghanistan, to protection status can be withdrawn.</p> <p>3. In cases where Afghans claim to be integrated and have adopted European culture due to a long stay in Europe (long asylum procedure, illegal stay,...). it is assessed whether or not this has led to a 'westernization' that could lead to a violation of their fundamental rights in case of return to Afghanistan. For young women this is more the case than it is for men, since they might have adopted social and cultural norms that could put them at risk in Afghanistan.</p>
	Croatia	Yes	<p>1. Based on country of origin information the asylum authority of the Republic of the Croatia considered the security situation in Kabul not so serious to satisfy the conditions defined in Section 15c) of the Qualification. As well as in Hungary we have during the examination of the COI reports concluded that the decisive criteria regarding security situation are, for instance, the number of attacks at the place of origin as well as whether these attacks are targeted or affect all the civil society or how many civilians have fallen victims of these attacks. Considering their personal circumstances the Afghan national may return and internal protection alternative can be established. So far the subsidiary protection for Afghan nationals based on QD 15c) was not granted in the Republic of the Croatia.</p> <p>2. N/A</p> <p>3. N/A</p>
	Cyprus	Yes	<p>1. Cyprus has received only a very small number of applications for international protection by Afghan nationals and therefore there is no established policy concerning this category of applicants for international protection</p>



			<p>2. see above</p> <p>3. see above</p>
	Czech Republic	Yes	<p>1. The security situation in Afghanistan, especially in Kabul, has been assessed in conjunction with the EASO reports, including Report on Socio-economic Conditions, State Protection and Mobility in Kabul City, Mazar-e Sharif and Herat City. Regarding the security situation in Kabul City, it is considered safe for particular profiles of applicants, but additional individual circumstances may be taken into account.</p> <p>2. Yes, the subsidiary protection can be revoked (it is launched the proceeding regarding the revocation, which is reviewed by the court) or it is not further prolonged. However, it is necessary to remind, that the individual circumstances are taken into account.</p> <p>3. Individual circumstances are taken into account.</p>
	Estonia	Yes	<p>1. All COI descriptive assessments, inclusive of the security situation in Afghanistan, are done by the COI experts. The evaluation of the situation concerning the specific cases are done by the case workers. In the past and concerning individual cases Estonia has considered Kabul as safe, but returns to Kabul or availability of the internal protection alternative have been considered possible if an applicant has a connection with Kabul for example close family network living there. During recent year no new cases have emerged.</p> <p>2. According to Estonian legislation the Police and Border Guard Board may revoke subsidiary protection status in case the circumstances which constituted the basis for subsidiary protection have ceased to exist. Currently Estonia does not have a policy by which we are revoking protection statuses and residence permits due to changed circumstances in Afghanistan. So far and concerning specific cases we have not determined any changes in Afghanistan which would allow to revoke protection statuses granted to the citizens of Afghanistan.</p>



			<p>3. Having lived many years in Europe and having integrated, does have an effect when reviewing the international protection needs. All protection need decisions are always forward looking and cover evaluation of past and an evaluation of the possible treatment in the future, including probable treatment in case of return. The fact of living many years in Europe is one of the possible factors out of many, that must be considered when making a decision on the individual case. In case it is still decided, that a person is not in a need of a protection any longer, it is advised to apply for the other type of the residence permit. The ground for the residence permit is dependent of the personal circumstances. For instance, in case a person has lived in Estonia for 5 years and has a basic knowledge of the Estonian language on the B1 level, they can apply for and receive a permanent residence permit. As another example, a person who has lived in Estonia for 3 years and has integrated, can apply for and receive a temporary residence permit for 5 years.</p>
+	Finland	Yes	<p>1. Finland evaluates the security situation in Afghanistan and publishes guidelines every 6 months. If need arises due to changing security situations, some districts will be additionally evaluated even between the scheduled guidelines. Sliding scale (as in ECHR: Elgafaji v. Netherlands) is used regarding Qualification Directive Section 15 c: Where the security situation is severe, less individual elements of risk are required. In the latest guidelines (published on 9th June 2017) there are several areas where indiscriminate violence is considered to be on the highest level and thus no individual elements are required whatsoever. The guidelines also list areas of “high risk” of indiscriminate violence, where some individual elements are expected. Kabul is not among either of these categories. The guidelines note that although the number of civilian casualties (deaths, injuries) caused by suicide and complex attacks in Kabul is high, considering the sizeable population of Kabul (4-7 million people according to the estimates), the overall level of indiscriminate violence and the effect of these attacks to the population as a whole remains relatively low in Kabul. When considering the level of indiscriminate violence in certain area, the guidelines mention following aspects: the form and intensity of indiscriminate violence, nature and actors of conflict, numbers of civil-ian casualties (deaths, injuries), numbers of IDPs, the geographical area of conflict and the general circumstances for everyday life. When considering the intensity of the conflict, the guidelines refer to following criteria (as in EHCR: Sufi & Elmi v. UK): Do the actors of conflict use such war tactics and methods that directly affect civilians and are prone to cause more civilian casualties, are such methods and tactics widely used by the actors</p>


