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icon for personal interviews

In 2022, EU+ countries adopted legislative changes involving personal interviews during the asylum procedure. They also examined the reliability of specific software and used new IT tools to assist case officers during the personal interview. In addition, courts reviewed claims that personal interviews were conducted unlawfully, while civil society organisations raised specific concerns about the manner in which personal interviews were carried out in several EU+ countries.

In Cyprus, a legislative proposal was approved by the Council of Ministers amending the Refugees Act of 2000. If adopted by the parliament, the Asylum Service will be obliged to obtain a health care professional's advice for an applicant's ability to be interviewed.465 The NGO I Have Rights noted that interview conditions in Samos, Greece did not allow applicants to fully express their grounds for asylum. In Belgium, the legal basis for remote interviews was established ., Greece did not allow applicants to fully express their grounds for asylum. In Belgium, the legal basis for remote interviews was established *(see Section 4.4.12)*.

After the conclusion of the pilot project "Written Interviews" *(schriftelijk horen)* in October 2022, the IND in the Netherlands started another pilot offering written interviews to Syrian, Turkish and Yemeni nationals ("Paper and Ink procedure"). The invitation to partake in a written interview is sent 1 week before the start of the written interview, which was deemed insufficient by lawyers. The IND is planning to extend this period to 4 weeks.466 In addition, the IND introduced the practice of interviewing certain applicants at their accommodation place, instead of the applicant making an appointment and visiting the IND.467

The Court of The Hague annulled a negative decision due to the failure of the determining authority to send the registration interview to the legal representative, thus depriving the applicant of procedural safeguards.

In Lithuania, the Supreme Administrative Court ordered the Migration Department to re-examine an applicant's request for international protection after concluding that the personal interview had not been conducted in a lawful manner. The court noted that the applicant was ill when he was interviewed, had not consented to the absence of his lawyer and was interrupted by Migration Department staff because another applicant was waiting to have an interview.

In Czechia, the Organisation for Aid to Refugees observed instances when only parts of the evidence were used, while others were disregarded. In one case, which reached the Regional Court in Brno, the court concluded that the Ministry of the Interior was trying to find inaccuracies in the applicant's statement in order to claim he was untrustworthy, in addition to using only parts of country of origin information to prove its conclusions.468

Fundación Cepaim noted that personal interviews in Spain were not carried out by the determining authority but by police officers without adequate training, in an inadequate environment and without the necessary legal counsel and information. The NGO further noted that some applicants were not provided with copies of their statements at the end of the interview. The organisation added that the online portal through which applicants may submit additional observations does not function properly and it was not guaranteed that additional documents were received.469 In order to improve the quality of interviews, UNHCR provided the police with a training plan on interviewing techniques. Together with the EUAA, a new training programme was developed in 2022 for new OAR case officers.

- 465I Have Rights. (2023). Input to the Asylum Report 2023. https://euaa.europa.eu/sites/default/files/2023-02/i_have_rights.pdf
- 466AIDA Netherlands. (2023). Country Report: Netherlands - 2022 Update. Edited by ECRE. Written by the Dutch Council for Refugees. https://asylumineurope.org/wp-content/uploads/2023/04/AIDA-NL_2022update.pdf
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