



Accurate, timely, interoperable? Data management in the asylum procedure

Common Template for the EMN Study 2020

Final version: 16 March 2020

1 BACKGROUND AND RATIONALE FOR THE STUDY

A smooth and fast registration and identification procedure and ensuring the accuracy of the information collected, are **essential aspects of a functioning asylum procedure**. Several Member States have recently taken a wider range of measures to also improve interoperability to assist operational efficiency.¹ An **effective** asylum system relies on the collection of timely information that could appropriately channel asylum applicants into the right track, as well as on accurate and reliable information that could inform subsequent asylum decisions. Similarly, the smooth transmission of information to relevant authorities as well as the interoperability of databases where this information is collected avoid duplication and contribute to the **efficiency** of the asylum system. Finally, the use of information collected during different phases of the asylum procedure to inform further related steps of the process (including the Dublin procedure) reception conditions, and to inform future planning for the migration system (including integration and possibly return) increase the **preparedness** of the migration system overall.

Changing circumstances in asylum applications in recent years, including increases and decreases in the volume and types of applications, has led to several procedural changes in how Member States manage the asylum process. In many Member States this has also impacted on how data is collected, managed and shared throughout the process. In particular, the following policy developments have been registered.

1. In the years of high influx of asylum seekers in the EU (2015–2016) several Member States experienced major **challenges with regard to their capacities to register asylum seekers as well as with subsequent data management** across different databases within their respective asylum authorities and with regard to other authorities linked to the asylum procedure and reception of asylum applicants.² In several Member States there were backlogs and delays in the asylum procedure. Asylum applicants were not always able to make their application upon arrival and once their application was registered, it sometimes took months before they could finally lodge the asylum application.³ Furthermore, multiple registrations occurred in some Member States due to a lack of interoperability of databases and a lack of technologies to digitalise the individual information and make it accessible to the different authorities. With regard to the high numbers of asylum applicants, several Member States experienced a need for automation, digitisation and innovation (such as the implementation of artificial intelligence) of various processes within the asylum procedure in order cope with the large numbers by saving resources, to limit double work, to ensure accuracy and transferability of individual information among different data systems.

¹MPI, Chasing Efficiency: Can Operational Changes Fix European Asylum Systems? March 2020:

<https://www.migrationpolicy.org/sites/default/files/publications/MPIE-ChasingEfficiency-EuropeAsylum-Final.pdf>

²EMN, Synthesis Report, Changing Influx of Asylum Seekers 2014-2016, August 2018: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_eu_changing_influx_study_synthesis_final_en.pdf

³ECRE, Access to protection in Europe. The registration of asylum applications, 2018:

http://www.asylumineurope.org/sites/default/files/shadow-reports/aida_accessii_registration.pdf; EMN, Annual Report on Migration and Asylum 2017, May 2018: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_annual_report_on_migration_2017_highres_en.pdf

2. With regard to the making, registering and lodging of an asylum application, a **trend towards shifting the collection of additional information of asylum seekers forward** (frontloading) in the asylum procedure may be observed in several EU Member States in recent years.⁴ One reason is another development in several Member States, namely the introduction of channelling systems in their asylum procedures. Based on different pre-defined profiles, asylum applicants are channelled into different “first-instance procedures (prioritised procedures; accelerated procedures; border procedure; admissibility procedure”.⁵ In many cases, this had an impact on the asylum process as relevant information on asylum seekers needed to be collected at an earlier phase in order to allocate them to these different channels. In some Member States, information collection was also frontloaded for other reasons. Amongst other things, in order to shorten lengthy processing times in the asylum procedure (e.g. by limiting the need for paper and double work by digitising the collected information and implementing data quality assessments from the very beginning). A frontloaded information collection in some Member States again serves to better plan and coordinate reception facilities, estimate the need for integration and language courses for asylum seekers (e.g. number and types of courses needed in different regions) as well as other integration measures (e.g. labour market integration by asking for information on individual qualifications of the asylum seekers).
3. Last but not least, by further interlinking processes, actors and IT systems, **challenges occurred with regard to the interoperability of data systems and databases**, as well as with regard to data protection. However, several Member States introduced a range of measures to enhance interoperability on a federal and regional level or implemented larger reforms with regard to their data management, raising questions again with regard to safeguards of the individual data and ‘legal’ limitations of the data collection and processing mechanisms. The question of interoperability has also been discussed at EU-level in recent years with regard to the EU large scale IT systems. The Interoperability Regulation provides for future tools to enhance intra-EU data sharing and has as one of its aims to assist in the assessment of international protection applications.

Against this backdrop, the objective of this study is to examine how data is managed in the different phases of the asylum procedure and to identify any recent trends. In particular, it will (i) map Member States’ data management approaches in the asylum procedure, (ii) examine whether there have been any procedural changes to enhance data sharing within the asylum authorities and beyond and how these have impacted on data management in these processes, and (iii) challenges and good practices that have arisen in relation to data management.

Scope

As for its **scope**, the study will cover different phases of the asylum procedure, beginning from the moment a person makes his or her asylum application until the first instance decision is made. It will focus, on the one hand, on data collected by various actors involved in the asylum procedure (e.g. border police registering an asylum application upon arrival; main authority for the asylum procedure; authorities responsible for unaccompanied minors etc.). On the other hand, the study will also cover data collected in the context of the asylum procedure but meant for other purposes than the asylum procedure itself (e.g. information on language skills used to better plan and coordinate integration and language courses; information on previous qualifications in order to smoothen labour market integration etcetera).

2 EU LEGAL FRAMEWORK

Directives and regulations

The functioning of the Common European Asylum System is based upon a series of EU legal instruments governing the asylum procedure. However, the management of personal data is only marginally regulated. With the exception of the **recast Eurodac Regulation (Regulation No 603/2013)**, analysed below) that concerns the processing of biometric data of applicants of international protection for Dublin-related purposes, the registration of personal data in the asylum process is governed by national law. The **recast Asylum Procedures Directive (Directive 2013/32/EU)** sets out some rules in that respect, namely that the applicants must inform the competent authorities of their current place of residence and of any changes thereof as soon as possible, which suggests that this information is collected by the competent authorities. Competent authorities are also allowed to take a photograph of the applicant; however, this is not compulsory under EU law. Crucially, Article 30 of that Regulation proscribes national authorities from disclosing information regarding individual applications or the fact that an application has been made to the alleged actor(s) of persecution or serious harm.

From a privacy and personal data protection perspective, the **General Data Protection Regulation (EU) No 2016/679** is applicable to the processing of personal data in the asylum procedure. This entails the application of a series of data

⁴EASO, Workshop Discussion Paper, Workshop 2: Registration procedure, 9th Consultative Forum, 12th November 2019, Brussels: <https://easo.europa.eu/sites/default/files/Workshop2-Discussion-Paper.pdf>

⁵EASO, Workshop Discussion Paper, Workshop 3: channelling based on the profile of the applicant and the identification of special needs, 9th Consultative Forum, 12th November 2019, Brussels: <https://easo.europa.eu/sites/default/files/Workshop3-Discussion-Paper.pdf>

protection safeguards in the collection and further processing of personal data, such as the principles of lawfulness, purpose limitation, data minimisation, accuracy, storage limitation and integrity and confidentiality. The data protection regime specific to the handling of personal data in the Eurodac system is covered in the Eurodac Regulation 603/2013.

EU centralised information systems

The abolition of internal borders in the Schengen area has required strong and reliable management of the movement of persons across the external borders, including through robust identity management. In that respect, three centralised information systems have been developed by the EU, which are currently operational: the Schengen Information System (SIS), Visa Information System (VIS) and Eurodac, all of which assist in verifying or identifying third-country nationals falling in different categories and who are on the move. SIS, VIS and Eurodac were originally envisaged to operate independently, without the possibility of interacting with one another. Progressively, the need has emerged to provide technical and legal solutions that would enable EU information systems to complement each other. To that end, the **Interoperability Regulations 2019/817 and 2019/818** adopted on 20 May 2019 prescribe four main components to be implemented: a European Search Portal (ESP), a shared Biometric Matching Service (BMS), a Common Identity Repository (CIR) and a Multiple Identity Detector (MID). An EU agency, eu-LISA, is responsible for the operational management of these three systems.⁶

The most relevant EU information system in this regard is **Eurodac**, a biometric database storing fingerprints of applicants for international protection and irregular immigrants found on EU territory. Its primary objective is to serve the implementation of Regulation (EU) No. 604/2013 ('the Dublin Regulation'). Eurodac may also be accessed by national law enforcement authorities and Europol for the purposes of preventing, detecting and investigating terrorist offences and serious crimes. A recast proposal⁷ tabled since May 2016 is currently negotiated as part of the revised Common European Asylum System (CEAS), with the aim of expanding the purpose, scope and categories of personal data stored in the system.