			<p>of conflict, is the fighting widespread or does it remain local, and how many civilian casualties (deaths, injuries) and IDPs are caused.</p> <p>2. The security situation and levels of indiscriminate violence in Afghanistan have not permanently and significantly changed, thus there is no general need to consider revoking permits based on subsidiary protection status. Finland considers revoking the subsidiary protection status individually. Usually, a reason for revoking is if a person has travelled to Afghanistan. If the person has received a new Afghan passport after being granted subsidiary protection, this fact also influences the decision. It is not common that the residence permit is revoked at the same time. If the person has committed crimes, a revocation of the residence permit and deportation are considered as well.</p> <p>3. Only a little effect on normal cases, because the revocation of subsidiary protection does not automatically mean, that also the residence permit is revoked. In deportation cases we consider, to which country, Finland or Afghanistan, the person in case has most ties. E.g. how long the person has been living (minor or adult, gone to school or worked in Afghanistan) in Afghanistan before coming and staying in Europe etc.</p>
	France	Yes	<p>1. According to yearly reports (2014-2016) of the French Office for the Protection of Refugees and Stateless Persons (OFPRA), the situation in Afghanistan has been considered as more and more serious. In its 2016 reports, the OFPRA emphasized the deterioration of the security situation: "The Afghan conflict and its consequences remain more than ever at the forefront." Afghanistan's security situation is assessed, taking into account the number of violent incidents reported in "EASO Country of Origin Information Report: Afghanistan Security Situation". The 2016 report mentions: The general security situation in Afghanistan is mainly determined by the following four factors: The main factor is the conflict between the Afghan National Security Forces (ANSF), supported by the International Military Forces (IMF), and Anti-Government Elements (AGEs), or insurgents. This conflict is often described as an "insurgency". The other factors are: criminality, warlordism and tribal tensions. These factors are often inter-linked and hard to distinguish. Several sources consider the situation in Afghanistan to be a non-international armed conflict; The UN stated in June 2016 that "The security situation was characterized by continued and intense armed</p>


