

SURVEY: CCBE MIGRATION COMMITTEE

SURVEY ON CONSEQUENCES OF COVID-19 – ASYLUM LAW

The Covid-19 pandemic has caused widespread restrictions in the operation of Courts and Tribunals throughout the European Union. This survey is intended to collate practical information regarding the restrictions introduced since the beginning of the crisis in the field of asylum law so that they can be analysed from the perspective of access to justice and the enforcement of fundamental rights in this area. The results will be used to emphasise good practice in the Member States and where applicable, to highlight approaches that may be unduly restrictive or disproportionate having regard to the public health situation.

The survey is not intended to be exhaustive but rather endeavours to obtain a general and preliminary overview in developments impacting on asylum law practitioners in the present climate.

SURVEY ON CONSEQUENCES OF COVID-19 – ASYLUM LAW

Access to International Protection Procedure

1. Has your Member State introduced any restrictions since the commencement of the Covid 19 crisis regarding the right to apply for asylum?
2. If so, please briefly state the nature of such restriction (right suspended, detention, closure of border application points, reports of push-backs etc.)
3. Has your Member State restricted access for lawyers to individuals seeking to make an international protection claim?

Austria	<ol style="list-style-type: none">1. Austria has introduced one restriction to access since the commencement of the Covid-19 crisis regarding the right to apply for asylum.2. The Austrian minister of internal affairs issued a decree that potential asylum seekers are only allowed to enter the border to Austria if they can show a recent negative Covid-19 medical certificate. This decree has no legal basis, is violating Austrian Asylum Law and International Law (Principle of Non-Refoulement). There has been a very emotional discussion about this decree and finally it has been clarified that this denial of entry is not applicable if international law demands a different approach.3. There has been no restriction of access for lawyers to individuals seeking to make an international protection claim, as far as I know.
Estonia	<ol style="list-style-type: none">1. No2. Not applicable3. No
France	<ol style="list-style-type: none">1. Oui2. Suspension des structures d'accueil et guichets uniques jusqu'à la semaine du 11 mai.

	3. Non
Germany	<ol style="list-style-type: none"> 1. There were no official restrictions. However, it was not possible to reach the regional offices of the Federal Office for Migration and Refugees (BAMF) without restrictions. It was reported in some cases that persons wishing to file an asylum application were not heard in person. They were referred to a later date or to the counselling centres of welfare organisations to submit a written asylum application. On its homepage, the BAMF (Federal Office for Migration and Refugees) states that at present it generally only accepts written asylum applications. However, written applications are only possible if the person has already been registered at a regional BAMF office. 2. See above The borders were temporarily closed and there were increased controls by the Federal police. However, we are not aware of any explicit reports of denied entry by asylum seekers. The Federal government's resettlement programs were suspended. 3. Yes, access to the facilities, in particular to the so-called "anchorage centres" (initial reception facilities) was not possible for some time. Access was also not granted to the welfare organisations for some time. However, the regulations were dependent on the respective Federal state and the authorities responsible there. The Federal Office for Migration and Refugees' (BAMF's) asylum procedure counselling service was suspended.
Ireland¹	<ol style="list-style-type: none"> 1. The right to apply for asylum has not been restricted in Ireland, however the International Protection Office, the office where such applications are submitted has introduced restricted opening hours and suspended the carrying out of all interviews for the time being. At the time of writing, it is envisioned that Ireland will begin easing restrictions somewhat earlier than expected but it is not clear to what extent such easing applies to official offices and whether opening hours will return to normal. Further and more detailed information applying to applicants for international protection is available at the websites of the International Protection Office , the International Protection Appeals Tribunal and the Immigration Service Delivery of the Department of Justice and Equality, which has published a Frequently Asked Questions document that has been updated periodically to clarify changes in procedures applicable to international protection applicants and other migrants who are obliged to hold a residence permission to remain in the State. 2. N/A 3. An international protection applicant's right to legal advice has not been restricted or altered as a result of Covid 19 however the application process for legal aid has been altered to allow for implementation of directions regarding limiting the spread of Covid 19 and applicants are encouraged by the Legal Aid Board (the office administering legal aid to such people) to apply for such services online².
Italy³	Before the epidemiological phenomenon, the Italian Ministry of Interior set up a mechanism for access to international protection through telematic channels, that is, that foreigners applying must book at appropriate websites an appointment with the territorially competent Police Headquarters, which