The **Visa Information System (VIS)** is also relevant for the purposes of the study not only in the context of further interoperability but also because it is used in the asylum procedure. The VIS processes personal data (both biographical and biometric) of short-stay (Schengen) visa applicants and to allows immigration, border control and asylum authorities to exchange such data for various purposes, including the implementation of the common EU visa policy and the assistance in the identification of the Member State responsible for an asylum claim in line with the Dublin rules. The current legal framework consists of Regulation 767/2008⁸ governing the use of the system for immigration control purposes, and Council Decision 2008/633/JHA⁹ on law enforcement access. A proposal is currently negotiated¹⁰ that among other things, lowers the threshold age for fingerprinting (six years).

As for the **Schengen Information System (SIS)**, it aims at ensuring a high level of security in the Schengen area by facilitating both border control and police investigations. To those ends, the SIS registers alerts on various categories of persons including third-country nationals to be refused entry or stay in the Schengen area, as well as alerts on objects, such as banknotes and identity documents. Failed asylum seekers may be registered in the SIS in accordance with the SIS rules. In 2018, the SIS legal framework was revised with a view to adding certain categories of alerts.¹¹

The aforementioned information systems will be complemented in the future by three new ones that are currently under development: **the Entry/Exit System (EES)** that will register the border crossings, both at entry and exit, of all third-country

⁶Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011, OJ L 295, 21.11.2018.

⁷COM (2016) 272final.

⁸Regulation (EC) 767/2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas, OJ L 218, 13.8.2008, as amended by Regulation (EC) 810/2009, OJ L 243, 15.9.2009..

⁹Council Decision 2008/633/JHA concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences, OJ L 218,13.8.2008.

¹⁰COM (2018) 302final.

¹¹Regulation (EU) 2018/1860 of the European Parliament and of the Council of 28 November 2018 on the use of the Schengen Information System for the return of illegally staying third-country nationals, OJ L 312, 7.12.2018, p. 1–13; Regulation (EU) 2018/1861 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006, OJ L 312, 7.12.2018, p. 14–55; Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU. OJ L 312, 7.12.2018, p. 56–106.

nationals admitted for a short stay, irrespective of whether they are required to obtain a Schengen visa or not;¹² the **European Travel Information and Authorisation System (ETIAS)** that will enable to identify whether the presence of a visa-free traveller in the territory of the Member States would pose a security, irregular migration or high epidemic risk;¹³ the **European Criminal Record Information System for third-country nationals (ECRIS-TCN)** that will enable the exchange of criminal records on convicted third-country nationals and stateless persons.¹⁴ All six information systems will be part of the interoperable data processing environment.

3 PRIMARY QUESTIONS TO BE ADDRESSED BY THE STUDY

This study will focus on the following primary questions:

- Which information is collected in the context of the asylum procedure at which point of time by whom?
- How is the information collected, fed into different data systems and further managed and shared with relevant actors?
- How is data quality assessed, and which data protection safeguards are in place for asylum applicants during the asylum procedure?
- Which changes did Member States introduce in recent years with regard to data management in the asylum procedure and why?
- What challenges do Member States face with regard to data management in the asylum procedure, how have these been overcome, and what good practices can be shared?

The asylum procedure is divided in different phases in all Member States. First, an asylum applicant needs to make an asylum application which then needs to be registered and/or lodged by the competent authorities before the asylum interview may take place. Subsequently, a first-instance decision is made on the basis of an examination of the application. While the competent authorities responsible for the single phases may be different in some Member States, in others it may be a single competent authority covering all phases. In addition, in some Member States some of the phases mentioned above may in practice be conducted concurrently which is why there might not be the need for some Member States to differentiate between (some of) the phases. However, the asylum procedure will be subdivided into at least two phases in all Member States.

The Study will cover four main phases, based on EASO's guidance on asylum procedure:¹⁵

- 1 **Making an application:** during this phase the person expresses the intention to apply for [international protection](#);
- 2 **Registering an application:** the applicant's intention to seek protection is registered, which may be done by an authority not competent for the asylum procedure itself, such as the border police;
- 3 **Lodging an application:** the asylum application is formally lodged at the competent authority for the asylum procedure;
- 4 **Examination of the application.**

4 RELEVANT CASE LAW FROM THE COURT OF JUSTICE OF THE EU

CJEU, Case C-670/16 *Mengesteab*, Judgment of 26 July 2017: One of the questions referred to the CJEU involved the relationship between the two-time limits for take charge requests set out in Article 21 of the Dublin III Regulation. The Court clarified that the two months allowed to notify a Member State after a Eurodac hit may not result in a take charge request being issued more than three months after the application is lodged.

¹²Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011, OJ L 327, 9.12.2017.

¹³Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226, OJ L 236, 19.9.2018.

¹⁴Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726, OJ L 135, 22.5.2019.

¹⁵Available at: https://easo.europa.eu/sites/default/files/Guidance_on_asylum_procedure_operational_standards_and_indicators_EN.pdf

EU centralised systems have not generated any relevant case law before the CJEU in relation to their substance. However, more generally, case law on centralised storage of personal data for immigration-related purposes in the broader sense that may be relevant for the present study is the following:

- **CJEU, Opinion 1/15 of 26 July 2017:** In this case, the Grand Chamber of the CJEU evaluated the draft PNR Agreement between the EU and Canada. The Court elaborated on a series of safeguards as regards to data management, in particular: the need for clarity in specifying the scope of the data to be processed; the transfer of sensitive data requires a precise and solid justification; automated processing of personal data should take place under pre-established models and criteria that are specific and reliable; the authorities accessing the personal data are specified; any transfer of personal data to third countries must take place only if that third country ensures an essentially equivalent level of personal data protection; and the exercise of individual rights by persons whose personal data is processed is ensured.
- **CJEU, Case C-70/18, Staatssecretaris van Justitie en Veiligheid v A and Others, Judgment of 3 October 2019:** This case involves the processing of personal data of residence permit holders in a Dutch centralised database. The CJEU highlighted that the processing of 10 fingerprints and a facial image, besides providing a reliable way of identifying the person concerned, is not of an intimate nature and does not cause any particular physical or mental discomfort for the person concerned.

Since the objective of the retention of data is to prevent and combat identity and document fraud, a five-year retention period establishes a satisfactory connection between the personal data to be retained and the objective pursued and thus is proportionate.

5 RELEVANT SOURCES AND LITERATURE

UNHCR

- UNHCR, Discussion Paper Fair and Fast – Accelerated and Simplified Procedures in the European Union, July 2018¹⁶

EU Agencies

- EASO, Practical Guidance Series, EASO Guidance on asylum procedures: operational standards and indicators, September 2019¹⁷
- EASO Online-Tool '[Identification of persons with special needs'\(IPSN\)](#)¹⁸

EMN Studies

- EMN, Synthesis Report, Changing Influx of Asylum Seekers 2014-2016, August 2018¹⁹
- EMN, Synthesis Report, Challenges and practices for establishing the identity of third-country nationals in migration procedures, December 2017²⁰

EMN Ad-Hoc Queries

- 2019.49 - Processing times first instance asylum cases. Requested on 8 April 2019.
- 2018.1348 - Member States' practice regarding the storage of photographs and fingerprints in national systems/databases. Requested on 5 December 2018
- 2018.1335 - Equipment to collect biometric data. Requested on 17 September 2018.
- 2018.1262 - Use of Cloud Services for Processing Personal Data in Immigration Cases. Requested on 17 January 2018.
- 2017.1191 - Biometric information for legal migration cases. Requested on 30 May, 2017.
- 2017.1180 - Mobile device information. Requested on 9 May, 2017

¹⁶Available at: <https://www.refworld.org/docid/5b589eef4.html>

¹⁷Available at: https://www.easo.europa.eu/sites/default/files/2019_1882_EN.pdf

¹⁸Available at: <https://ipsn.easo.europa.eu/european-asylum-support-office>

¹⁹Available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_eu_changing_influx_study_synthesis_final_en.pdf

²⁰Available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_eu_synthesis_report_identity_study_final_en_v2.pdf

Other studies and reports

- ECRE - European Council on Refugees and Exiles, Report, Access to protection in Europe. The registration of asylum applications, Asylum Information Database (AIDA), June 2018²¹
- MPI – Migration Policy Institute, Cracked Foundation, Uncertain Future: Structural Weaknesses in the Common European Asylum System, March 2018²²
- FRA – European Union Agency for Fundamental Rights, Biometric data in large EU IT systems in the areas of borders, visa and asylum – fundamental rights implications. Data protection, privacy and new technologies; Asylum, migration and borders²³

6 AVAILABLE STATISTICS

The following statistics are available through **Eurostat**:

Number of first-time asylum applications (lodging; migr_asyappctza) — compare with number of first-time decisions (migr_asydcfsta)

The following statistics may be available through national statistics:

Number of registrations of asylum applications

Number of lodged asylum applications

The following statistics are available through **EU databases**:

Number of Eurodac hits 2014 - 2019

Use of VIS and n of hits 2014 – 2019

Use of SIS and n of hits 2014 – 2019

7 DEFINITIONS

The following key terms are used in the Common Template. The definitions are taken from the EMN Glossary v6.0²⁴ unless specified otherwise in footnotes.