			<p>clashes, which were at their highest number recorded since 2001 and had a corresponding negative impact on civilians, with rising casualties and displacement rates.’ In this context, the security situation seems to remain particularly volatile.</p> <p>2. Not applicable (see above) For information, pursuant to article L.712-3 of the Code on Entry and Residence of Foreign Nationals and Right of Asylum (CESEDA), “The French Office for the Protection of Refugees and Stateless Persons can put to an end, from its own initiative or upon request from the administrative authority, the benefit of the subsidiary protection when the circumstances that justified the granting of this protection ceased to exist or went through a sufficiently significant and long-lasting change for the protection not to be required anymore.”</p> <p>3. Not applicable (see above) Integration and the length of stay in France are not determinative in themselves for the decision on the end of protection. In the context of the question asked by Hungary, an end-of-protection decision is only taken if the determining authority considers that there are no more fears in case of return to the country of origin.</p>
	Germany	Yes	<p>1. The security situation is evaluated on the basis of all available current reports. According to this information, internal armed conflict prevails in many parts of Afghanistan in the form of civil war and guerrilla warfare between Afghan security forces on the one hand and the Taliban and other opposition forces on the other. No level of danger for civilians which might be sufficiently high to justify the identification of a substantial individual risk solely by virtue of a person's returning to and residing in their region of origin is ascertainable for any of the Afghan provinces. In order for protection to be granted pursuant to Art. 15, individual circumstances which increase the level of danger must be plausibly substantiated by the applicant. The situation in the city of Kabul in particular is considered to be relatively safe. Crucial aspects in assessing the security situation are firstly an approximate quantification of the total number of civilians living in the affected region and secondly the record of arbitrary violence committed by the parties to the conflict against the life or limb of civilians in this region. The criteria evolved for the purpose of identifying collective persecution in the area of refugee law can be applied accordingly in order to assess this so-called danger intensity. Beyond this, an evaluative overall assessment taking into account the number of victims and the severity of harm to the civilian population may be necessary. This also includes,</p>


			<p>for example, an appraisal of the general dangers pertaining to people’s lives, such as the situation regarding medical care, the quality and availability of which may determine the severity of physical harm with respect to permanent injuries suffered by victims. The scale of attacks and the number of victims in relation to the size of the population in Kabul result in a probability of less than 1:800, or 0.12 %. At this level of danger intensity, the risk of falling victim to arbitrary violence in the context of an internal armed conflict is far below the threshold of substantial probability, despite the increase in the number of victims. In view of this low level of danger intensity, no evaluative overall assessment is required. A further indicator for the purposes of forecasting the level of danger can be the number of people fleeing the region concerned. In information on internally displaced persons, however, Kabul is mentioned not as a province from where refugees originate, but rather as a province which admits refugees from other regions. Despite the rise in the number of victims in Kabul in the first half of 2017, the development of the security situation has not resulted in any change to the assessment. While it is true that Kabul reported the highest number of victims among the Afghan provinces in absolute terms in the first half of 2017, Kabul also has the largest population by far, at approx. 4.4 million.</p> <p>2. According to section 73b para. 1 German Asylum Act subsidiary protection status shall be revoked when the circumstances which led to the granting of subsidiary protection status have ceased to exist or have changed to such a degree that protection is no longer required. Nevertheless, an assessment has to be made whether the change of circumstances is so significant and lasting that the person eligible for subsidiary protection no longer face a real risk of serious harm (section 73b para. 2 Asylum Act).</p> <p>3. If subsidiary protection status is revoked a decision shall be taken whether the requirements for humanitarian (national) protection are fulfilled (section 73b, para 4 Asylum Act with reference to section section 73 para. 3 Asylum Act). Within this assessment it might be taken into account if a foreigner has lived in Europe and can therefore considered as westernized.</p>
	Hungary	Yes	<p>1. Hungary previously provided subsidiary protection for Afghan nationals, who were not qualified for refugee status, based on the security situation of Afghanistan (Qualification Directive Section 15 c)). Currently based on country of origin information the asylum authority considers the</p>


			<p>security situation in some parts of Afghanistan, also in the city of Kabul, not so serious to satisfy the conditions defined in Section 15 c) of the Qualification Directive, thus Afghan nationals – considering their personal circumstances – may return and internal protection alternative can be established. During the examination of the COI reports the decisive criteria regarding security situation are, for instance, the number of attacks at the place of origin as well as whether these attacks are targeted or affect all the civil society or how many civilians have fallen victims of these attacks.</p> <p>2. In many cases the subsidiary protection provided for Afghan nationals based on QD 15 c) was revoked during status review procedure either because the place of origin can be considered not to be satisfying the conditions of QD 15 c) or because the conditions of internal protection alternative may be established somewhere in Afghanistan taking into consideration the personal circumstance of the foreigner.</p> <p>3. During judicial review of such revocations in the reasoning of the court decisions it was expressed that the asylum authority shall also consider the fact that the person previously provided subsidiary protection had lived many years in the European culture and adopted to it, so in case of return to Afghanistan it is possible to face serious social rejection and repulsion.</p>
	Ireland	No	
	Latvia	Yes	<p>1. When assessing security situation (incl. Kabul) we are looking at the number and type of security incidents, actors involved in those incidents, as well as ability of the state to provide control in the area and guarantee certain stability and protection for civilians. There are no essential changes regarding assessment/evaluation of the security situation in Kabul during last years. We consider that general security situation in Kabul (in comparison with other provinces in Afghanistan) is comparatively good and steady; however individual conditions/profile of particular asylum seeker is taken into consideration when possibility of return to Kabul is assessed.</p>