¹ As of 6th June 2020

² See here for details of the Legal Aid Board restrictions that have been implemented as a result of Covid 19 <https://www.legalaidboard.ie/en/about-the-board/coronavirus-covid-19/>

³ General contribution regarding the situation in Italy

	<p>then leaves a certificate.</p> <p>The aforementioned appointment certificate is a document that does not prove the official nature of the request for asylum, but just a date of appointment in office.</p> <p>Consequently, if the foreigner, in circulation on the Italian territory is stopped for an ordinary control by the Italian police, he is an irregular person without an official application form for asylum, and therefore the person goes through expulsion measures in total violation of the principle of non-refoulement.</p> <p>Said that, however, in the covid 19 period the Italian government did not implement any form of compression of the rights of asylum seekers, nor did it provide for impediments to access for the request for international protection, since it was careful to establish an e-mail address at each competent police headquarters where applicants can submit their asylum applications, with the certainty that the electronic filing constitutes a formal request. Therefore a modality clearly different from the measure adopted in the period before covid 19.</p>
Luxembourg	<ol style="list-style-type: none"> 1. Yes 2. The physical access to the Board of Immigration's offices had been restricted. In Luxembourg, a claim must be introduced personally and physically in order to be admissible. As a result of these restrictions, the number of new applications dropped from around 100 in March to only 10 in April 2020 3. No
Poland	<ol style="list-style-type: none"> 1. No officially. 2. Border Guard refused to accept applications for international protection both from asylum seekers who wanted to enter Poland (as the borders were temporarily closed), as well as from foreigners who were already in Poland (as the Border Guard office were closed). 3. No.
Slovenia	<ol style="list-style-type: none"> 1. During the epidemic, there were no restrictions and no specific instructions, with the exception of implementing security measures, which were in force at that time. Otherwise, the whole process was unchanged. 2. --- 3. Access for lawyers was not restricted.
Spain⁴	<p>The activity of the asylum and migration administrations was stopped since the declaration of the "State of Alarm" (the 14th MArch 2020). until the 1st June.</p> <p>In Asylum, they even stopped to make interviews to asylum seekers and no renewal of documents were made during this time, the validity of them were automatically renewed. The civil servants were still teleworking and they have resolved the files. In case an asylum seeker had to enter in a reception center for humanitarian grounds, s/he doesn't need to have made the asylum claim/interview, just to sign a declaration to have the purpose to pursue the asylum application once the state of alarm will be finished.</p>

⁴ General contribution regarding the situation in Spain

	<p>For migration, the system has been working through the internet and lawyers could make residence applications through administrative online platforms on behalf of their clients.</p> <p>The migration detention centers were emptied.</p>
Sweden	<ol style="list-style-type: none"> 1. No such restrictions has been introduced. 2. --- 3. No
United Kingdom – Northern Ireland	<ol style="list-style-type: none"> 1. No - asylum seekers are still able to present themselves in person at Bryson Intercultural (Migrant Help) (advice service sub-contracted by Migrant Help UK to provide asylum support in Northern Ireland) to claim asylum. Cases involving further submissions are being accepted, but the asylum seeker is not required to submit the details in person. An email facility and postal address have been provided. 2. N/A 3. No.
<p>Dublin Regulation</p> <ol style="list-style-type: none"> 1. Are interviews under Article 5 of the Dublin Regulation proceeding in your Member State? 2. If so, have any restrictions been introduced regarding such interviews (online interviews/social distancing etc)? 3. If not, have the authorities announced when such interviews will resume? 4. Have any transfers under the Dublin Regulation from your Member State taken place since the commencement of the Covid 19 crisis? 5. Are the Courts/Tribunals in your Member State hearing appeals in relation to proposed transfers? 6. If so, have any restrictions been introduced regarding such Court/Tribunal hearings (online hearings/social distancing etc)? 	
Austria	<ol style="list-style-type: none"> 4. There has been no interviews on the administrative authority level and on the court level between March 16, 2020 and May 1st, 2020 in any asylum case; this is also the case for Dublin II cases. 5. --- 6. At the beginning of May 2020, interviews and court hearings started again under special security rules regarding Covid-19. 7. no information, that any Dublin transfer took place since the beginning of the Corona Crisis 8. In Dublin III cases there are no court hearings in Austria at all. Also before Corona there have been no hearings the court level in Dublin cases. 9. ---

