

## 4.1.3. Situation in Northern and Western Europe

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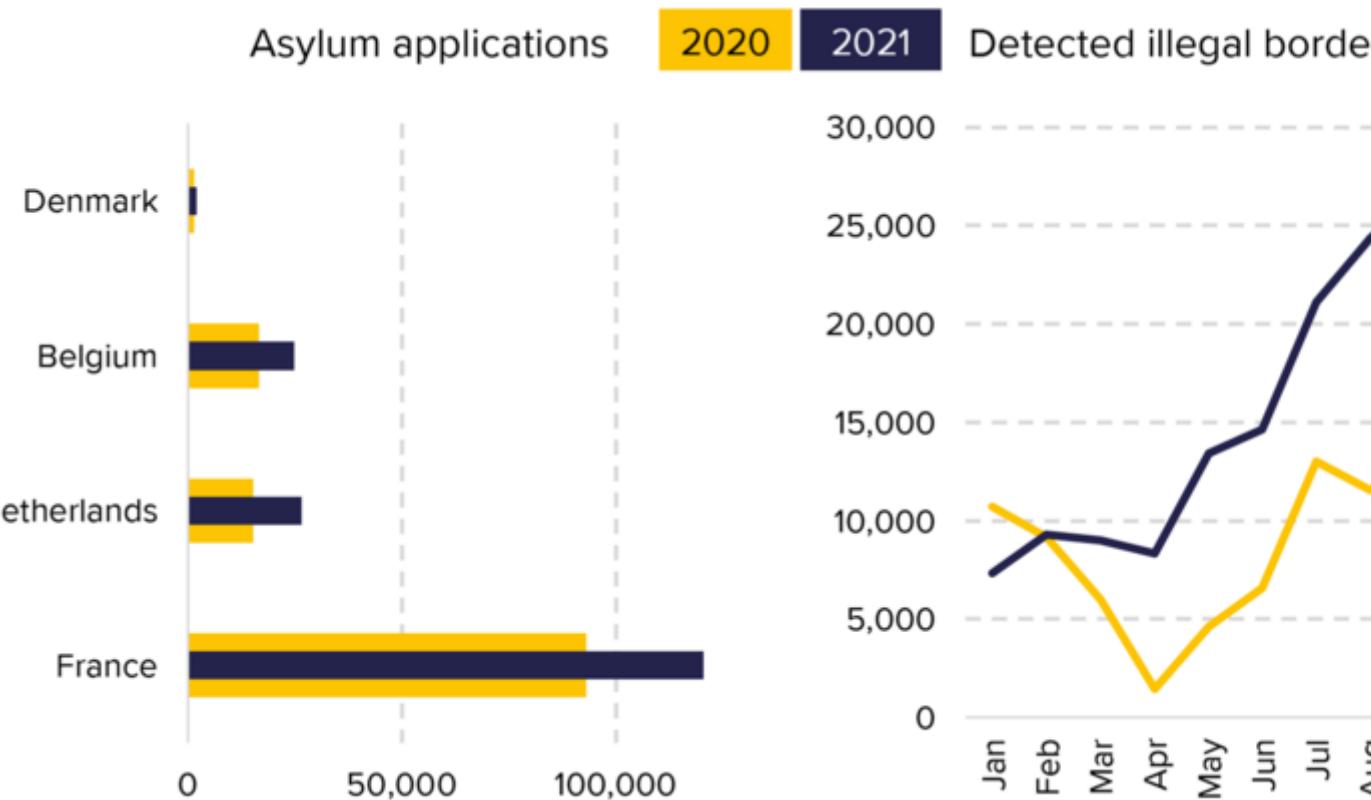
Substantially higher levels of asylum applications were lodged in northern and western Europe. France received 121,000 applications in 2021, an increase of 29% compared to 2020 (*see Figure 4.3*). This was broadly in line with the overall increase in applications across EU+ countries. Applications increased substantially for many of the main nationalities applying in France, notably for Afghans (the largest group) but also for nationals of Côte d'Ivoire, Bangladesh and Albania, as well as for Georgians, whose applications more than doubled.

Belgium and Denmark received 25,000 and 2,100 applications for international protection in 2021, respectively. In both cases, this was an increase between 40% and 50% from 2020, mainly driven by Afghans who were the largest group in both countries. The Netherlands (27,000) received the most applications in several years, up by three-quarters from 2020. This was primarily due to more Syrian, Afghan and Turkish applicants.

