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Legislative proposals were initiated and new legislation came into force in 2021 to better align national laws with CEAS provisions, anticipate new technological developments or improve the efficiency of asylum procedures during emergencies. In addition, long-term policies and national strategies were published in 2021. Civil society organisations provided feedback and comments throughout these processes, strongly criticising policies aiming to externalise the asylum procedure to third countries.

Externalisation was a topic of concern following legislative changes in Denmark, which spurred debate on the topic. In June 2021, the Danish parliament adopted a proposal for a bill amending the Aliens Act and the Return Act. It introduced the possibility to transfer applicants to a third country where their asylum applications would be processed. The Danish proposal states that a transfer model will be implemented in compliance with international law and Denmark's legal obligations. Denmark has emphasised that the proposal does not abolish the right to seek asylum in Denmark.526 The EU Commissioner for Home Affairs, Ylva Johansson, argued that externalisation is "not possible under existing EU rules or proposals under the Pact on Migration and Asylum".527 NGOs and academia also criticised the bill for disregarding European solidarity, access to the asylum procedure and effective international protection.528

Some countries undertook general reforms of their asylum systems. Croatia drafted amendments to the Act on International and Temporary Protection, with the aim of aligning national legislation with the recast Asylum Procedures Directive.

In Finland, the reform of the Aliens Act is planned to be included as an objective in the next Government Programme. The Ministry of the Interior is conducting a preliminary study on the need for amendments to the Aliens Act by identifying any necessary changes arising from case law and practical developments, including from technological advances such as the introduction of digital services and biometric identifiers.529

In November 2021, the Finnish Ministry of the Interior launched a new project, bringing together the expertise of various stakeholders in the asylum system, to develop uniform, long-term objectives and more comprehensive immigration and asylum policies. The project is scheduled to last for 2 years, and it will examine the needs of people and organisations in the field of immigration and asylum.530

In France, the revised articles of CESEDA entered into force in May 2021. The text was recodified and reorganised to clarify it and make it more accessible, without changing its substance. It also consolidates the applicable law by integrating, for the first time, references to various European regulations (Schengen Borders Code, Community Code on Visas and Regulation on the European Travel Information and Authorization System). CESEDA now includes the law applicable in the Pacific communities and the French Southern and Antarctic Lands.

In addition, Law 2021-1109 of 24 August 2021 introduced the possibility of refusing or withdrawing refugee status from third-country nationals with a final conviction of a crime or an offence constituting an act of terrorism or 'glorification' of an act of terrorism (CESEDA, Article L. 511-7, 2).

In Germany, the results of the Horizon 2020 research project, RESPOND, were published in March 2021 in the report "Refugee Protection in Germany." The project examined the character of asylum regulations in Germany from 2011 to 2018, their implementation, and the perspectives and experiences of refugees. The analysis concluded that, after the refugee crisis of 2015-2016 when around 800,000 refugees were registered in Germany and when a 'welcome culture' reigned in the society, the government passed numerous legislative packages, sometimes of symbolic importance, aiming to accelerate the asylum procedure and potentially risking to curtail procedural rights.[531]

In Lithuania, the government adopted amendments to the Law on the Legal Status of Aliens in December 2021 to improve the procedures for examining asylum applications during emergencies, clarify the rights of applicants and regulate the government's cooperation with NGOs.[532] ECRE assessed the changes to the legislation and their impact, pointing to a lack of compliance with EU and international laws. Its report highlights the limited places where an asylum application may be lodged and the creation of conditions for the collective expulsion of asylum seekers.[533] Before the adoption, UNHCR published legal observations on the proposed amendments, raising concern about the limitation of the rights of asylum applicants.[534]

New legal provisions to make the asylum procedure more flexible came into force in the Netherlands. The registration phase was changed by eliminating the initial interview and combining it with the application interview, in which the applicant is asked for a brief statement on the reasons for seeking asylum.[535] The length of the regular procedure was reduced to 6 days instead of 8, with a possibility to extend it by 3 days for complex cases, based on medical advice confirming that more time is needed for the interview or for applicants who require special procedural guarantees. Furthermore, the possibilities to omit the rest and preparation period (RVT) were extended *(see Section 4.3).*[536]

In Romania, the new National Strategy on Immigration 2021-2024 was approved and published on 19 August 2021, together with the Action Plan to implement the national strategy. The main objectives of the strategy which are related to international protection are to efficiently manage and strengthen the national asylum system and ensure compliance with European and international standards, strengthen the response capacity of the authorities during an influx of immigrants at the border and provide the infrastructure to implement migration, asylum and integration policies.[537]

After the adoption of the National Strategy by the Romanian government, the Romanian Coalition for the Rights of Migrants and Refugees met to discuss the situation in Afghanistan and its potential implications, developments in Timisoara near the borders with Serbia and Hungary where a relatively large number of migrants were arriving, and the need for more training.[538]

The National Assembly of Slovenia adopted the Act amending the Foreigners Act, which came into force on 27 April 2021 and was applied as of 26 May 2021.[539] Further legislative changes in Slovenia included two implementing regulations linked to the International Protection Acton the methods and conditions to ensure the rights of applicants and beneficiaries of international protection.[540], [541]

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