Estonia	<ol style="list-style-type: none"> 4. When needed, yes 5. Yes, an online interview or social distancing is applied. 6. Not applicable 7. Unfortunately, we do not have this information. 8. When needed, yes. 9. Yes, an online hearing via videoconference is carried out.
France	<ol style="list-style-type: none"> 4. Non 5. --- 6. Depuis la semaine du 11 mai, les structures de premier accueil des demandeurs d'asile (SPADA) ont rouvert partout en France, avec un fonctionnement réduit. En Ile-de-France, la plateforme téléphonique de l'OFII (qui distribue les rendez-vous dans ces structures) a rouvert le 5 mai 2020, avec un quart des rendez-vous habituellement distribués seulement. Depuis la semaine du 11 mai, les guichets uniques des demandeurs d'asile (GUDA) rouvert, avec un fonctionnement réduit. Pendant le confinement, le Conseil d'Etat a considéré que les préfets devaient prendre en compte les demandes préenregistrées et les personnes qui avaient l'intention de faire une demande (CE, 9 avril 2020, n°439895), et a enjoint aux préfets d'Ile-de-France de rouvrir (CE, 30 avril 2020, n°440250). 7. Non 8. Non. Suspension des délais de recours. 9. N/A
Germany	<ol style="list-style-type: none"> 4. Yes, these are now regularly carried out as part of the asylum application process, immediately upon registration at the “anchorage centre” (initial reception facility). 5. We have no knowledge of such practices. 6. No 7. Not as far as we know. In Bavaria, transfers to Italy were still being attempted in mid-March, but could be stopped by means of urgent applications to the administrative courts. The Federal Office for Migration and Refugees (BAMF) is currently trying to extend the deadlines. To do so, the BAMF is invoking Section 80 Para. 4 German Code of Administrative Court Procedure (Verwaltungsgerichtsordnung, VwGO) and suspending the decisions. The EU has already signalled that this procedure is inadmissible. The administrative courts are currently issuing both rulings that assume the admissibility of this method as well as rulings that reject it. The attempt to suspend the proceedings is probably currently the most controversial act of the Federal Office for Migration and Refugees (BAMF) in connection with COVID-19. 8. Yes, such hearings are sometimes held. However, as without Corona, purely written procedures are more common in summary proceedings. 9. The general hygiene regulations apply. One must wear a mask when entering and staying in the court and the parties involved are placed as far apart as possible to ensure a minimum distance of 1.50m.
Ireland	<ol style="list-style-type: none"> 4. All face to face interviews are postponed until further notice. 5. ---

	<p>6. No there is no indication as yet when such interviews will resume.</p> <p>7. Not known</p> <p>8. See question 18. below re Court matters</p> <p>9. ---</p>
Italy	See question 1 above
Luxembourg	<p>4. No</p> <p>5. ---</p> <p>6. No</p> <p>7. No</p> <p>8. Yes, if the appeal was introduced prior to March 25th 2020. Following that date, the government had decided a suspension of all the time limits, except those regarding retention.</p> <p>9. Yes, unless a motivated request by one of the parties, there will be no hearing, but the Court takes the decision based solely on written statements and documents submitted by the parties</p>
Poland	<p>4. There has been no interviews between 16th March 2020 and 24th May 2020 in any asylum cases (also in the Dublin II's cases).</p> <p>5. ----</p> <p>6. After 25th May 2020.</p> <p>7. There has been no transfers under the Dublin Regulation from Poland between 16th March 2020 and 24th May 2020.</p> <p>8. There has been no hearing appeals in relation to proposed transfers in the Court between 16th March 2020 and 24th May 2020 in any asylum cases (also in the Dublin II's cases).</p> <p>9. -----</p>
Slovenia	<p>4. The Ministry of the Interior did not accept new asylum applications and did not issue decisions from the end of March until May due to the new coronavirus epidemic. There is a record number of applicants for international protection in the asylum home. The Ministry of the Interior is accepting asylum applications again (from 1 May), the procedures are being carried out orally, and up to 20 applications are being accepted per day. However, vulnerable groups of migrants were able to apply at all time during an epidemic.</p> <p>5. The procedures are being carried out orally, taking into account the prescribed safety measures (protective masks, safety distance).</p> <p>6. The Ministry of the Interior is accepting asylum applications from 1 May.</p> <p>7. ---</p> <p>8. ---</p> <p>9. ---</p>
Spain	See question 1 above
Sweden	<p>4. The Swedish Migration Agency temporarily paused certain interviews during 14 days from the 30th of Mars to the 13th of April. It is unknown to The Swedish Bar Association if this also included interviews under Article 5 of the Dublin regulation. Interviews have now been resumed.</p>