'Application for international protection' is defined as a request made by a third-country national or a stateless person for protection from a Member State, who can be understood to seek refugee status or subsidiary protection status, and who does not explicitly request another kind of protection, outside the scope of Directive 2011/95/EU (Recast Qualification Directive), that can be applied for separately.

'Asylum procedure': see definition for 'Procedure for international protection'.

'Beneficiary of international protection' is defined as a person who has been granted refugee status or subsidiary protection status.

'Channelling' of the asylum procedure (also 'triaging'): "The core premise of accelerated and simplified procedures is the differentiation between caseloads for their channelling into distinct case processing modalities. The triaging process is therefore the central tenet of the process. [...] Depending on the results of the analysis, claims will be channelled into appropriate case processing modalities, or as is already done in several Members States [...] into different streams or 'tracks'. Groups, as well as any specific profiles, with high and very low protection rates would be

²¹Available at: http://asylumineurope.org/sites/default/files/shadow-reports/aida_accessii_registration.pdf

²²Available at: https://www.migrationpolicy.org/sites/default/files/publications/CEAS-StructuralWeaknesses_Final.pdf

²³Available at: <https://fra.europa.eu/en/publication/2015/fundamental-rights-implications-obligation-provide-fingerprints-eurodac>

²⁴Available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/docs/interactive_glossary_6.0_final_version.pdf

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channelled into accelerated and/or simplified procedures, while other cases would be adjudicated under the regular procedure.”²⁵

‘Country of origin’ is the country or countries of nationality or, for stateless persons, of former habitual residence.

‘Data management’ is understood as the administrative process that includes all operations that are performed on data or on sets of data, through automated or other means, such as collection, recording, storage, retrieval, use, disclosure by transmission, dissemination or erasure.²⁶

‘Examination of an asylum application’: see definition for ‘Examination of an application for international protection’.

‘Examination of an application for international protection’: Any examination of, or decision or ruling concerning, an application for international protection by the competent authorities in accordance with Directive 2013/32/EU (Recast Asylum Procedures Directive) and Directive 2011/95/EU (Recast Qualification Directive) except for procedures for determining the EU Member State responsible in accordance with Regulation (EU) No 604/2013 (Dublin III Regulation).

‘Lodging an asylum application’: An application for international protection shall be deemed to have been lodged once a form submitted by the applicant or, where provided for in national law, an official report, has reached the competent authorities of the Member State concerned. Member States may require that applications for international protection be lodged in person and/or at a designated place.²⁷

‘Making an asylum application’: see definition for “Making application for international protection”.

‘Making application for international protection’: The expression of intent to apply for [international protection](#).

‘Refugee status’ is defined as the recognition by a Member State of a third-country national or a stateless person as a refugee.²⁸

‘Registering an asylum application’: Record the applicant’s intention to seek protection.²⁹ When a person makes an application for international protection to an authority competent under national law for registering such applications, the registration shall take place no later than three working days after the application is made. If the application for international protection is made to other authorities which are likely to receive such applications, but not competent for the registration under national law, Member States shall ensure that the registration shall take place no later than six working days after the application is made.³⁰

‘Procedure for international protection’: Set of measures described in the [Directive 2013/32/EU \(Recast Asylum Procedures Directive\)](#) which encompasses all necessary steps for granting and withdrawing [international protection](#) starting with [making an application for international protection](#) to the [final decision](#) in appeals procedures.

8 ADVISORY GROUP (Core Group and Wider Group)

An ‘Advisory Group’ (AG) has been established within the context of this Study for the purpose of (i) developing the (common) specifications for the study, (ii) providing support to EMN NCPs during the development of the national contributions to the Study, as well as (iii) providing support to the drafting of the Synthesis Report. In addition to COM (DG HOME and JRC) and the EMN Service Provider (ICF-Odysseus), Frontex and EASO, the members of the AG for the Study include EMN NCPs from AT, BE, CY, DE, FI, HR, IE, IT, LU, NO, PL, SI, UK. Furthermore, the Migration Policy Institute (MPI) was included as an external expert.

In addition, the AG was split into a Core Group and a Wider Group, introducing a new structure of an AG within the EMN. Core Group members agreed to take more responsibility for the revision and to invest more time in all the follow-up processes (including a 2nd AG meeting). Wider Group members gave their input at the 1st AG meeting and agreed to comment on the 2nd draft of the common template before a 2nd AG meeting of the Core Group.

²⁵UNHCR, Discussion Paper *Fair and Fast – Accelerated and Simplified Procedures in the European Union*, July 2018, pp. 8f. Available at: <https://www.refworld.org/pdfid/5b589eef4.pdf>

²⁶Definition for the purposes of this study.

²⁷Article 6(2, 3, 4) of Directive 2013/32/EU (Recast Asylum Procedure Directive).

²⁸Article 2 of Directive 2011/95/EU (Recast Qualification Directive).

²⁹EASO, presentation, 9th Consultative Forum, 12th November 2019, Brussels.

³⁰Article 6(1) of Directive 2013/32/EU (Recast Asylum Procedure Directive).

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EMN NCPs are invited to send any requests for clarification or further information on the Study to the representatives of the Core Group.

Advisory Group (core AG members are in **bold**)

- **DE EMN NCP (Chair, Janne Grote and Anja Kuntscher)**
- **COM (Marion Finke, DG HOME)**
- COM (Anna Kadar, DG HOME)
- **COM (Martina Belmonte, DG JRC)**
- EASO (Karolina Lukaszczyk)
- **Frontex (Ilze Perczaka)**
- **AT EMN NCP (Julia Lendorfer, Martin Stiller)**
- BE NCP (Jessy Carton, Peter van Costenoble)
- CY EMN NCP (Michalis Beys)
- **IE EMN NCP (Anne Sheridan)**
- IT EMN NCP (Stefania Nasso, Francesco Giunta, Giulia Mezzetti)
- FI NCP (Tuukka Lampi)
- LU EMN NCP (Ralph Petry)
- NO EMN NCP (Stina Schulstock Holth)
- PL NCP (Patrycja Turska, Ewelina Zabardast)
- SI EMN NCP (Helena Korosec)
- UK EMN NCP (Zoe Pellatt)
- MPI (Timo Schmidt)
- **Odysseus network expert (Niovi Vavoula, Queen Mary, University of London)**
- **ICF (Nina Mavrogeorgou, Rocio Naranjo Sandalio EMN Service Provider)**

9 TIMETABLE

The following timetable is proposed for the next steps of the Study:

Date	Action
16 March 2020	Official <u>launch of the study</u>
3 July 2020	<u>Submission of national reports</u> by EMN NCPs
14 August 2020	First synthesis report (SR) to COM & AG members (1 week to provide comments)
21 August 2020	Deadline for comments (1 week to address comment and finalise)
28 August 2020	Circulation of the first SR to all NCPs (2 weeks to comment)
11 September 2020	Deadline for comments
25 September 2020	Circulation of the second draft to all NCPs (2 weeks to comment)
9 October 2020	Deadline for comments
16 October 2020	Circulation of the third (final) draft to all NCPs (2 weeks to comment)
30 October 2020	Deadline for comments

Date	Action
End of November 2020	Finalisation of the synthesis report, publication and dissemination

10 TEMPLATE FOR NATIONAL REPORTS

The template provided below outlines the information that should be included in the National Contributions of EMN NCPs and Switzerland to this Study. The indicative number of pages to be covered by each section is provided in the guidance note. For national reports, the total number of pages should ideally not exceed **50 pages** (excluding the Annex). A limit of **25 pages** (excluding the Annex) will also apply to the synthesis report, in order to ensure that it remains concise and accessible.

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National Contribution from *Latvia*³¹

Disclaimer: The following information has been provided primarily for the purpose of contributing to a synthesis report for this EMN study. The EMN NCP has provided information that is, to the best of its knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of the EMN NCPs' Member State.