			<p>2. The Asylum Law provides possibility to revoke subsidiary protection, however in practice it is not used regarding Afghan cases so far.</p> <p>3. No such practice so far, but it is very likely that if person has made genuine efforts to integrate in society, his/her protection status will not be revoked.</p>
	Lithuania	Yes	<p>1. Lithuania has limited practice concerning cases of Afghan nationals. Each case is examined individually, therefore, no remarks and generalizations can be made regarding changes regarding the evaluation.</p> <p>2. n/a</p> <p>3. n/a</p>
	Luxembourg	Yes	<p>1. 1. The security situation of Afghanistan in general and Kabul specifically is evaluated on a regular basis by the Country of Origin Unit (COI) of the Directorate of Immigration based on available international reports as Luxembourg has not done any own fact finding missions in the country. The security situation in Kabul is considered as complex and volatile since the rise in terrorist attacks in recent years – 62% of the civilian casualties by suicide attacks have been registered in Kabul. Besides the attacks launched by different insurgent groups, Kabul is confronted to a high level of crime, which further deteriorates the security situation in the city. When it comes to our decision-making, Luxembourg treats every international protection application on a case by case basis analysing the facts described by the applicant as well as the evidence provided by the applicant. Besides the general security situation of the country, the presence/actions of insurgent groups, the level of civilian casualties and the personal situation of the applicant are among others considered in our decision making process. The COI Unit continues to closely follow the events in Afghanistan and will adjust the assessment on the security situation accordingly.</p> <p>2. 2. Article 33 (2) of the law of 18 December 2015 on international protection and temporary protection (Asylum Law) establishes that an examination to withdraw the international protection</p>


			<p>of a particular person may commence when new elements or findings arise indicating that there are reasons to reconsider the validity of his/her refugee or subsidiary protection status. The Ministry in charge of Immigration guarantees that the agents in charge of the examination obtain precise and up to date information from different sources (especially from BEAA and UNHCR) about the general situation, which reigns in the country of origin (article 33 (4) and (5)). At the moment, the security situation in Afghanistan has not changed.</p> <p>3. 3. Article 33 (2) and 52 (1) to (4) of the Asylum Law do not foresee the consideration by the Ministry on charge of Immigration of any other external facts than those foreseen by the law for withdrawing or revoking the subsidiary protection status. The fact that an applicant lives since a couple of years in a European country and has made efforts to adapt to European cultural values is thus not considered in our internal decision making process.</p>
	Malta	Yes	<p>1. The Office of the Refugee Commissioner is of the opinion that the security situation in Afghanistan varies according to the different areas. The provinces of Helmand, Kandahar (except Kandahar district), Kunar, Laghman, Nangarhar (except Jalalabad) and Ghazni city are considered as being areas where the level of indiscriminate violence reaches such a high level that a civilian would face a real risk of suffering serious harm based on Article 15(c) of the QD solely on account of his or her presence there. The areas of Kabul province (except for the district of Surobi), Kabul city, Bihsud I&II districts in Wardak, Bamyán, Daikundi, Mazar-e Sharif, Samangan, and Herat city, are areas where the level of indiscriminate violence is so low that in general there is no real risk for a civilian to be personally affected by reason of indiscriminate violence in the meaning of Article 15(c) of the QD. With reference to the remaining areas of Afghanistan, the Office of the Refugee Commissioner is of the opinion that while indiscriminate violence is taking place there, this does not reach such a high level as to amount to a real risk of suffering serious harm based on Article 15(c) of the QD solely on account of presence there. Therefore, the individual assessment of a real risk of serious harm by reason of indiscriminate violence would take into account whether the applicant is specifically affected by factors particular to his or her personal circumstances.</p> <p>2. Applications for international protection lodged by Afghan nationals represent a very limited part of the Maltese caseload (around 0.11% of the total caseload registered between 2001 and</p>


