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4.4.3 Managing case loads

The drop in asylum applications in 2020 provided an opportunity to review current practices, introduce more efficient methods through digitalisation and tackle the backlog of pending cases. This resulted in a relatively stable number of decisions overall compared to 2019, and some countries such as Greece and Spain even issued more.

To reduce delays in the processing of cases, some EU+ countries prioritised clear-cut cases and applications by nationals of countries with high recognition rates, introduced new case management flows, hired additional staff and set up groups to reduce backlogs. For example, Slovenia hired additional staff to tackle its pending backlog of cases and shorten delays in the asylum procedure.

During the months when personal interviews were halted in Belgium, the focus was on caseloads for which an interview had already taken place and on cases where it was clear, based on written documents, that the applicant was in need of international protection (mostly Syrians or where a family member had already obtained international protection). Likewise, subsequent applications without any new elements received a decision without an interview. When interviews resumed, priority was given to applicants who were within the reception system of the Federal Agency for the Reception of Asylum Seekers (Fedasil) and already had a status in another EU+ Member State and Brazilian applicants who were already in the country before applying for asylum.

Depending on the claims made and available documentation, authorities in Romania prioritised applicants from Algeria, Bangladesh, India, Morocco, Pakistan and Tunisia as many of them are economic migrants who often renounce the asylum procedure. This resulted in new peaks in the number of decisions issued for some of these nationalities.

A new programme entitled ”Project North” is being carried out in Greece, in cooperation with EASO, to accelerate the asylum procedure and conclude pending cases in 2021 in order to decongest the accommodation structures in northern Greece. Pending interviews of asylum applicants will be completed in a shorter time than originally planned and they will take place in specially-designed spaces inside the accommodation structures.[446]

In Ireland, the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process recommended that the International Protection Office should take a decision within 6 months from the lodging of an application and made further recommendations on resources and processes.[447] On 29 January 2021, the Irish Refugee Council raised concerns about the capability of the system to function within a lockdown after assessing the delays and shortcomings in the asylum procedure in 2020. It proposed the use of the International Protection Act 2015, Section 35 to set aside the interview when the available evidence shows that a person is a refugee. The Irish Refugee Council also expressed its support to reducing the backlog of cases by offering the permission to remain to anyone who has been more than 2 years in the system by the end of 2020.[448]

In Norway, the UDI introduced a new case management flow by which 70% of applicants receive a decision within 21 days of lodging an application. The tool Qlik Sense is used to assist in case load management.

In the Netherlands, to improve processing times and avoid the increase of penalty payments, the State Secretary announced in March 2020 several measures, including a task force set up as a temporary body to assist the IND in reducing a backlog of approximately 15,300 asylum applications. Written interviews were introduced on a voluntary basis for certain nationalities. The task force handled 8,200 cases by the end of 2020 and will continue to work until mid-2021 to complete the remaining backlog. To reach this objective in 2021, several measures are envisaged:

- Remote interviews through tele-conferencing, written procedures, outsourcing parts of the asylum process and central planning;

- Implementation of a ‘processing room’ (verwerkingskamer) to prepare files for hearings, leaving case officers to focus on decision-making; .
- Tailor-made capacity deployment and tailor-made training for staff; and
- Prioritising certain nationalities or profiles of applicants (Syria, Turkey, and Yemen) and creating target groups for more complex cases, such as LGBTI applicants and religious converts.[449]

In addition, the Netherlands adopted the Law of 8 July 2020 which suspends incremental penalty payments for the duration of one year. Applicants who receive a formal notice from the IND after 8 July 2020 are no longer entitled to compensation when the IND does not decide on their case within 6 months.[450] A new legislative proposal was submitted to the parliament to definitively revoke incremental penalty payments in asylum cases.

Lastly, in Denmark, the parliament adopted a bill amending the Aliens Act to introduce the possibility of transferring asylum applicants for the processing of their asylum claims and possible subsequent protection in third countries.[451]
The proposal was launched for public consultation and the Danish Refugee Council expressed concerns about this initiative.[452] UNHCR urged Denmark to “refrain from establishing laws and practices that would externalise its asylum obligations” and underlined that it “discourages national stand-alone initiatives, such as the present Danish proposal, which is not founded on solidarity and which may undermine the international protection system”.[453]

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