

National responses to date during the COVID-19 crisis in the areas of migration and asylum

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“Presentation of key findings of national responses to COVID-19 to date based on EMN Ad-hoc Queries”

Key findings: staff security measures in migration service offices

- Several aspects concerning the work at on-site customer service offices for migrants were affected by the crisis, including **opening hours**, the **prioritisation of remote procedures**, the **implementation of protective measures** and the **number of procedures** offered, both overall and on-site.
- Changes concerning the **management of appointments** were also introduced to manage the crisis and reduce the risk of infection.
- 14 Member States introduced **exceptional measures** with legal effect aimed at supporting individuals whose situation became irregular during the crisis or whose administrative procedures were affected by the crisis. Such measures included the extension of the validity of permits, visas and deadlines.
- The crisis has **increased the importance of remote procedures**, including online services and communications over the phone or email.

Key findings: Legal migration

- Visa applications were **suspended** in several Member States (BE, CZ, EE, FI, HR, IE) except in exceptional cases
- MS **closed their immigration offices** and new applications had to be filed electronically or by mail (BE, ES, FI, HR, LV, LU, PL, SI, NO). However, in several cases their treatment and/or execution was (de facto/de jure) put on hold (BE, EE, FI, NO).
- Use of **video-conferences** were stepped up in order to conduct interviews (CY) and dedicated phone lines used to inform TCNs
- **Residence permits** were extended until the end of the crisis (BG, DE, ES, FR, HR, HU, IE, IT, PT, SK) or a simplified procedure was put in place (CZ, FI, LV, MT). However, the time of the extension varied across MS.
- Some MS applied **temporary suspensions of administrative and judicial deadlines** (BE, CY, EL, ES, FR, IT, LT, LU, MT, PL, SI, NO). However, in many cases, hearings were still being conducted (i.e. BE, FR, IT, LU)
- Overstayers due to the crisis will **not be considered as irregular** migrants.
- 13 Member States took a more flexible approach in the application of the normal rules of withdrawal of residence permits for **reduction in or loss of income**.

Key findings: Seasonal Workers

- 14 responding MS **reported problems** relating to agricultural harvests due to the closure of external borders which had obstructed access of TCN Seasonal Workers to their territory
- Of these responding MS, 13 have **implemented contingency plans** or measures in order to resolve labour shortages for agricultural harvesting. These included:
 - Allowing asylum seekers (BE, DE, ES, FR) and students (BE, DE, ES) to work in seasonal activities
 - Relaxing standard measures for seasonal work in order for workers to work for longer periods of time
 - Facilitating the entry of seasonal workers in the territory (BE, EL, FI, SE)
 - Extending the residence permit of seasonal workers already in the territory (EL, ES, FR, IT, PL, SI, NO)
 - Facilitating temporary changes of employer and sector for TCNs residing in the country (EE, FI, FR, IT, PL)
 - Allowing unemployed TCNs to do seasonal work (EE, FR, DE, EL, ES, PL, SI)
 - Introducing special quarantine rules for seasonal workers (HU, PL, SI)

Key findings: Unemployment of third-country national workers

- Salaried worker residence permits are directly linked to the employment of their holders. The loss of employment directly terminates the reason of the issuance of the residence permit and opens the procedure for a withdrawal of the permit. During the COVID-19 crisis:
 - 12 Member States and Norway did not immediately start procedures to withdraw the residence permit. Most of them allowed the residence permit to continue until expiration or during certain fixed period in order to allow the third-country national to find new employment.
 - However, in five Member States the procedure for withdrawing the permit did start at the moment the third-country national loses his/her employment.
 - In 15 Member States and Norway third country nationals who had lost their jobs were entitled to unemployment benefits in the same way as EU citizens, if the applicants fulfilled the criteria.
 - However, the duration of the benefits depended generally on the age and the contribution to the unemployment insurance scheme and varied from 90 days (HU) up to an indefinitely period but with progressive reduction of rights (BE).
 - 14 of the reporting Member States did not amend the duration of the unemployment benefits or access to benefits due to the Covid-19 crisis
 - Only seven Member States have introduced measures in order to render more flexible the normal rules due to the COVID-19 crisis in regard to unemployment benefits.

Key findings: Contingency plans to deal with infectious diseases in detention centres

- 14 reporting Member States had specific **contingency plans** in place which either directly targeted or were applicable to migration detention centres. Others relied on wider policies.
- 15 reporting Member States adopted or planned to adopt some kind of **confinement or social distancing strategy concerning detainees**. However, the specific strategies were different in each country.
- **Transferring infected detainees to appropriate healthcare facilities** was generally the preferred option for the responding Member States in cases of infection of detainees, although several others reported **flexible mechanisms** that allowed for making decisions according to the specific situation and the advice of medical professionals.
- Administrative and security staff were provided with **protective gear** in ten Member States. However, material shortages were reported by two Member States at the beginning of the crisis.



Thank you for your attention!

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