For arrivals in northern and western Europe, several irregular migration routes played an important role. Total detections of illegal border-crossings at the EU's external borders were significantly higher in 2021 than a year earlier, except at the beginning of the year (*see Figure 4.3*). However, some relatively large groups of applicants – for example Albanians and Georgians applying in France – can in fact cross the EU's external border legally because of a visa exemption and, therefore, are not included in data on illegal border-crossings.

#### **Northern and western Europe remained a key destination region**

**Figure 4.3. Asylum applications in selected EU+ countries (left) and total detections of illegal border-crossings (right), 2021 compared to 2020**



**Note:** Total illegal border-crossings include all routes except the circular migration route from Albania to Greece.

*Source:* Eurostat [[migr\\_asyappctza](#)] as of 22 April 2022 and Frontex [[Detections of illegal border-crossings](#)] as of 8 March 2022.

In Germany, the previously-established AnkER centres, which combine asylum and reception authorities to swiftly gather information from asylum applicants, were tested by the increase in applications. In March 2021, the Federal Office for Migration and Refugees published a report in which the overall efficiency of these centres was assessed. The evaluation report confirmed that registration procedures in the AnkER centres increased in efficiency with faster processing times when compared to other centres.<sup>350</sup>

In June 2021, Denmark approved amendments to the Aliens Act and the Return Act, foreseeing the possibility to transfer suddenly-arrived asylum seekers to a partner country outside of the EU to process their asylum application and subsequently provide protection to those in need. The Danish proposal states that a transfer model will be implemented in compliance with international law and Denmark's legal obligations.<sup>351</sup> The European Commission noted that external processing of asylum claims raises fundamental questions about both access to the asylum procedure and effective access to protection.<sup>352</sup> The UN High Commissioner for Refugees, Filippo Grandi, criticised this development and considered that the new law runs counter to the 1951 Refugee Convention.<sup>353</sup> UNHCR strongly urged Denmark to refrain from enacting laws and practices that would externalise its asylum obligations and undermine the international protection system.<sup>354</sup> The Danish Refugee Council also condemned the new law, calling it "irresponsible and lacking in solidarity".<sup>355</sup>

In response to this criticism, Denmark underlined that the goal behind the Danish proposal is to break negative incentive structures for irregular migration and move towards legal pathways for international protection. The Danish government also emphasised that the proposal does not abolish the right to seek asylum in Denmark.<sup>356</sup>

UNHCR published its comments and reactions to a motion for a resolution by a Belgian opposition party in a similar vein to the Danish law and stated that it had serious reservations on the proposal, which had similarities with the approach adopted by Australia.<sup>357</sup> The proposal was not accepted.

In February 2021, The Belgian Constitutional Court [annulled](#) amendments to the legislation on international protection and foreigners and ruled on several points, including points relevant to access to the asylum procedure.

The significant increase in asylum applications (including the high number of secondary movements) and the reception situation in Belgium where two trade union actions were held in October 2021 led to delays in the registration of asylum applicants (*see* [Section 4.7](#)).<sup>358</sup> Ten civil society organisations published an open letter raising concerns that several persons were not able to apply for international protection during this time.<sup>359</sup> In a court action filed by the same civil society organisations, the First Instance Tribunal of Brussels condemned the Belgian State for not ensuring access to the asylum procedure, and Fedasil for not guaranteeing reception for applicants (*see* [Section 4.7.1.2](#)). In its [judgment](#), the court referred to [CJEU case law](#) on effective access to the procedure and reiterated that the Asylum Procedures Directive, Article 6 requires Member States to ensure that people can exercise their right to make an application for international protection. The government and national authorities undertook several actions to improve the situation, including the launching of a large recruitment procedure for the migration authorities, action plans to increase the efficiency of the process (*see* [Section 4.4](#)) and opening new reception facilities (*see* [Section 4.7](#)).

In the Netherlands, changes continued to be made to improve the overall efficiency of the asylum procedure, specifically adjustments to the registration procedure and the omission of the initial interview which gathers information on identity, nationality and the travel route.<sup>360</sup> The number of applicants in the Netherlands increased more than anticipated, and the Ter Apel registration centre came under pressure<sup>361</sup> (*see* [Section 4.7](#)), however the authorities managed by reorganising the process and increasing capacity. The IND recruited additional staff, created a separate stream for the registration of the newly-arrived group of Afghan evacuees, and made plans to register persons arriving through family reunification in separate locations.<sup>362</sup> The control boards (*regietafel*) continued to ensure that the initial registration process effectively channels applications in the correct procedure.

