



EMN Ad-Hoc Query on Best Practices and Methods of Establishing the Identity of Applicants for International Protection

Requested by FI EMN NCP on 15th March 2016

Summary prepared by NO EMN NCP from the summary prepared by FI EMN NCP and responses from Austria, Belgium, Finland, Croatia, Cyprus, Czech Republic, Estonia, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Portugal, Slovak Republic, Slovenia, Sweden, United Kingdom, Norway (20 in total)

Disclaimer: The responses were provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs did provide, to the best of their knowledge, information that was up-to-date, objective and reliable. Note, however, that the information provided did not necessarily represent the official policy of an EMN NCPs' Member State.

Background information:

The Finnish Immigration Service has received funding from the Asylum, Migration and Integration Fund (AMIF) for its project “Flow - Improving the initial part of the asylum procedure through developing stakeholder cooperation, tools and professional competences”. The project contributes to objective 1.1 of AMIF’s national program: strengthening and developing the common European asylum system. The key objective is to improve the efficiency and quality of the initial part of the asylum procedure by developing stakeholder cooperation, data exchange and professional competences as well as databases and other tools used in the asylum process.

Information was requested from the other (Member) States for identifying best practices and developing methods for establishing the identity, nationality and country of residence for applicants of international protection. Where relevant, information from the national contribution to the EMN Focussed Study 2012: *Establishing Identity for International Protection: Challenges and Practices*, could be updated and supplemented.

Questions asked

1. Which national authorities have the operational responsibility for establishing the identity, nationality and country of origin for applicants of international protection?
2. If several national authorities have the operational responsibility for establishing the identity, nationality and country of origin of applicants for international protection, how have you arranged data exchange between different national authorities concerning these matters?
3. At which point or points of the initial process are the identity, nationality and country of origin of applicants for international protection examined and by which methods, i.e. is there a special interview arranged where the applicant for international protection is asked questions about their identity, nationality and country of origin or is it done by some other methods?
4. Do you have special tools or other means to facilitate in establishing the identity, nationality and country of origin of applicants for international protection, for instance data bases or a central competence centre? Yes/No. If Yes, please describe them and their function.
5. **We are planning to visit some Member States based on the conclusions made from the answers to this questionnaire. In order to enable follow up on specific issues and to plan possible visits**, please provide contact details for an official in your administration to whom any supplementary queries in relation to this questionnaire can be addressed.

Summary of responses

- As is the case in NO in most responding (Member) States the operational responsibility for establishing the identity, nationality and country of residence of applicants for international protection is divided between the authority/authorities responsible for receiving and registering the applications for international protection (most commonly the police and/or the border guard) and the immigration authority responsible for establishing the motives for applying for international protection.
- As in NO the registering authority usually gathers the initial information concerning the applicant's identity and cooperates with the immigration authority, which can gather further information about the applicant's identity in a personal interview, e.g. by asking questions about the country and region of (claimed) origin and offering the applicant certain tests to support the ID-related information given (e.g. language test and/or (medical) age assessment for UAMs).
- FI is currently in the process of transferring more of the responsibility for establishing identity from the police and border guard to the *Finnish Immigration Service*. As in NO, after the transfer, the police and border guard will still be responsible for gathering the basic information of applicants and other initial functions relevant for establishing identity.

- In DE both the *Federal Office for Migration and Refugees (BAMF)* and the local alien authorities have the responsibility for establishing the identity of applicants, but they have different responsibilities in the asylum procedure. BAMF is responsible for all questions regarding the asylum process while the local authorities are responsible for all questions concerning an alien's stay in the country (accommodation, benefits, health care etc.).
- In IT and LT the responsibility for establishing identity lies with the police and/or border guard, but these authorities exchange information and cooperate with the national immigration authorities. In IT the police may be supported by representatives from EASO, Frontex, Europol and EUROJUST.
- In EE, LV, PT, SI, SE and UK the responsibility for establishing identity lies clearly with only one authority.
- In (Member) States where the responsibility is shared between authorities or where different authorities otherwise cooperate in establishing the identity, information between stakeholders is often exchanged through a central database system used by all authorities involved in the process. This is the case e.g. in NO. In some (Member) States, including BE and HU, information is simply exchanged by transferring the applicant's case file from one authority to the other.
- The methods for establishing identity, nationality and country of previous residence of applicants for international protection are quite similar in all of the (Member) States: At an early stage of the procedure photograph and fingerprints are taken at an early stage, followed by relevant registry checks. Most (Member) States also conduct a short initial hearing/ interview. The applicant may also be asked questions about their identity and country of origin. Together with the help of country of origin information, information from the personal interview are used to establish the motives for international protection. Authenticity checks are used when there is suspicion about the applicant's documents and sometimes methods like language analyses are used, if there is doubt about the applicant's origin in a dangerous region . Several (Member) States, including NO, AT, FI and LV have a central competence centre for ID-issues, or a special authority responsible for authentication of documents, as well as COI experts
- In 16 of the responses names and coordinates of contact persons or institutions were either given or were promised sent through a separate e-mail. In NO contact information was given to the *National Police Immigration Service (PU)*, *Norwegian Directorate of Immigration (UDI)* and the *Norwegian ID-Centre*.