	<ol style="list-style-type: none"> 5. To prevent the spreading of Covid-19 most interviews are now being held through video conference and/or telephone. 6. Interviews have been resumed, see above under question 4. 7. The Swedish bar Association has not received any information indicating that transfers have been halted. 8. The courts are continuing to process appeals related to Dublin transfers. According to the Swedish Aliens Act court hearings in relation to such transfers are seldom held. This is unrelated to the ongoing pandemic. 9. See above
<p>United Kingdom – Northern Ireland</p>	<ol style="list-style-type: none"> 4. Screening interviews have continued in Northern Ireland; however, they were suspended in GB from mid-March. 5. Yes 6. N/A 7. Not that we are aware of 8. Immigration Tribunals are continuing with appeals and the Judicial Review Court is hearing urgent cases. 9. Hearings to the Immigration and Asylum Chamber First-tier and Upper Tribunal are being triaged via remote Case Management hearings. Where appropriate and with the consent of the parties, they will be decided on the papers or via an online hearing. Where a face-to-face, in-person hearing is necessary, cases are being adjourned. New appeals to the First-tier Tribunal must be commenced in line with digital reform, the digitisation of the appeals process, which was brought forward in order to deal with new appeals in light of Covid-19. Urgent judicial review cases are being heard via a remote online hearing.
<p>International Protection</p> <ol style="list-style-type: none"> 1. Are international protection interviews under the Asylum Procedures Directive (2013/32 EU or where appropriate 2005/85 EC) proceeding? 2. If so, have any restrictions been introduced regarding such interviews (online interviews/social distancing etc)? 3. If not, have the authorities announced when such interviews will resume? 4. Are first instance decisions regarding international protection applications being made in your Member State? 5. If so, are there any delays arising attributed to the Covid 19 crisis? 6. Are international protection appeals proceeding? 7. If so, have any restrictions been introduced regarding such appeals (online, social distancing, etc)? 8. If not, when are they due to resume? 9. Are the Courts/Tribunals in your Member State hearing appeals or judicial reviews in relation to decisions refusing international protection or decisions related to this process? 	

10. If so, have any restrictions been introduced regarding such hearings (online hearings/social distancing etc)?

<p>Austria</p>	<p>10. There has been no international protection hearings between March 16th, 2020 and May 2nd, 2020. 11. In the hearings after May 2nd, 2020 there have been taken security measures, like wearing a mouth-nose protection during the hearing, keep the necessary distance to other people etc. 12. --- 13. Even in the time between March 16th and May 2nd, 2020 the authorities and courts issued decisions in asylum cases, But the number of decisions has been very low. 14. The Corona crisis led to a delay in decision making. 15. The hearings in international protection appeals proceeding started again in May 2020. 16. refer to the statements given above. There are no online hearings, social distancing and wearing masks is mandatory. 17. --- 18. --- 19. ---</p>
<p>Estonia</p>	<p>10. When needed, yes. 11. Yes, an online interview or social distancing is applied. 12. Not applicable. 13. Yes 14. No 15. Yes 16. Yes, an online hearing via videoconference is carried out. 17. Not applicable 18. Yes 19. Yes, an online hearing via videoconference is carried out.</p>
<p>France</p>	<p>10. Le 16 mars, l'Office français de protection des réfugiés et apatrides étaient fermés, empêchant les entretiens des demandeurs de protection internationale d'avoir lieu. De nouvelles convocations pour des entretiens de demande d'asile ou de statut d'apatride sont envoyées depuis le 11 mai. 11. L'accès aux locaux est subordonné à un contrôle de température par le personnel de sécurité. Un masque chirurgical est remis aux usagers et doit être impérativement porté durant le temps de présence dans les locaux de l'établissement. 12. N/A 13. Les demandes d'asile envoyées pendant le confinement ont continué à être enregistrées pour permettre le déclenchement des conditions matérielles d'accueil. En revanche, les dossiers n'ont pu être numérisés, par conséquent les délais d'instruction des demandes en cours vont certainement être particulièrement rallongés. Le délai de dépôt des demandes, qui auraient dû être déposées à compter du 12 mars 2020 jusqu'au 23 juin inclus, repart à partir du 24 juin 2020</p>