## French borders

In France, sea crossings over the English Channel continued and the UK Home Office reported that around 430 migrants from France disembarked on the UK coast within a day and half in July 2021.<sup>363</sup> The UK and France issued a joint statement to strengthen action and cooperation to combat illegal immigration at their common border. UNHCR called for a coordinated and comprehensive response on both sides of the Channel to prevent the further loss of life after 27 people perished while attempting to cross on 24 November 2021.<sup>364</sup>

Within the context of a joint visit by the European Commission, Europol and Frontex in November 2021, France, Germany, Belgium and the Netherlands committed to strengthening their cooperation on migration matters and against smuggling networks.<sup>365</sup>

Pushback practices were reported at the French-Italian and French-Spanish land borders. The Asylum Information Database (AIDA) report for France reported that in February 2021 the border police returned a 16-year-old unaccompanied minor from Bayonne to Irún in Spain without appropriate guarantees.<sup>366</sup> The AIDA report for France also underlined that challenges remained in Menton, on the border with Italy, where access to French territory remained difficult, and also in the overseas territory of Mayotte.<sup>367</sup> The French

Council of State [dismissed](#) a request by civil society organisations for the urgent closure of temporary police facilities in Menton as it found no infringement of the rights of asylum applicants.

However, the Council of State [ruled](#) in July 2021 that the government failed to respect the 10-day timeframe for registering applications for international protection according to national legislation which is applicable in Ile-de-France. The number of asylum applications in this region represents more than one-half of all applications submitted in mainland France.

[350](#) Federal Office for Migration and Refugees | Bundesamt für Migration und Flüchtlinge. (2021).

Evaluation of AnkER Facilities and Functionally Equivalent Facilities. Research Report 37.

[https://www.bamf.de/SharedDocs/Anlagen/EN/Forschung/Forschungsberichte/fb37-evaluation-anker-fg-einrichtungen.pdf?\\_\\_blob=publicationFile&v=9](https://www.bamf.de/SharedDocs/Anlagen/EN/Forschung/Forschungsberichte/fb37-evaluation-anker-fg-einrichtungen.pdf?__blob=publicationFile&v=9)

[351](#) Lov nr 1191 af 08/06/2021, Lov om ændring af udlændingeloven og hjemrejseloven (Indførelse af mulighed for overførsel af asylansøgere til asylsagsbehandling og eventuel efterfølgende beskyttelse i tredjelande) [Act No 1191 of 08/06/2021, Act amending the Aliens Act and the Return Act (Introduction of the possibility of transferring asylum seekers to asylum proceedings and possible subsequent protection in third countries)]. <https://www.retsinformation.dk/eli/lt/2021/1191>

[352](#) European Parliament. (2021, August 16). Parliamentary questions: Answer given by Ms Johansson on behalf of the European Commission [E-002869/2021(ASW)].

[https://www.europarl.europa.eu/doceo/document/E-9-2021-002869-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2021-002869-ASW_EN.html)

[353](#) United Nations High Commissioner for Refugees. (2021, March 8). UNHCR Observations on the Proposal for amendments to the Danish Alien Act (Introduction of the possibility to transfer asylum-seekers for adjudication of asylum claims and accommodation in third countries).

<https://www.refworld.org/docid/6045dde94.html>

[354](#) United Nations High Commissioner for Refugees. (2021, March 8). UNHCR Observations on the Proposal for amendments to the Danish Alien Act (Introduction of the possibility to transfer asylum-seekers for adjudication of asylum claims and accommodation in third countries).

<https://www.refworld.org/docid/6045dde94.html>

[355](#) Danish Refugee Council. (2021, June 3). Statement on the Danish proposal to potentially externalize the asylum procedure. <https://drc.ngo/about-us/for-the-media/press-releases/2021/6/statement-on-the-danish-proposal-to-potentially-externalize-the-asylum-procedure/>

[356](#) Ministry of Immigration and Integration | Udlændinge- og Integrationsministeriet. (2021, June 10). Den danske regering har sendt dette brev til UNHCR i forbindelse med regeringens ønske om at lave et nyt og mere retfærdigt asylsystem [The Danish Government has sent this letter to the UNHCR in connection with its desire to create a new and fairer asylum system.] [Tweet]. Twitter.