Top-line factsheet [max. 2 pages]

The top-line factsheet will serve as an overview of the **national reports** introducing the study and drawing out key facts and figures from across all sections, with a particular emphasis on elements that will be of relevance to (national) policy-makers. Please provide a concise summary of the main findings of Sections 1-7:

Data on asylum seekers is obtained at different stages of the asylum procedure: from the moment when a person expresses a wish to submit an application for asylum, to the moment when a decision is taken in the first instance. The study provides information on both the data collected by the participants of the asylum procedure and the data collected in the context of the asylum procedure but intended for other purposes.

The objective of this national contribution is to examine how data is managed in the different phases of the asylum procedure and to identify any recent trends. In particular, it (i) maps Latvia's data management approaches in the asylum procedure, (ii) examines whether there have been any procedural changes to enhance data sharing within the asylum authorities and beyond and how these have impacted on data management in these processes, and (iii) shares challenges and good practices that have arisen in relation to data management.

The study summarises information on data acquisition in the four stages of the asylum procedure:

1. Making an application: during this phase the person expresses the intention to apply for international protection;
2. Registering an application: the applicant's intention to seek protection is registered, which may be done by an authority not competent for the asylum procedure itself, such as the State Border Guard;
3. Lodging an application: the asylum application is formally lodged at the competent authority responsible for the asylum procedure;
4. Examination of the application.

In Latvia, there is a centralized asylum system, where the responsibility is held by subordinate institutions of the Ministry of the Interior: the State Border Guard and the Office of Citizenship and Migration Affairs.

In Latvia, making an application for granting the status of international protection, registering and lodging of the application takes place simultaneously, so the answers to the questions included in Section 3 of the study are not provided. The State Border Guard registers an application for granting refugee or alternative status; it is the institution where the application is submitted. The Office of Citizenship and Migration Affairs (hereinafter – the Office) in the first instance, within the framework of the asylum procedure, conducts interviews with asylum seekers about the nature of the application and the grounds for asylum, as well as

³¹Replace highlighted text with your **Member State** name here.

takes decisions related to the asylum application (except for detention), including the enforcement of the Dublin Regulation.

The authorities responsible for the asylum procedure indicate that improvements are taking place in the field of management of asylum seekers' data and that the digitisation of files and the exchange of data between the institutions involved in the asylum procedure in electronic form using a single register are being upgraded.

The information collected in the Latvian report allows to draw the following conclusions:

- The information system *Register of Asylum Seekers* ensures the recording of asylum seekers and control of the progress of the asylum procedure in accordance with the Asylum Law from registration of the application to the adoption of a decision in the first instance, as well as regarding the progress of the asylum case in court;
- The Register of Asylum Seekers also provides access to personal data and other information related to the case to the other institutions involved in the asylum procedure in accordance with their competence and the laws and regulations;
- An important contribution to the effective conduct of the asylum procedure is that all stages of the asylum procedure are under the control of two institutions of the same ministry. Thus, the information system in its current configuration is able to provide adequate access to up-to-date data on the asylum seeker and the progress of his or her case.

In order to make the examination of asylum applications more effective, it is essential to:

- ensure the work on digitised files while refusing to circulate paper documents between institutions involved in the asylum procedure;
- implement a load-account approach that would facilitate the distribution of files between decision-makers, including in accordance with the applicable referral scheme, as well as allow each case worker to follow up-to-date information in the system on the asylum seeker concerned and facilitate control of compliance with procedural deadlines.

The responsible authorities emphasize that in order to improve the rights of asylum seekers, it is also necessary to establish an interface between the Register of Asylum Seekers (hereinafter – the Register) and the Court Information System.

Section 0: Impact of COVID-19

Did your (Member) State introduce any major change(s)/reform(s) related to data management due to the COVID-19 pandemic?

No.

If yes, please describe these changes.

Section 1: The asylum procedure

Please note that the data management aspects of each phase of making, registering, lodging and examining an asylum claim will need to be described in more detail in the following Sections. This introductory Section shall serve as a first overview to better understand the following sections on data management within each phase. If your (Member) State has implemented specific procedures (e.g. 'airport procedure') that deviate from the usual procedure(s), please point this out. However, (Member) States may decide on their own, into how much depth they want to go with regard to such specific or more exceptional procedures. In case (Member) States decide

not to elaborate in more detail on specific procedures but focus more on their 'general asylum procedure', a reference can be made to the fact that the specific procedure will not be further elaborated in order to reduce the complexity of the study.

The Latvian asylum system has been established as a centralized system, within which the main operating institutions are the structural units of the Ministry of the Interior:

- the **State Border Guard** – responsible for registering applications for granting refugee or alternative status (hereinafter – the application). It is the institution, to which the application is lodged. If a person has expressed his or her wish to obtain refugee or alternative status to the Office, the State Police or the Prison Administration, they shall immediately, not later than within three working days, contact the State Border Guard so that the asylum seeker can submit an application, while the State Border Guard shall ensure registration of the application not later than within three working days after receiving it. The State Border Guard identifies asylum seekers, takes fingerprints and ensures the circulation of information with Eurodac, issues the personal documents of asylum seekers as well as conducts an initial interview with the asylum seeker in order, inter alia, to gather the information necessary for the enforcement of the Dublin Regulation and for the adoption of a decision to accept an application for examination or leave it without examination. The State Border Guard is also responsible for the detention of asylum seekers. Since the structural units of the State Border Guard are located throughout the territory of Latvia and operate 24/7, it is ensured that persons who need international protection have the opportunity to submit applications, and they are registered in accordance with the time-limits³² laid down in the Asylum Law³³;

- In the first instance, within the framework of the asylum procedure, the **Office** is responsible for interviewing asylum seekers about the nature of the application and the grounds for asylum, as well as for taking all kinds of decisions related to the asylum application (except for detention), including the enforcement of the Dublin Regulation. The Office decides whether to accept the application for examination or leave it without examination, including when the application is examined in a border procedure, or to transfer the asylum seeker to the Member State responsible in accordance with the Dublin Regulation. This decision is made by evaluating the information of the initial interview conducted by the State Border Guard. If a decision to accept the application for examination is taken, the application may be examined under an accelerated or usual procedure. Taking into account the applications received in the previous period, the possibility provided for in the Asylum Law to examine the application in the border procedure has not been used to date. One division of the Office is responsible for execution of the above tasks.

At the same time, the Office is also responsible for accommodating asylum seekers and solving related issues such as health care, education, etc. These issues are addressed and the rights of asylum seekers are ensured in cooperation with professionals and authorities in the relevant field, for example, orphan courts are involved to ensure the rights of unaccompanied minors. In Latvia, there is one accommodation centre for asylum seekers located near the capital. It is a housing to asylum seekers who do not have sufficient means to ensure household conditions that are compliant to their health status and their stay during the asylum procedure. Thus, most of the asylum seekers in Latvia stay in the Accommodation Centre for Asylum Seekers, which is a structural unit of the Office.

The Asylum Law sets certain time-limits for all activities that are implemented to ensure the examination of an asylum application, for example, for taking all types of decisions, both in the first instance and for appeal procedures in the District Administrative Court, as well as for conducting interviews and appealing decisions of the first instance. The collection and exchange of information conducted by the State Border Guard and the Office is identical in all procedures to ensure the asylum procedure.

In order to ensure the implementation of the asylum policy, the planning, the recording of asylum seekers, and the progress of the asylum procedure in accordance with the Asylum Law, the national information system

³² The State Border Guard registers the application of the asylum seeker not later than within three working days after receiving it. If applications are submitted simultaneously by a large number of third-country nationals or stateless persons and it is not possible to comply with the time-limit of three working days, the period for the application registration may be extended to 10 working days.

³³ [Asylum Law](#).- Official gazette "Latvijas Vēstnesis", No 2, 05.01.2016 - [entered into force on 19.01.2016]

Register of Asylum Seekers has been established in Latvia³⁴. The scope and procedure of use of the information to be included in it, as well as the institutions to which access to the information contained in the Register should be granted, is determined by the Cabinet of Ministers. The Register is managed by the Office, and the information in the Register is included and updated online by the Office and the State Border Guard. According to Regulation No 456 "Regulations Regarding the Register of Asylum Seekers" of the Cabinet of Ministers³⁵, also other public authorities involved in the asylum procedure are provided with access to the Register for the performance of their functions and duties.

According to the functions of the institution within the framework of the asylum procedure, the institution collects in the Register the information about the asylum seeker's identity (about each of identities of the asylum seeker) and the presented identification document, the identification document of the asylum seeker, etc.; regarding an unaccompanied minor: name, surname, personal identification number or birth data of the representative nominated by the orphan court, address, phone number, e-mail address of the representative; regarding the application: the application date, place of submission, type of application³⁶, application form³⁷, application language, decisions adopted in the asylum seeker's case, appealing of decision, readmission or transfer of the asylum seeker from the Member States of the European Union and associate countries while enforcing the Dublin Regulation.