			<p>2017). Moreover, none of the Afghan nationals that applied for international protection in Malta were granted Subsidiary Protection Status.</p> <p>3. Applications for international protection lodged by Afghan nationals represent a very limited part of the Maltese caseload (around 0.11% of the total caseload registered between 2001 and 2017). Moreover, none of the Afghan nationals that applied for international protection in Malta were granted Subsidiary Protection Status.</p>
	Netherlands	Yes	<p>1. In February 2017 a letter was sent to the Dutch Parliament announcing a review of the asylum policy for asylum seekers from Afghanistan. These changes are based on the country report by the Ministry of Foreign Affairs published in November 2016. This general country report describes the situation in Afghanistan insofar as it is relevant to the assessment of asylum applications from persons originating from Afghanistan and to decisions on the repatriation of rejected Afghan asylum-seekers. It is an update of previous country reports on the situation in Afghanistan. https://www.government.nl/documents/reports/2016/11/01/country-of-origin-information-report-afghanistan-november-2016 The conclusion in this letter is that there is not an exceptional situation in the sense of article 15, under c Qualification Directive in Afghanistan. Applicability of Article 15(c) Qualification Directive In the Dutch point of view, Article 15 (c) is only applicable in “exceptional situations” where the degree of violence taking place reaches such a high level that substantial grounds are shown for believing that a civilian returned to that country or region would solely on account of his presence on the territory of that country or region face. The level of violence must be of a sufficient intensity to pose a real risk of treatment reaching the Article 3 threshold to anyone. Indirect elements are also taken into consideration. This point of view is based on the conclusion of The Dutch Council of State, in its decision on the Elgafaji case, following the judgment of the CJEU, where it stressed that Article 15 (c) is only applicable in “exceptional situations”. We use all sorts of COI-information, but we use primarily the COI-information of our Ministry of Foreign Affairs, which writes reports on specific countries of origin. The assessment whether such an exceptional situation of extreme violence exists is not an easy one, but we use the criteria as mentioned in the Court case Sufi and Elmi: 1. the parties to the conflict were either employing methods and tactics of warfare which increased the risk of civilian casualties or directly targeting civilians; 2. whether the use of such methods and/or tactics was</p>

			<p>widespread among the parties to the conflict; 3. whether the fighting was localised or widespread; 4. the number of civilians killed, injured and displaced as a result of the fighting. We also take account of the ability by the government or other (international) parties to provide protection to civilians. The most challenging part is not gathering this information, but the weight that should be attributed to it. When considering these factors, we find it important to be consistent with our asylum policy towards other countries of origin and the jurisprudence of the European Court. And last we also take account of the asylum policy of our surrounding Member States.</p> <p>2. See Q1</p> <p>3. The INS will always assess on a case by case basis whether an internal flight alternative can reasonably be applied. When there is a considerable period of time between the human rights violations and his departure from the country of origin, and the asylum seeker did not experience any new problems, the INS may not grant a temporary asylum residence permit automatically.</p>
	Poland	Yes	<p>1. Poland evaluates the situation in Afghanistan, including in Kabul, as a non international armed conflict, however the security situation in Afghanistan varies depending on a region. The increasing number of fights makes the conflict evolving from asymmetric warfare towards traditional armed conflict. During the examination of the security situation of Afghanistan, the possibility of internal relocation is the main aspect to be considered, including safety of travel, possible persecution in case of membership in a particular social group, race, religion, nationality after relocating, as well as living conditions in camps for internally displaced persons.</p> <p>2. There was no cases of revoking subsidiary protection provided earlier. Furthermore, since the security situation in Afghanistan is deteriorating, there is no reasons for assuming that the grounds on which subsidiary protection was provided cease to exist.</p> <p>3. Afghan nationals are granted protection in Poland, either refugee status or subsidiary protection, and there was no cases of revoking subsidiary protection and examining the fact that the foreigner lived many years in a European country. Furthermore, it is important to point out that Afghan applicants don't constitute a significant number of asylum seekers in Poland.</p>