	<p>14. Oui. 3 000 décisions ont été prises pendant le confinement mais elles n'ont pas été notifiées. Les notifications s'effectuent de façon progressive depuis le 11 mai dernier, étalées sur plusieurs semaines.</p> <p>15. Suspension des audiences à la Cour national du droit d'asile (CNDA) le 16 mars 2020. Les appels ont désormais repris.</p> <p>16. Les audiences à juge unique (lorsque l'OFPPRA a mis en œuvre une procédure accélérée ou d'irrecevabilité) ont repris le 27 mai avec des mesures sanitaires et en huis-clos, et les audiences collégiales reprendront le 15 juin dans les mêmes conditions. Une ordonnance prévoit que le juge unique pourra statuer sur l'ensemble des recours à l'exception de ceux déjà enrôlés pour une audience collégiale. Celles pourront se tenir alors que les personnalités qualifiées nommées par le HCR et par le Vice-président du Conseil d'Etat (dites "assesseurs") se trouvent hors de la salle et reliée par visioconférence (disposition applicable à toutes les juridictions administratives). Le nombre d'audiences quotidiennes est limité à 10 audiences. L'accès à la zone ERP sera réservé aux seuls requérants munis d'une convocation et aux avocats (à l'exclusion de tout accompagnateur).</p> <p>17. N/A</p> <p>18. Non (uniquement sur la fermeture des centres d'accueil voir 6. et sur les centres de rétention administrative).</p> <p>19. N/A</p>
Germany	<p>10. The interviews have been taking place again to a limited extent since 13 May 2020, taking hygiene standards into account. Thus, there are few interviews, but unfortunately it is not known according to which priorities they take place.</p> <p>11. Special rooms with partitions (spit protection) were created in the regional centres of the Federal Office for Migration and Refugees (BAMF). Disinfectants and masks are provided.</p> <p>12. We have no knowledge when the "everyday business" at the BAMF will resume.</p> <p>13. Yes</p> <p>14. The Federal Office for Migration and Refugees (BAMF) has suspended the delivery of (even partially) negative decisions. Until 19 April 2020, only fully affirmative decisions granting asylum or the refugee status were delivered. From 20 April 2020, administrative decisions were again delivered in cases where legal representation was indicated. In these cases the acts were notified to the lawyer. From this date, notices were again delivered in cases in which applications were withdrawn or waived, including cases of departure or disappearance. Since 11 May 2020, notices have again been delivered regularly. This does not apply to applicants who are in quarantine.</p> <p>15. Yes</p> <p>16. For applicants to court, the usual hygiene measures apply. Online appeals are not possible.</p> <p>17. ---</p> <p>18. Yes. See above question 8.</p> <p>19. See above question 9.</p>
Ireland	<p>10. All interviews have been suspended until further notice.</p> <p>11. ---</p> <p>12. No, but it is understand that video interviews are being explored as a possible manner in which interviews could be carried out.</p> <p>13. Yes, first instance decisions continue to issue.</p> <p>14. Anecdotal reports of reduced numbers of decisions.</p> <p>15. The hearing of appeals has been suspended, with all hearings postponed until further notice. The issuing of appeal decisions resumed on 25th May 2020.</p>