Taking into account the above, as well as the provisions of the Asylum Law and other legal acts³⁸ regarding the processing of asylum seeker data, the collection, updating and circulation of the necessary information appropriate for the conduct of the asylum procedure in the first instance is ensured. The progress towards digitization of files and exchange of data between the institutions involved in the asylum procedure in electronic form has been started and continues: after supplementing the Register data, a notification is sent to the e-mail addresses of the institutions involved regarding the changes made in the Register concerning the registration of the application of the asylum seeker and decisions adopted. All documents attached in the Register are immediately available in digital form. Work on the creation of load-accounts linked to the Register continues to ensure that each case worker can allocate/link the case of a particular asylum seeker to the system; the case worker is responsible for the further progress of the case. This will facilitate the distribution of cases among case workers by ensuring a more efficient and transparent referral of cases, which will allow each case worker to follow up-to-date information on the asylum seeker in question, as well as facilitate the control of procedural time-limits.

The work is continued to ensure that information with the courts at the appeal stage is also exchanged using the possibilities provided by the systems. Latvia proceeds with the work on creating an interface between the Register and the Court Information System.

1.1 Overview of the asylum procedure

Please provide an overview on the regular asylum procedure in your (Member) State by answering the following questions.

1. Does your (Member) State clearly distinguish in national legislation among the abovementioned phases of **making**, **registering** and **lodging** of an application? (clear distinction – see the background section 7 - Definitions)

No.

If yes, please elaborate briefly.

If no, please briefly describe the different phases of the asylum procedure in your (Member) State.

The Asylum Law provides for the following: a person must submit an application for granting refugee or alternative status in person to the State Border Guard; therefore, making an application,

³⁴ Regulation No 456 "Regulations Regarding the Register of Asylum Seekers" adopted by the Cabinet of Ministers on 12 July 2016. - Official gazette "Latvijas Vēstnesis", No 137, 19.07.2016 - [entered into force on 20.07.2016]

³⁵ Regulation No 456 "Regulations Regarding the Register of Asylum Seekers" adopted by the Cabinet of Ministers on 12 July 2016. - Official gazette "Latvijas Vēstnesis", No 137, 19.07.2016 - [entered into force on 20.07.2016]

³⁶ Application for asylum

³⁷ It is necessary to specify in the system whether it is a first-time or repeated application.

³⁸ For example, the [Personal Data Processing Law](#). – Latvijas Vēstnesis, No 132, 04.07.2018 - [entered into force on 05.07.2018]

registering and lodging of an application takes place simultaneously since the application is accepted and registered by the State Border Guard.

If a person has expressed his or her wish to receive refugee or alternative status to the Office, the State Police or the Prison Administration, they shall immediately, no later than within three working days, contact the State Border Guard so that the asylum seeker can lodge an application in accordance with the procedure laid down in the Asylum Law.

2. a) Does your (Member) State clearly distinguish in practice among the abovementioned phases of **making, registering and lodging** of an application? (clear distinction – see background section 7 - Definitions)

No.

If no, please briefly describe the different phases of the asylum procedure in your (Member) State specifying whether in practice some of the abovementioned phases are merged/overlapping.

In practice, the wish to lodge an application is expressed and the application is registered and accepted in the manner prescribed by the Asylum Law, that is, simultaneously.

b) in practice, are there any differences in the division of the phases based on the different types of entry routes (i.e. land, sea, air)? For Member States implementing the hotspot approach, does this distinction hold in the hotspots?

The procedure for lodging, registering and acceptance of the application is unchanged regardless of the form in which the person has entered the Republic of Latvia.

3. a) Does 'channelling' of specific caseloads take place in the asylum procedure of your (Member) State?

Channelling: \

Yes.

If yes, please elaborate how the asylum procedure is organised, in relation to the single channels/tracks.

The referral scheme complies with the procedures for examining an asylum application provided for in the Asylum Law:

- 1) A preliminary decision shall be adopted on whether to accept the application for granting refugee or alternative status or leave it without examination, which shall at the same time include an assessment of the eligibility of the application in accordance with the criteria of the Dublin Regulation. If it is established that another Member State of the European Union is responsible for examining the application, the asylum seeker is transferred to that state. The Asylum Affairs Division of the Office takes the decision on accepting an application for examination or leaving it without examination within 10 working days from the date of receipt of the documents from the State Border Guard, which has registered the asylum seeker, to which the application was submitted, and in which the initial interview has been conducted. If a decision is taken to leave the application without examination in accordance with the legal grounds contained in Article 33(2) of Directive 2013/32/EU³⁹, the asylum seeker has the right to appeal it to the District Administrative Court (hereinafter – the court). If the application is accepted for examination, a personal interview with the asylum seeker shall take place within one month of the adoption of the relevant decision. The above period may, if necessary, be extended for another month;
- 2) if the application is accepted for examination, it may be examined under the usual or accelerated procedure in accordance with the criteria set out in Directive 2013/32/EU:

³⁹ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection. - Official Journal L 180, 29.06.2013

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- under the accelerated procedure, the decision on the refusal to grant refugee or alternative status is taken within 20 working days from the date of the personal interview with the asylum seeker;
- under the regular procedure, the decision to grant refugee or alternative status or to refuse to grant it is taken within three months from the day when the personal interview with the asylum seeker was conducted, but not later than within six months after registering the application. The abovementioned six-month period may be extended by a further nine months if the conditions referred to in Article 31(3)a) and Article 31(3)b) of Directive 2013/32/EU exist.

In addition to the above criteria for the referral of cases, the country of origin of the asylum seeker is also taken into account, which means that a certain case worker is/are responsible for a certain country or region.

b) Did your (Member) State introduce any changes on 'channelling' since 2014?

Yes.

If so, please describe the change(s) and intended purpose. If applicable and feasible, please also refer to findings of studies or evaluations on these changes made.

The Asylum Law provides for a time-limit of six months. However, according to Cabinet Order No 759 "Action Plan for Movement and Admission in Latvia of Persons who need International Protection" adopted by the Cabinet of Ministers on 2 December 2015⁴⁰, within the programs of relocation and resettlement of persons who came to Latvia⁴¹, a time-limit of three month from the moment of the application registration was complied with in application examination and taking a decision on granting of refugee or alternative status during 2016, 2017, and 2018.

4. a) Are there any national time frames/limits for each of the single phases (making, registering, lodging and examining a claim) in the context of Article 6 of the recast Asylum Procedures Directive?⁴²

Yes.

If yes, please describe and specify the time frames/limits for the phases applicable in your (Member) State.

The State Border Guard ensures the registration of an application not later than within three working days of its receipt; whereas, if a person has expressed his or her wish to obtain refugee or alternative status to the Office, the State Police or the Prison Administration, they shall immediately, not later than within three working days, contact the State Border Guard so that the asylum seeker can submit the application.

b) Did your (Member) State introduce any changes in the national timeframes / limits in the years since 2014?

Yes.

If so, please describe the change(s) and intended purpose. If applicable and feasible, please also refer to findings of studies or evaluations on these changes made.

On 19 January 2016, the Asylum Law entered into force. It included legal provisions resulted from the directives of the European Union, including Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection.

⁴⁰ Order No 759 "[Action Plan for Movement and Admission in Latvia of Persons who need International Protection](#)" adopted by the Cabinet of Ministers on 2 December 2015. - Latvijas Vēstnesis, No 238, 04.12.2015 - [entered into force on 02.12.2015]

⁴¹ Based on decisions No 2015/1523 and No 2015/1601 adopted on 14 and 22 September 2015 laying down provisional measures in the field of international protection for the benefit of Italy and Greece, as well as the political agreement on solidarity with third countries reached on 20 July 2015.

⁴² Directive 2013/32/EU (NB Denmark and Ireland do not participate in the recast Asylum Procedures Directive).

5. a) In practice, how long does the procedure take from an asylum applicant making an application to lodging the application (average days)?

Table 1

Year	Average duration (days) from making to lodging a claim ⁴³
2014	There are no data since the applicable Directive 2005/85/EC and the Asylum Law of 14 July 2009 did not provide for specific deadlines, but the procedure for lodging the application was similar: the application had to be lodged to the State Border Guard in person, the wish was expressed and the application was lodged simultaneously.
2015	There are no data since the applicable Directive 2005/85/EC and the Asylum Law of 14 July 2009 did not provide for specific deadlines, but the procedure for lodging the application was similar: the application had to be lodged to the State Border Guard in person, the wish was expressed and the application was lodged simultaneously.
2016	The expression of a wish and lodging of an application takes place simultaneously if the application is submitted to the State Border Guard in person. It takes three working days maximum if the wish is expressed to another public authority.
2017	The expression of a wish and lodging of an application takes place simultaneously if the application is lodged to the State Border Guard in person. It takes three working days maximum if the wish is expressed to another public authority.
2018	The expression of a wish and lodging of an application takes place simultaneously if the application is lodged to the State Border Guard in person. It takes three working days maximum if the wish is expressed to another public authority.
2019	The expression of a wish and lodging of an application takes place simultaneously if the application is lodged to the State Border Guard in person. It takes three working days maximum if the wish is expressed to another public authority.

b) In practice, how long does the procedure take from lodging the application until a first instance decision is made (average days)? If information is not available, please indicate legal time limits and an indication that these are legal limits.

