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## 4.3.3 Accelerated procedures



According to the recast Asylum Procedures Directive, when an application for international protection is likely to be unfounded or where there are specific grounds, such as the applicant is from a safe country of origin or presented false information, Member States may accelerate the examination of the application. This can be done by introducing shorter, but reasonable, time limits for certain procedural steps without compromising the right to a fair process or the applicant's access to basic rights and guarantees. The directive allows Member States to consider an application manifestly unfounded in the circumstances that allow for the acceleration of the procedure.

In 2020, during the first stage of the COVID-19 pandemic, some countries prioritised cases under the accelerated procedure. In Belgium, cases examined this procedure and extremely urgent cases were the only ones for which hearings were not suspended by CALL.<sup>412</sup> In other countries, like Cyprus, the COVID-19 preventative measures and particularly the mandatory quarantine of 14 days led to delays related to the examination of applications in the accelerated procedure.

Several countries made changes to the time limits in accelerated procedures. In Cyprus, the amended Refugee Law, Article 12D, in force since 12 October 2020, specified that an application may be examined under the accelerated procedure and is prioritised within 30 days from the date of submission of an application. The time limit can be extended within the accelerated procedure for up to 2 months by a decision of the competent officer. At the same time, Article 16D specifies that an appeal against a rejected application which was examined under the accelerated procedure must be lodged within 15 days from the date of notification.<sup>413</sup>

To streamline the first steps of the asylum procedure and accelerate processing times, Austria managed specific cases faster than usual as of the beginning of June 2020. All essential elements of the asylum procedure are clarified and decisions are taken within 72 hours of the application being made with a focus on applicants from safe countries of origin as well as countries with a low recognition rate (manifestly unfounded applications).

In France, the validity of the certificate which is received when requesting asylum was set at 6 months for cases in the accelerated procedure, compared to 10 months in the normal procedure.<sup>414</sup> The law also provides that for cases in the accelerated procedure the Office for the Protection of Refugees and Stateless Persons (OFPRA, *Office Français de Protection des Réfugiés et Apatrides*) issues a decision within 15 days from the date of submission of an application.<sup>415</sup> Civil society organisations and lawyers noted that the 15-day time limit to take a decision in an accelerated procedure before OFPRA was unrealistic. However, OFPRA can decide to redirect cases in the





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