	<p>16. --- 17. No date has been indicated for resumption of hearings as yet. 18. Court applications and judicial reviews are ongoing however certain measures have been introduced to allow for social distancing. 19. Remote hearings have been introduced by appeals Courts (the Court of Appeal and the Supreme Court) and social distancing arrangements have been put in place at Court offices and in the High Court where Court lists had been postponed initially but have recommenced. Social distancing arrangements at Court offices include making appointments in order to attend and file documents with the Court. At Court lists social distancing has included the allocation of precise scheduled times to move an application before the Court but it is reported that maintaining social distancing in the areas outside of the Court room was difficult due to the physical dimensions of same.</p>
Italy	See question 1 above
Luxembourg	<p>10. No 11. --- 12. No 13. Yes 14. Yes, delays in decision making. Luxembourg law imposes a maximum period of 6 months between the introduction of the claim and the first instance decision. The Covid 19 crisis is used as a valuable argument to justify the non-respect of that period 15. Yes, even if all the time limits to make such an appeal are actually suspended 16. No, the appeals must still be introduced on paper deposited at the Courts registration office. But a formal letter by the chair of the Court invited the lawyers to favour mailing the claims instead of a physical deposit 17. --- 18. Yes 19. Yes, unless a motivated request by one of the parties, there will be no hearing, but the Court takes the decision based solely on written statements and documents submitted by the parties</p>
Poland	<p>10. There has been no interviews between 16th March 2020 and 24th May 2020 in any asylum cases. 11. ---- 12. After 25th May 2020. 13. Yes. The Office for the Foreigner has been issued the first instance decisions on cases in which an asylum seekers had already been heard before the outbreak of Covid-19. 14. Yes. 15. Yes, the appeals proceeding were resume after the 25th May 2020. 16. Yes, asylum seekers and their lower have not access to the administrative files in the asylum cases. 17. ----- 18. Yes, the courts proceeding were resume after the 25th May 2020. Under the new rules, the parties to the proceedings should keep social distance, the judges and parties to the proceedings are separated from each other by plexiglass. 19. ---</p>

Slovenia	---
Spain	See question 1 above
Sweden	<p>10. Yes, but certain interviews were temporarily paused between the 30th of March and the 13th of April, see above under question 4</p> <p>11. Yes, see above under question 5.</p> <p>12. ---</p> <p>13. Yes</p> <p>14. It can be assumed that delays will be arising, but the Swedish Migration Agency has declared that it is too early to say.</p> <p>15. Yes</p> <p>16. The Swedish Migration Agency asks everyone that seeks contact with the agency to primarily use e-mail, telephone or e-services. The Agency has also changed some of their offices opening hours and restricted the number of visitors allowed at their service centres. Actions to maintain social distancing and proper hygiene at the offices/service centres has also been applied.</p> <p>17. ---</p> <p>18. Yes</p> <p>19. The Swedish bar Association has not received any information about this other than that the courts are following the advice given by the Public Health Agency of Sweden, which mainly includes social distancing and good hand hygiene. Some hearings have been cancelled for the time being or postponed to avoid spreading of the virus. Technical tools such as video conference equipment is being used when suitable.</p>
United Kingdom – Northern Ireland	<p>10. No - these were suspended from mid-March. Preliminary Information Questionnaires are still being issued, and these will be considered as part of the asylum claim once substantive interviews resume. Decisions for unaccompanied minors are being made in some cases without interview; however, there is no Home Office published policy on the criteria for such decisions to be taken in the absence of an interview.</p> <p>11. N/A</p> <p>12. The Home Office has indicated a phased return commencing at the end of June 2020 for adult asylum seekers. This will be facilitated via a 'mobile interview solution', whereby the interviewer, interpreter and asylum seekers will all be in separated rooms in the same building and the interview will be carried out digitally with video equipment. Eventually, the plan is to resume face-to-face interviews; however, this will be at a slower pace due to the need to look at the management and upgrading of interview rooms to make them Covid-19 compliant. Finally, the Home Office will be looking at how to resume the interview of minors and the provision of childcare.</p> <p>13. Yes, where the substantive interview has already taken place; or in the case of minors, where decisions are being taken without interview.</p> <p>14. Yes, there have been delays attributed to changes in working arrangements for Home Office staff.</p> <p>15. Tribunals are continuing with appeals and the Judicial Review Court is hearing urgent cases.</p> <p>16. Hearings to the First-tier and Upper Tribunal are being triaged via Case Management hearings. Where appropriate and with the consent of the parties, they will be decided on the papers or via an online hearing. Where a face-to-face, in-person hearing is necessary, cases are being adjourned. New appeals to the First-tier Tribunal must be commenced in line with digital reform, the digitisation of the appeals process, which was brought forward in order to deal with new appeals in light of Covid-19. Urgent judicial review cases are being heard via an online hearing.</p> <p>17. N/A</p> <p>18. Tribunals are continuing with appeals and the Judicial Review Court is hearing urgent cases.</p> <p>19. Hearings to the First-tier and Upper Tribunal are being triaged via Case Management hearings. Where appropriate and with the consent of the</p>