Detailed information on the average time-limits for adoption of a decision is not available.

The Asylum Law⁴⁴ establishes time-limits for the adoption of administrative decisions:

A decision to accept the application for examination or to leave it without examination shall be taken after the information regarding the asylum seeker at disposal of the State Border Guard, namely, the information obtained in negotiation and the initial interview, and the application has been received from the State Border Guard:

- 1) within five working days, if the application has been submitted at the border crossing point or in the border crossing transit zone;
- 2) within 10 working days, if the asylum seeker is in the territory of the Republic of Latvia.

⁴³In case there is no information on the exact average duration, please include estimates about the average duration.

⁴⁴ Article 29, Article 48(4) and Article 49 of the Asylum Law details the time limits for adoption of the decision in each procedure.

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The application shall be examined and a decision to grant refugee or alternative status or to refuse to grant it shall be taken within three months from the day when the personal interview with the asylum seeker was conducted, but not later than within six months after registering the application.

The State Secretary of the Ministry of the Interior or his or her authorised person may extend the time period of six months referred to in Paragraph two of this Article for another nine months, if:

- 1) examination of the application is related to complex factual or legal issues;
- 2) applications have been submitted simultaneously by a large number of third-country nationals or stateless persons and it is not possible to comply with the time-limit referred to in paragraph two of this section.

In examining the application under accelerated procedure, a case worker authorised by the head of the Office shall take a decision within 20 working days from the day when the personal interview with the asylum seeker was conducted.

A decision to accept the application for examination or to leave it without examination shall be taken within 10 working days, if information regarding refusal to take responsibility for examining the application has been received from the competent authority of another Member State in accordance with Regulation No [604/2013](#) or if the Republic of Latvia is responsible for examining an application submitted in another Member State and the asylum seeker has been admitted back to the Republic of Latvia.

If information has been received from the competent authority of another Member State in accordance with Regulation No [604/2013](#) that this Member State takes responsibility for examining the application of the asylum seeker, a decision to transfer the asylum seeker to the responsible Member State, which will examine the application, shall be taken within 10 working days after receipt of such information.

The Asylum Law provides for certain time-limits not only for the first instance, but also for the court, which is the appellate instance in the asylum procedure (its decision is final and not subject to appeal).⁴⁵

In case your (Member) State applies 'channelling', please specify the average time for each channel (average days; and please add additional columns in case more Channels apply). If (Member) State rather differentiates between special procedures in place (such as fast track procedures) and/or if these are interconnected with the 'channelling' please add additional columns and elaborate in a footnote what the special procedure is about – if not yet done so in Chapter 1.1)

Detailed information on the actual average time-limit for processing applications in days by year is not available.

Table 2

Year	From lodging until first time decision			
	Average days	Channel 1 (please specify)	Channel 2 (please specify)	Channel 3 (please specify)
2014	N/A	N/A	N/A	N/A
2015	N/A	N/A	N/A	N/A
2016	N/A	N/A	N/A	N/A
2017	N/A	N/A	N/A	N/A

⁴⁵ Article 29, Article 48(4) and Article 49 of the [Asylum Law](#) details the time limits for adoption of the decision in each procedure.

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2018	N/A	N/A	N/A	N/A
2019	N/A	N/A	N/A	N/A

1.2 Authorities involved in the asylum procedure

6. Which authorities are involved in and responsible for the asylum procedure from making an application to first instance decision?

Please indicate whether those authorities are legally competent for registering an asylum application or not. For those authorities which are not, please also see Section 2.1

Table 3

Type of Authority	Specify name of the authority involved in <u>making</u> an application	Legally competent for <u>registering</u> an asylum application (please indicate type of authority and specify name)	Legally competent for <u>lodging</u> an asylum application (please indicate type of authority and specify name)	Legally competent for <u>examining</u> an asylum application (please indicate type of authority and specify name)
Border Police				
Local Police	X State Police			
(Branch) office for Refugees				
Ministries (Interior, Justice, etc.)	X Ministry of the Interior	X Ministry of the Interior	X Ministry of the Interior	X Ministry of the Interior
Local Citizen's Office/Mayor of a local city/town				
(Local) immigration office				Office of Citizenship and Migration Affairs
(Shared) accommodation for refugees				
EU Agency				
International Organisation				
Detention facility of the State Border Guard	X State Border Guard	X State Border Guard	X State Border Guard	
Reception centre				
Others (please specify) State Border Guard	X State Border Guard	X State Border Guard	X State Border Guard	
Latvian Prison Administration	X Latvian Prison Administration			

1.3 Data collected during the asylum procedure

7. Which information is gathered during the asylum procedure at the different phases and by whom? Please, fill Table 4 below.

Table 4

1. Categories of data collected	2. In which phase(s) is this information collected? (including self-registration)	3. Which organization collects this information in each of the different phases? <i>(whenever possible please refer to the authorities listed in section 1.2)</i>	4. How is this particular category of data /biometric data collected?	5. Where is this particular category of data /biometric data stored?	6. If applicable, please specify the name of the database(s)
<p>Name</p> <ul style="list-style-type: none"> - current name 	<ul style="list-style-type: none"> - Registering (1) - self-registration (1.1) - lodging (2) - examination (3) <p><i>Please use the numbers provided for each phase to indicate the phase the data is collected. In case phases are combined in your state, please indicate it accordingly by using a dash (see example below).</i></p> <p><i>If data is re-used but not re-collected in a following phase, data is not collected in that phase. Therefore, if data is not collected in a specific phase but only re-used or not used at all, please do not add any number for that phase.</i></p>	<p>State Border Guard</p>	<ul style="list-style-type: none"> - online self-registration - written questionnaire (in paper) - oral (interview, face-to-face) - oral (interview via phone/ videocall) - open source (e.g. social media) - analysing documents - analysing content of mobile devices (e.g. phones, laptops) - using automated or artificial intelligence for analysis of data - other: please specify <p>(multiple answers possible)</p> <p><i>If different data collection tools are used in the different phases, please specify it. If possible, please indicate if any specific technology is used in the process.</i></p>	<ul style="list-style-type: none"> - in an electronic file - in a database - on paper 	<p>Register of Asylum Seekers; Asylum Fingerprint</p>

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				- on paper (1/2)	Database (Eurodac system)
- birth name	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - in a database (1/2) - on paper (1/2)	Register of Asylum Seekers; Asylum Fingerprint Database (Eurodac system)
- previous name(s)	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - in a database (1/2) - on paper (1/2)	Register of Asylum Seekers
- pen name (alias)	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - in a database (1/2) - on paper (1/2)	Register of Asylum Seekers
- religious names					
- other names					
Sex	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - in a database (1/2) - on paper (1/2)	Register of Asylum Seekers; Asylum Fingerprint Database (Eurodac system)
Biometric data					
- photo	1/2	State Border Guard	- a photo is taken after receiving the application (1/2) - a digital photo set of each asylum seeker, who is at least 14 years old ⁴⁶ (1/2), is included in the Eurodac system	- in an electronic file (1/2) - in a database (1/2)	Asylum Fingerprint Database (Eurodac system)

⁴⁶ face frontal view, right profile and left profile. If a person wears glasses for vision correction, in addition to the above images: the face front view, the right profile and the left profile of a person with glasses.

