

# 2015 in review:

## How Europe reacted to the refugee crisis

### Policy responses on national level by country

#### Austria

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##### *Duration of refugee status/residence, family reunification, fence/border controls*

Until August 2015, Austria was a destination country for asylum seekers. This changed when Germany suspended the Dublin regulation.

The government plans changes to its asylum law to lower the attractiveness of Austria as a destination country. It wants to limit the duration of the refugee status from a permanent residence permit to a temporary residence permit for three years, after which the grounds for protection would be reviewed again. The proposal also prolongs the waiting time for family reunification from one to three years for beneficiaries of subsidiary protection. Beneficiaries of refugee status whose family members apply for family reunification more than 3 months after the positive asylum decision, will need to proof an adequate accommodation, insurance and regular income.

In November, the Austrian government has started the construction of a wired fence at its border with Slovenia.

#### Belgium

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##### *Duration of refugee status/residence, access to labour market*

Belgium's government plans to grant refugee status for a limited period only in the future, as is currently the case for persons with subsidiary protection status. On the other hand, it is easing access to the labour market for asylum seekers, who will be allowed to work four months after the asylum application is filed, even if no decision on refugee status has been taken. Access to the labour market would therefore be granted earlier than in the past, when asylum seekers had to wait 6 months for a work permit.

#### Croatia

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Before Hungary sealed its border with Serbia, Croatia had been less attractive for migrants as it is not a Schengen country. Since the closure of the Hungarian border however, asylum seekers and migrants began transiting through Croatia to move further on, first to Hungary, until the fence was built at this border area too, and later to Slovenia. To slow down the incoming flow of people, Croatia temporarily closed its border for a few days in September and only a set numbers of migrants were allowed to enter the country per day.

## Denmark

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### ***Duration of refugee status/residence, family reunification, financial benefits***

Denmark has mainly served as a transit country for migrants passing from Germany to Sweden, but also witnessed an increase of asylum applications.

On 13 November, the government has presented a legislative package on asylum with more than 30 tightening measures. Among them are the limitations of an initial permission for refugees to reside for only two instead of five years, tightening of the conditions necessary to obtain permanent residence in Denmark and a cut on financial benefits for asylum seekers. Refugees who only have a temporary protection status will now have to wait three years, instead of one, in order to apply for family reunification. Denmark government is also working on improving and accelerating return procedures.

## France

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### ***Changes to procedures, access to labour market***

In France, a new asylum law came into effect on 2 November. The amendments were though not a response to the current developments but were already planned before. Its goal was to shorten the duration of asylum procedures which often last up to 2 years, and to improve the yet deficient return of rejected asylum seekers. According to the law, asylum procedures must not take longer than 9 months. Meanwhile, asylum seekers can apply for a work permit after 9 months, compared to 12 months before, which will be granted conditional on the regional labour market situation.

## Germany

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### ***Changes to procedures, financial benefits, family reunification, fence/border controls***

Germany suspended the Dublin regulation regarding asylum seekers from Syria in August and became the most popular destination country for migrants coming to Europe.

Legislative changes took effect on 24 October and introduce a shift from monetary to non-monetary social benefits for asylum seekers in reception centres. They also established a distinction between migrants without a realistic perspective of being allowed to stay and those, whose chances of obtaining a protection status are high. The latter shall receive courses and support for an early integration into the labour market.

Furthermore, the introduction of accelerated asylum procedure is planned. It would be applied to asylum seekers from safe countries of origin (Albania, Kosovo and Montenegro, for instance), to persons having applied in the past already, to those who have entered the country irregularly or those who have made false statements. The procedure would then take only three weeks. Also, family reunification for persons granted subsidiary protection would be restricted, as in the case of Denmark and Austria.

In September, Germany has introduced temporary passport controls on its borders with Austria.

## Greece

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### ***EU: hot spots and relocation scheme***

As a beneficiary of the Europe-wide relocation scheme, Greece is supposed to host so called 'hot spots', large-scale reception and registration centres, on nine locations, of which only one, Lesbos, is already operational. Work on these hot spots is reported to be progressing slowly. Similarly the relocation of asylum seekers from Greece to other European countries, which was agreed in September, shows only slow progress: by mid-December, only 64 out of 66.400 relocations planned have been realised.

