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4.8 Detention during the asylum procedure

In 2020, a number of EU+ countries amended their legislation on detention in the context of mass arrivals of third-country nationals and return procedures. An effort in some countries to shift policies toward alternatives to detention was noted, while in others such alternatives remained limited. Main challenges continued to be recourse to detention, conditions in detention and the placement of minors in detention, while alternatives remained limited. During the year, courts at the European and national levels were active in analysing detention policies and practices, interpreting the law in practice and setting standards.

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