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				- on paper (1/2)	
- fingerprints (which fingers, rolled or pressed fingerprints)	1/2	State Border Guard	- fingerprints of all fingers (1/2) are included in the Eurodac system; rolled and plain fingerprints are taken	- in a database (1/2)	Asylum Fingerprint Database (Eurodac system)
- iris scan	N/A	N/A	N/A	N/A	N/A
- other	N/A	N/A	N/A	N/A	N/A
Eye colour	1/2 If the child is less than a year old, the information is included in the document of the asylum seeker	State Border Guard	- after receiving the application, the asylum seeker's document (1/2) is issued to the asylum seeker, if he or she is not detained	- on paper (1/2) - in a database (1/2)	Register of Asylum Seekers
Height	1/2 If the child is less than a year old, the information is included in the document of the asylum seeker	State Border Guard	- after receiving the application, the asylum seeker's document (1/2) is issued to the asylum seeker, if he or she is not detained	- on paper (1/2) - in a database (1/2)	Register of Asylum Seekers
Date of birth	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - in a database (1/2) - on paper (1/2)	Register of Asylum Seekers; Asylum Fingerprint Database (Eurodac system)
Citizenship(s)	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - in a database (1/2) - on paper (1/2)	Register of Asylum Seekers; Asylum Fingerprint Database (Eurodac system)
Country of origin	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2)	Register of Asylum Seekers; Asylum Fingerprint Database (Eurodac system)

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				- in a database (1/2) - on paper (1/2)	system)
<i>Place of birth</i>					
- town	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - in a database (1/2) - on paper (1/2)	Register of Asylum Seekers; Asylum Fingerprint Database (Eurodac system)
- region	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - in a database (1/2) - on paper (1/2)	Register of Asylum Seekers; Asylum Fingerprint Database (Eurodac system)
- country	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - in a database (1/2) - on paper (1/2)	Register of Asylum Seekers; Asylum Fingerprint Database (Eurodac system)
- other					
Date of arrival in the (Member) State	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- on paper (1/2) - in a database (1/2)	Register of Asylum Seekers
Last place of residence in the country of origin	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- on paper (1/2) in a database (1/2)	Register of Asylum Seekers
Last place of residence before entry in the (Member) State	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- on paper (1/2) in a database (1/2)	Register of Asylum Seekers
<i>Contact details</i>					
- phone number	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	

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- email address	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- current address	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in a database (1/2) - on paper (1/2) - in an electronic file (1/2)	Register of Asylum Seekers
- other					
Civil status	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	Register of Asylum Seekers
<i>Accompanied by:</i>					
- spouse or civil partner	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- children	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- parents	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- other relatives	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
<i>Family members in the (Member) State</i>					
- name	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- residency	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	

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- citizenship	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- other					
Family members in another (Member) State	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
Close relatives in the (Member) State	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
Close relatives in another (Member) State	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
<i>Health status</i>					
- specifics on health status	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- reference that a general health check has been carried out					
- other					
<i>Education</i>					
- school attendance	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2) - in a data base (1/2)	Register of Asylum Seekers
- academic studies	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	Register of Asylum Seekers
- trainings					
- apprenticeships					
- non-formal work					

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<i>experience</i>					
- <i>other</i>					
Language skills	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2) - in a data base (1/2)	Register of Asylum Seekers
Profession	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- on paper (1/2) - in an electronic file (1/2)	
Criminal record	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- on paper (1/2) - in an electronic file (1/2)	
Financial resources					
<i>Supporting documents</i>					
- passport	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2) - in a data base (1/2)	Register of Asylum Seekers
- travel document	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2) - in a data base (1/2)	Register of Asylum Seekers
- other	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2) - in a data base (1/2)	Register of Asylum Seekers
Reasons for fleeing	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2) - in a data base (1/2)	Register of Asylum Seekers
Reasons for not wanting to be returned to the	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2)	

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competent Member State as part of a Dublin procedure				- on paper (1/2)	
Previous applications	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2) - in a data base (1/2)	Register of Asylum Seekers
Information on the route taken	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2) - in a data base (1/2)	Register of Asylum Seekers
Information on exclusion grounds	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2) - in a data base (1/2)	Register of Asylum Seekers
Religious affiliation	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2) - in a data base (1/2)	Register of Asylum Seekers
<i>Vulnerabilities</i>					
- Unaccompanied minor	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2) - in a data base (1/2)	Register of Asylum Seekers
- Pregnant	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- Disabilities (which?)	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- Elderly	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2)	

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				- on paper (1/2)	
- Single parent with minor child(ren)	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- Victims of human trafficking	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- Mental disorders	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- Victims of torture, physical or sexual violence (female genital mutilation)	1/2	State Border Guard	- oral (1/2) - written questionnaire (1/2)	- in an electronic file (1/2) - on paper (1/2)	
- other					
Other (please specify)					

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8. Has your (Member) State identified any good practice in frontloading information collected by other authorities not directly connected to the asylum procedure? If yes, please elaborate and specify in which phase does the frontloading take place. For each good practice mentioned, please describe a) for whom it is a good practice, b) why it is considered a good practice and c) what is the source of the statement – (please indicate sources)

All initial information is obtained by the State Border Guard, which identifies the asylum seeker and clarifies his or her nationality, establishes the documents held by the asylum seeker, his or her language as well as medical and other expertise-examinations and tests. State Border Guard negotiates with the asylum seeker in order to obtain the information necessary to determine the Member State responsible for examining the application under the Dublin Regulation⁴⁷, as well as conducts the initial interview to obtain information on his or her individual situation and the circumstances necessary for taking decision whether to accept the application or leave it without examination, and basic information on the grounds for requesting international protection.

The State Border Guard shall submit to the Office for examination all information at its disposal about the asylum seeker, information obtained during the negotiations and the initial interview, as well as the application. All information collected by the State Border Guard about the person is sent to the Latvian State Security Service and the State Police, with the aim to find out whether the person does not pose a threat to the state security or public order and security, as well as whether the person has not been announced in the international search.

This is a good practice since all the initial information is obtained and collected operatively in one institution and compactly transmitted to the responsible authority. After receiving an informative notification in the e-mail about the entry of new data or changes in the Register in the file of a particular asylum seeker, the other institutions involved in the asylum procedure can access these data immediately; thus, the administrative capacity is not spent on writing informative letters and transferring documents.⁴⁸

1.4 Data management during the asylum procedure

9. Please fill Table 5 based on the information given in column 6 of Table 4 (filling as many rows as the databases indicated that Table).

Table 5

Database	Overview/definition of the database (please indicate whether it is a regional, national or European database).	National authorities that have access to the databases or access to its data ⁴⁹			Data shared with other Member States (apart from the data that (Member) States share through EU databases e.g. Eurostat, VIS, SIS)	
		Name of authority/ organisation	In which phase of the asylum procedure	For what purpose	Type of data	For what purpose

⁴⁷ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast)

⁴⁸ Source: State Border Guard.

⁴⁹ Please differentiate between access to database and access to data. 'Access to database' is understood as a national authority being authorised to have direct access to a database without the need to request data to be transmitted to them via other authorities or intermediaries. 'Access to data' is reserved to cases where an authority has access to data contained to a database, through transmission or sharing by another authority.

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Register of Asylum Seekers	National	State Border Guard Office of Citizenship and Migration Affairs	State Border Guard upon receipt of asylum application	Registration of an asylum application		
Asylum fingerprint database (Eurodac system)	National	State Border Guard	State Border Guard upon receipt of asylum application	Ensures the compliance with the conditions referred to in Article 9(1) and Article 14(1) of Regulation (EU) No 603/2013 ⁵⁰ of the European Parliament and of the Council of 26 June 2013	The following data are included in the system: 6.1. about the person: 6.1.1. surname in Latin alphabetical transliteration of the original form; 6.1.2. name (s) in Latin alphabet transliteration of the original form; 6.1.3. gender; 6.1.4. date of birth; 6.1.5. nationality and type thereof; 6.2. digital photo set of person's face (front view of the face, the right profile and the left profile. If a person wears glasses for vision correction, in addition to the above images: the face front view, the right profile and the left profile of a person with glasses) and the date of its obtaining;	For exchange of data with the central fingerprint database of Eurodac

⁵⁰ Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice. - Official Journal L 180, 29.6.2013

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					<p>6.3. fingerprints of the person and the date and time of their obtaining;</p> <p>6.4. in the relevant case – the place, date and time when the application for granting refugee or alternative status was received in the Republic of Latvia;</p> <p>6.5. system record identification number;</p> <p>6.6. place, date and time of detention if a third-country national or stateless person is detained for irregular crossing of the state border;</p> <p>6.7. date and time of data transfer to the central database;</p> <p>6.8. user identification data of the operator;</p>	
		<p>State Border Guard Office of Citizenship and Migration Affairs</p>	<p>Continuous online access to data included in the system</p>	<p>To ensure the examination of issues related to compliance with the rules of entry and stay of persons, as well as the granting of refugee or alternative status</p>		
		<p>State Police</p>	<p>Continuous</p>	<p>To ensure the</p>		

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		Latvian State Security Service Constitution Protection Bureau	online access to data included in the system	prevention, detection and proving of criminal offences		
		Latvian State Security Service State Border Guard State Police	Pursuant to Article 6 of Eurodac Regulation (603/2013) (through the verifying authority)	To compare data for law enforcement purposes with data stored in the Eurodac central system in order to prevent, detect or investigate a terrorist offence or other serious criminal offence		

[Section 2: Making an asylum application](#)

This section requests information on asylum seekers making an asylum application to an authority that is not competent to register an asylum application.