<https://twitter.com/UIMinisteriet/status/1402897096097861635>

[357](#) United Nations High Commissioner for Refugees. (2021, January 15). Commentaires du Haut Commissariat des Nations Unies pour les réfugiés concernant la proposition de résolution relative à l'instauration d'un modèle de migration européen à visage humain permettant de lutter effectivement contre le trafic d'êtres humains et la migration illégale du 30 septembre 2020 déposée par M. Theo Francken et consorts (DOC 55 1543/001) [Comments of the Office of the United Nations High Commissioner for Refugees on the motion for a resolution on the establishment of a European migration model with a human face to effectively combat trafficking in human beings and illegal migration of 30 September 2020 tabled by

Mr Theo Francken and others (DOC 55 1543/001)]. <https://www.refworld.org/docid/6006c0104.html>

358 Federal agency for the reception of asylum seekers | L'Agence fédérale pour l'accueil des demandeurs d'asile | Federaal agentschap voor de opvang van asielzoekers. (2021, October 18). Action syndicale au centre d'arrivée [Trade union action at the arrival centre]. <https://www.fedasil.be/fr/actualites/accueil-des-demandeurs-dasile/action-syndicale-au-centre-darrivee>; Federal agency for the reception of asylum seekers | L'Agence fédérale pour l'accueil des demandeurs d'asile | Federaal agentschap voor de opvang van asielzoekers. (2021, October 27). Nouvelle action syndicale au centre d'arrivée [New trade union action at the arrival centre]. <https://www.fedasil.be/fr/actualites/accueil-des-demandeurs-dasile/nouvelle-action-syndicale-au-centre-darrivee>

359 Flemish Refugee Action | Vluchtelingenwerk Vlaanderen. (2021, November 16). Opvang van asielzoekers: kroniek van een voorspelde crisis [Reception of asylum seekers: the story of a predicted crisis]. <https://vluchtelingenwerk.be/nieuws/opvang-van-asielzoekers-kroniek-van-een-voorspelde-crisis>

360 Immigration and Naturalisation Service | Immigratie- en Naturalisatiedienst. (2021, June 25). Combination of the application interview and initial interview and introduction of flexible AA. <https://ind.nl/en/Pages/Combination-of-the-application-interview-and-initial-interview-and-introduction-of-flexible-AA.aspx>

361 Immigration and Naturalisation Service | Immigratie- en Naturalisatiedienst. (2021, September 27). Extra inzet op aanmeldgehoren in Utrecht en Zevenaar [Additional efforts for registration interviews in Utrecht and Zevenaar]. <https://ind.nl/nieuws/Paginas/Extra-inzet-op-aanmeldgehoren-in-Utrecht-en-Zevenaar.aspx>

362 Immigration and Naturalisation Service | Immigratie- en Naturalisatiedienst. (2021, November 19). IND spreekt over asielinstroom bij technische briefing Tweede Kamer [IND discusses the asylum influx at the technical briefing of the Parliament]. <https://ind.nl/nieuws/Paginas/IND-spreekt-over-asielinstroom-bij-technische-briefing-Tweede-Kamer.aspx>

363 European Union Agency for Fundamental Rights. (2021). Migration: Key fundamental rights concerns: 1.7.2021-30.9.2021. Quarterly Bulletin. [https://fra.europa.eu/sites/default/files/2021-12/fra-2021-migration-bulletin-3\\_en.pdf](https://fra.europa.eu/sites/default/files/2021-12/fra-2021-migration-bulletin-3_en.pdf)

364 United Nations High Commissioner for Refugees. (2021, November 25). UNHCR saddened by English Channel tragedy – urges action to prevent further loss of life. <https://www.unhcr.org/news/press/2021/11/619fa7a24/unhcr-saddened-english-channel-tragedy-urges-action-prevent-further-loss.htm>

365 Ministry of the Interior | Ministère de l'Intérieur. (2021, November 28). Joint Statement of the Federal Republic of Germany, the Kingdom of Belgium, the Kingdom of the Netherlands, the French Republic on migration issues and police and judicial cooperation in the Channel and the North Sea. <https://www.interieur.gouv.fr/sites/minint/files/medias/documents/2021-11/declaration-commune-calais-28-novembre-2021-version-anglaise.pdf>

366 AIDA France. (2021). Country Report: France - 2020 Update. Edited by ECRE. Written by Forum réfugiés – Cosi. [https://asylumineurope.org/wp-content/uploads/2021/03/AIDA-FR\\_2020update.pdf](https://asylumineurope.org/wp-content/uploads/2021/03/AIDA-FR_2020update.pdf)

367 AIDA France. (2021). Country Report: France - 2020 Update. Edited by ECRE. Written by Forum réfugiés – Cosi. [https://asylumineurope.org/wp-content/uploads/2021/03/AIDA-FR\\_2020update.pdf](https://asylumineurope.org/wp-content/uploads/2021/03/AIDA-FR_2020update.pdf); European Council on Refugees and Exiles. (2022). Input to the Asylum Report 2022. [https://euaa.europa.eu/sites/default/files/2022-03/European\\_Council\\_on\\_Refugees\\_and\\_Exiles\\_ECRE.docx](https://euaa.europa.eu/sites/default/files/2022-03/European_Council_on_Refugees_and_Exiles_ECRE.docx)