	Slovak Republic	Yes	<p>1. Approximately 5 years ago the Slovak Republic also recognised that there were certain areas in Afghanistan which could be considered as safe (Kabul and some other parts of Northern Afghanistan). Due to these findings, subsidiary protection statuses were not prolonged with a justification that the internal flight alternative could be applied. It should be mentioned that this regarded only those persons who had personal and family ties in the given areas, mostly young men and not vulnerable groups such as minors, families with children etc. Subsequently, these decisions were annulled by courts when the applicants appealed them. However, the situation in Afghanistan has worsened since that time and according to practice, situation in Kabul is not considered as safe.</p> <p>2. Currently, the Slovak Republic does not withdraw subsidiary protection granted to Afghan nationals.</p> <p>3. The fact that the foreigner has lived for many years in a European country, accepted European culture and integrated into the society does not have an effect on the asylum decision. The international protection is granted based solely on the precisely defined reasons. The level of integration could only have an effect on the decision regarding citizenship.</p>
	Slovenia	Yes	<p>1. Our country assesses the security situation in Afghanistan for each province separately, at the time of decision making with the help of the most up-to-date information. We do not have specific guidelines that we would regularly update and where for each province it would be determined whether the security situation there is reaching the threshold of serious damage within the meaning of 15.c of the Qualification Directive. Each decision-maker assesses the security situation at the time of decision-making. As far as Kabul is concerned, we have never estimated that the security situation in this city would in itself reach the threshold of serious harm in terms of a serious and individual threat to the life or personality of a civilian due to arbitrary violence in international or internal armed conflicts. Criteria for assessing whether the security situation reaches the threshold of serious damage in the sense of 15.c has been developed by the jurisprudence. These criteria are: the number of casualties (including those wounded) in warfare and during a given period of time; the number of civilian casualties (and wounded) over a given period of time; the share of the displaced population and the inability of the state to provide the most basic services of material</p>

			<p>infrastructure, law, health care, food delivery or drinking water. The assessment for Kabul has not changed so far - we still believe that the return of a person to this place does not mean that he will face a justified risk of suffering serious harm in the sense of a serious and individual threat to the life or personality of a civilian due to arbitrary violence in international or internal armed conflicts.</p> <p>2. The Republic of Slovenia recognizes subsidiary protection for a fixed period of not less than one year, and the duration depends on each case separately. In cases where subsidiary protection is recognized due to a poor security situation in the country (15c of the Qualification Directive), this period is usually three years. Mostly, during this period, we do not revise or check whether the reasons still exist, but this is done in the process of extending subsidiary protection, that is, when the period for which protection was granted is expired. If the security situation has improved to the point that the protection is no longer necessary and the person has no other grounds for recognition of subsidiary protection, subsidiary protection is not extended.</p> <p>3. The fact that a person lived in Europe for a long time and adapted to European culture has no influence on the decision. That fact can not mean that the person has forgotten how to behave in his country of origin and what social norms apply there. In the case of Afghanistan, this criterion has not yet been highlighted in the jurisprudence. There is a different problem in the Republic of Slovenia, namely that in the jurisprudence there are extremely high criteria in the case of internal displacement which are almost impossible to meet. And in deciding whether to refuse international protection or refuse to extend subsidiary protection to citizens of Afghanistan, this is particularly problematic. However, it is true that in a few rare cases after the Ministry of the Interior rejected the application for extension of the subsidiary protection, the court itself extended subsidiary protection to these persons, the key reason for that was that they had been in the Republic of Slovenia for so long and are well integrated. In those cases, they were not citizens of Afghanistan.</p>
	Sweden	Yes	<p>1. The security situation in Kabul and the rest of Afghanistan with the exception of Helmand, Uruzgan, Panjshir and Bamyan is considered as an internal armed conflict, but an individual assessment must be done in each case accordance with the criteria set out in the Elgafaji- case. Aspects considered is primarily the amount of armed attacks/clashes and their impact on civilians in terms of casualties (dead and wounded). In Helmand and Uruzgan the intensity of the conflict</p>