Despite high numbers of migrants and refugees arriving daily on Greek islands, the government has not introduced any changes to the national asylum legislation.

## Hungary

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### ***Changes to procedures, fence/border controls***

The end of 2014 and the beginning of 2015 were marked by an unprecedented number of migrants from Kosovo irregularly crossing the Serbian-Hungarian border and claiming asylum. Due to an international policing effort from Hungary, Serbia, Kosovo, Germany and Austria, the numbers dropped dramatically as of mid-February 2015. However, this and the high number of people taking the Western Balkan route to reach Europe this summer has put very high pressure on Hungary's asylum system. As a consequence, Hungary pursued a policy of securing its borders and restricting access to its territory by lifting up a 175km fence at the border with Serbia. The fence is supposed to channel the migratory flows to legal border crossing points.

Once the fence was completed on 15 September, a new law came into effect declaring an asylum application inadmissible if the person entered Hungary through a safe third country. Also, a maximum duration for procedures was introduced: 15 days for the determination whether Dublin regulation is to be applied and 60 days for the assessment of the protection need. Second instance

decisions are also to be determined within 60 days. However, since September, asylum applications in Hungary have decreased dramatically to very low numbers.

## Latvia

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### ***Social benefits***

There are no major modifications on the Latvian asylum law envisaged. However, it was established that for those refugees being relocated through a distribution scheme, financial support for living expenses would be cut significantly, from initially EUR 256 to EUR 139 monthly.

## Macedonia

### ***Fence/border controls***

Bordering on Greece and Bulgaria, Macedonia has become an important hotspot of the main migration routes towards EU countries. When the number of people crossing into Macedonia soared this summer, border controls were suspended. Details on new fence and recent decision to let only 3 nationalities pass. On 18 November, Macedonia started denying the entry to migrants from countries others than Syria, Afghanistan and Iraq for considering them unlikely to be refugees. A fence was lifted up to enforce this approach.

## Netherlands

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### *Duration of refugee status/residence*

Tougher punishments for refugees who committed criminal offences are planned in the Netherlands. They foresee the deportation of asylum seekers which were sentenced to a detention of more than 6 months, previously 18 months, and the withdrawal of residence permit to refugees sentenced to a detention of more than 10 months, previously 24 months.

## Serbia

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Serbia is an important transit country for migrants and refugees en route to Europe. Neighbouring Hungary has constructed a 175 km fence at its border with Serbia, to limit and steer the flows of people. As a consequence, a new route from Serbia to Croatia emerged. Despite initial disputes on the number of refugees each country would be able to receive and how to facilitate their transfer, the flows could eventually be managed.

## Slovenia

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Like Croatia, Slovenia has become a country of transit after Hungary sealed its borders to Serbia. Initially, Slovenia stated that they would not provide a transit corridor for migrants en route to Western Europe, but the recent practice shows the opposite.

Austria has started the construction of a fence at its border with Slovenia and Slovenia at its border with Croatia.

## Sweden

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### *Changes to procedures, duration of refugee status/residence, family reunification*

Compared to its population, Sweden has been the primary recipient of asylum seekers, with over 150,000 migrants having arrived by end of November.

In response, Sweden announced changes in its asylum legislation on 25 November, comprising a restriction of residence permit to three years for all refugees, stricter rules on family reunification and the introduction of medical procedures for age determination. Furthermore, ID checks should be carried out on all means of transport entering Sweden from the south.

## Turkey

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Currently, more than two million Syrians live in Turkey. Many of them are moving west in order to migrate to EU. Turkish authorities are overstretched bringing migrants back to the cities to which their local permit to stay is restricted. Most return centres and temporary reception facilities are full.

European political leaders have recognised the efforts Turkey is making, hosting the largest share of Syrian refugees and have committed to EUR 3 billion in financial support at the end of November. Additionally, a recent initiative from the EU envisages the relocation of 50,000 Syrian refugees from Turkey to the EU.