parties, they will be decided on the papers or via an online hearing. Where a face-to-face, in-person hearing is necessary, cases are being adjourned. New appeals to the First-tier Tribunal must be commenced in line with digital reform, the digitisation of the appeals process, which was brought forward in order to deal with new appeals in light of Covid-1. Urgent judicial review cases are being heard via an online hearing.

Access to Legal Representation in the field of Migration Law

20. Have reception and integration centres housing international protection applicants or Dublin Regulation applicants introduced any restrictions for lawyers meeting their clients?
21. If so, please explain.
22. Have any other restrictions regarding access to legal representation been introduced in the area of international protection claims since the commencement of the Covid-19 crisis?

Austria	<p>20. No restriction has been introduced for lawyers to meet their clients in the reception centers.</p> <p>21. ---</p> <p>22. ---</p>
Estonia	<p>20. No</p> <p>21. Not applicable</p> <p>22. No</p>
France	<p>20. Oui</p> <p>21. Recours à la télécommunication audiovisuelle et à la communication électronique.</p> <p>22. Les décisions de désignation à l'aide juridictionnelle sont notifiées depuis le 11 mai. Afin de laisser aux avocats la possibilité de compléter éventuellement un dossier, les ordonnances ne seront notifiées qu'à compter du 2 juin.</p>
Germany	<p>20. Yes. Access to these facilities was partially restricted. In addition, people were relocated to other facilities at short notice, so that mail could sometimes not be delivered because the lawyers were not informed of the relocation or the new addresses.</p> <p>21. See above</p> <p>22. ---</p>
Ireland	<p>20. Legal representatives are not ordinarily permitted to enter such locations and this has not changed.</p> <p>21. ---</p> <p>22. ---</p>

Italy	See question 1 above
Luxembourg	<p>20. Yes</p> <p>21. From March 13th 2020 until May 11 2020, no physical meetings with clients were possible. If available, they were replaced by conf calls</p> <p>22. No</p>
Poland	<p>20. Yes</p> <p>21. - In the detention centers for the foreigners personal visits of the lawyers were suspended. - In the reception centers for the foreigners (as a general rule) there has been no restriction for lawyers meeting their clients. There is only one exceptions which is a directly result from the quarantine related to COVID-19 introduced in the Center for woman and children who are asylum seeker which is located in Warsaw-Targówek (some of residents have been suffering from COVID-19 so there has been not personal access to this Center). - Both restrictions concerned only the temporary limitation of personal contact with foreigners - lawyers have been still in telephone and email contact with their clients.</p> <p>22. No.</p>
Slovenia	<p>20. During the epidemic, there were no restrictions and no specific instructions, with the exception of implementing security measures (protective masks, safety distance), which were in force at that time.</p> <p>21. ---</p> <p>22. ---</p>
Spain	See question one above
Sweden	<p>20. Not that the Swedish bar Association is aware of.</p> <p>21. ---</p> <p>22. No such formal decisions has been made that the Swedish bar Association is aware of, but many lawyers have contacted us regarding the fact that the Migration Agency primarily summons them to participate in asylum interviews by telephone. The normal order for conducting such interviews is that both the applicant and the lawyer is present personally at the location where the interview is taking place. The lawyers are concerned about how their participation only by telephone affects the rule of law and the procedural safeguards for their clients.</p>
United Kingdom – Northern Ireland	<p>20. N/A</p> <p>21. N/A</p> <p>22. The imposition of digital reform to process new appeals has raised serious concerns in Northern Ireland regarding access to legal representations due to its incompatibility with the current structure of legal aid funding. Digital reform frontloads much of the work in preparation for an appeal, and the current provision of legal aid remuneration is widely considered to be insufficient for this work. The concern is that solicitors and barristers will be unable to accept instructions due to lack of sufficient remuneration.</p>