			<p>is affecting the whole population so that mere presence there would amount to eligibility for subsidiary protection. Uruzgan has recently been added to this category. In Panjshir and Bamyan no armed conflict is considered to be present.</p> <p>2. If an IFA should occur that has not previously been considered relevant and reasonable a prolongation of a previously granted temporary residence permit may be denied in order for the applicant to make use of the IFA. No residence permit, either permanent or temporary, is revoked on this ground.</p> <p>3. Should a person not longer be considered to be in need of subsidiary protection, then that status may be revoked. This does not normally affect his residence permit, since no permit is revoked on this ground. It may have an effect in terms of not prolonging a temporary residence permit which has expired..</p>
	<p>United Kingdom</p>	<p>Yes</p>	<p>1. The UK Home Office Country Policy and Information Team (CPIT) assessment of the security situation in Afghanistan is available in the Country Policy and Information Note Afghanistan: Security and humanitarian situation, updated August 2017. Whilst we accept that the security situation in Kabul has deteriorated over recent months, we do not consider it breaches Article 15c of the Qualification Directive. Our assessment is made in line with current COI alongside the Country Guidance case AK (Article 15(c)) Afghanistan CG [2012] UKUT 00163(IAC) (18 May 2012), which found that despite a rise in the number of civilian deaths and casualties and an expansion of the geographical scope of the armed conflict in Afghanistan, the level of indiscriminate violence in the country taken as a whole was not at such a high level as to mean that, within the meaning of Article 15(c) of the Qualification Directive, a civilian faces a real risk to his life or person solely by being present in the country.</p> <p>2. The UK Home Office does not grant subsidiary protection to Afghan nationals based on Article 15(c) of the Qualification Directive. Therefore questions 2 and 3 are not applicable.</p> <p>3. The UK Home Office does not grant subsidiary protection to Afghan nationals based on Article 15(c) of the Qualification Directive. Therefore questions 2 and 3 are not applicable.</p>

	Norway	Yes	<p>1. In early 2016 we revised our internal guidelines on the handling of Afghan asylum applications. We now assess the entire country on a sliding scale on a province-to-province basis, meaning most parts of the country, with the exception of some provinces, are seen as sufficiently safe (assuming no individual elements in the case indicating otherwise), for the applicant to return to. The security situation in Kabul has for several years now been considered sufficiently safe, i.e. the situation is not so serious as to warrant concerns of a violation of the conditions defined in Section 15 c) of the Qualification Directive or art. 3 ECHR. In examining the security situation in Afghanistan, the criteria and aspects we look at are (i) methods and tactics used by the actors in the conflict, the (ii) scope of the use of these methods, (iii) geographical scope of armed confrontations, (iv) extent and nature of civilian casualties, (v) IDPs, (vi) degree of government control, and (vii) degree of insurgents' control/influence.</p> <p>2. No, we do not consider cessation/revocation of subsidiary protection for Afghans based on changes in the security situation alone.</p> <p>3. Generally, with regards to cessation/revocation of subsidiary protection, the foreigner's attachment to the country may be of relevance to some extent, but that in itself will most likely not prevent a cessation/revocation of subsidiary protection. It will depend on the individual circumstances of the case, and other relevant elements. If the person's attachment is regarded as relevant, it may lead to the person being granted a permit on humanitarian grounds.</p>
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