‘Making an application’: The expression of intent to apply for international protection.

2.1 Making an application to an authority not competent to register the asylum application

If your (Member) State does not differentiate between “making an application” and “registering an application”, or if these two phases are conducted concurrently, as referred to in Section 1.1, please skip and go to Section 3.

10. What information do authorities who are not competent to register an asylum application provide to the asylum applicants on where to go and what to do?

If a person makes an application for refugee or alternative status to the Office or the State Police, and the person has legal grounds to stay in the Republic of Latvia, the said public authorities provide the person with information about the need to go to the structural unit of the State Border Guard. In turn, if a person is staying in the Republic of Latvia irregularly and the person has been detained by the State Police, a structural unit of the State Border Guard takes over the person and performs further procedural actions, including acceptance and registration of the application. If a person has expressed a wish or prepared a written application while in prison, the said public authorities contact the State Border Guard or forward the said application to the State Border Guard so that it can carry out activities in accordance with the Asylum Law.

In all of the above cases, the person is also provided with information on how to lodge an application.

11. Do the authorities who are not competent to register any asylum application collect any data on the asylum applicant?

No.

If yes, please specify which type of data is collected.

If yes, is this data further transferred to the competent authorities?

Section 3: Registering an asylum application

In Latvia, the wish of the asylum seeker to lodge an application for granting the status of international protection, registration and acceptance of the application takes place simultaneously, so the answers in this Section are not provided.

'Registering an asylum application': Record the applicant's intention to seek protection.

This section requests information on the registration of asylum applications.

If the process of registering and lodging of the asylum application are conducted concurrently (according to the law or in practice) in your (Member) State, please make this clear in Section 1 and proceed by skipping this Section and going directly to Section 4. If however, registering and lodging of an asylum application are conducted separately in your (Member) State (e.g. in crisis times or regionally with regard to islands vs. main land, cities vs. rural areas, centralised vs decentralised) please proceed by answering the following questions in Sections 3 and 4.

If the process of registering, lodging and examination of the asylum application are conducted concurrently (according to the law or in practice) in your (Member) State, please make this clear in Section 1 and proceed by skipping this Section and going directly to Section 5.

For Member States implementing **the hotspot approach**, please highlight whether there are differences in the processes applied in hotspots with regard to the standard/general asylum procedure.

3.1 Cross checking of data collected at the registration phase

12. Against which databases at i. local/regional, ii. national, iii. European and iv. international levels is the information collected during registration cross-checked⁵¹ (please elaborate, what the purpose is of the cross-checking and if only specific categories of data are cross-checked)?

13. Does systematic cross-checking against (i) VIS and (ii) SIS take place?

Yes / No

14. What issues has your (Member) State encountered in cross-checking data collected at registration phase?

For each issue mentioned, please describe a) for whom it is an issue, b) why it is considered an issue and c) whether the assessment that this issue based on input from experts (please indicate sources)

3.2 Information provided to asylum applicants in the registration phase

15. Are asylum applicants provided with a processing/privacy notice⁵² about the personal data collected from them during the registration phase?

⁵¹Purpose of cross-checking: Previous asylum applications, Prior legal residence/stay, Illegal border crossing, Illegal stay (overstay), Criminal record, Security risks, Detect counterfeit identity/travel documents, Other (please specify).

⁵²The obligation to take appropriate measures to provide data subjects with a processing or privacy notice stems from Article 12 GDPR which obliges data controllers to provide "any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form,

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No/Yes

If yes, please describe which information is provided (i.e. the purpose for which personal data from the asylum applicant is collected and on what basis, who has access to the information, data protection rights etc).

16. a) Who provides the information mentioned above (under Q15) (public authorities, international organisations, CSO - civil society organisations)?

b) How is this information provided (orally, digitally, in writing or all three)?

c) Where information is provided orally, is interpretation available?

d) Where information is provided digitally, is translation available?

If yes, who provides the digital information (e.g. national authorities, NGOs etc)?

e) Where information is provided in writing is translation available?

If yes, who provides the translation service (e.g. national authorities, NGOs etc)?

17. Is any specific training or guidance (i.e. guidelines) provided for staff responsible for data management with regard to information collected at the registration phase?

3.3 Where self-registration procedures apply, (Member) States are asked to elaborate more on the framework and experiences.

18. Does your (Member) State have any self-registration procedures in place?

Yes/No

If yes, please answer questions 19-23.

If not, please move to section 4.

19. When was the self-registration procedure introduced and why?

20. Where do asylum seekers self-register (e.g. website, by phone)?

21. Are asylum seekers provided with any guidance/assistance/information on how to self-register?

If yes, please elaborate and indicate who provides this information

22. In which languages is the self-registration procedure available?

23. Is self-registration mandatory or optional?

Section 4: Lodging an asylum application

This section requests information on asylum applicants lodging an asylum application.

4.1 Cross checking of data collected at the lodging phase

using clear and plain language." The information referred to in Articles 13 sets out the information to be provided where data has been collected from the data subject. It includes setting out the purpose of the data collected and legal basis; legitimate interests of the data controller (where this is used as the legal base); recipients of the data or categories of data; and if the data will be transferred to a third country or international organisation. Articles 15 to 22 refer to the data subject's rights including the rights to access, rectification and erasure; the right to object (if data is being collected for certain purposes including for a task carried out in the public interest or an official function vested in the data controller or in pursuit of legitimate interests of the data controller); right to data portability etc.

24. Against which databases at i. local/regional, ii. national, iii. European and iv. international levels is the information collected during the lodging phase cross-checked (please elaborate, what the purpose is of the cross-checking and if only specific categories of data are cross-checked)?

According to the Asylum Law, upon application for granting refugee or alternative status, the State Border Guard identifies the asylum seeker and ascertains his or her nationality.

If a person enters the Republic of Latvia in accordance with the conditions of entry of the Schengen Borders Code by crossing the external border of the European Union, the State Border Guard enters personal data into the Electronic Information System of the State Border Guard (REIS). The data entered in the REIS are automatically transmitted for data verification in the following information systems: Schengen Information System (national and European level), subsystems *Wanted Persons* and *Register of Invalid Documents* (national level) of the Information Centre System of the Ministry of the Interior, and single migration information systems managed by the office: the *Register of Returned Foreigners and Entry Bans* (national level), the *Population Register* (national level), and the Visa Information System (national and European level). The data of the asylum seeker is checked in the State Border Guard border crossing service eMustangs (at national level).

If the asylum seeker entered the territory of the Republic of Latvia by crossing the internal border of the European Union or outside the border crossing points ("green border"), personal data can be entered manually and verified in the said systems (without entering data in REIS). In addition to identifying the person, the State Border Guard verifies the identity of the person in the Biometric Data Processing System, which includes the following subsystems: Automated Fingerprint Identification System (national level), "Criminal" and "Civil" array of the Biometric Data Processing System (national level), and the Information System of Fingerprints of Asylum Seekers (national level).

The State Border Guard, upon receipt of an application for granting refugee or alternative status, includes information about each asylum seeker aged at least 14 years in the Information System of Fingerprints of Asylum Seekers, where, in order to identify the person, the data is automatically verified and compared with biometric data contained in the Information System of Fingerprints of Asylum Seekers (national level), the Automated Fingerprint Identification System (national level), the Visa Information System (national and European level), the Schengen Information System, and the "Criminal" and "Civil" array of the Biometric Data Processing System (national level) and with the biographical data in the Schengen Information System. Additionally, data is also automatically sent (in NIST file format) for verification in the database of the General Secretariat of INTERPOL. At the same time, data entered into the EU Asylum Fingerprint Database shall be automatically transmitted for verification and, where appropriate, for preservation in the Eurodac central system.⁵³

25. Does systematic cross-checking against (a) VIS and (b) SIS take place?

Yes

26. What issues have you encountered in cross checking data collected at the lodging phase?

For each issue mentioned, please describe a) for whom it is an issue, b) why it is considered an issue and c) whether the assessment that this issue based on input from experts - please indicate sources)

The State Border Guard identified the following case: when entering the data of an asylum seeker in the Information System of Fingerprints of Asylum Seekers, after sending the biometric data for verification to the VIS, information was received that the person has a different identity (namely, at the time of applying for a visa, the person had presented identity documents), but at the time of lodging the application the person did not present identity documents and named identity data of another person. In this case, the exchange of data between the systems helped to identify the person (after receiving the information, the person confessed on providing false

⁵³ Source: State Border Guard.

information); hence, such exchange of data between the systems is considered beneficial as it can help to identify individuals.

There are also cases where a person changes personal data, such as name or surname, in the country of origin in order to obtain new identity and travel documents, after leaving the EU, having complied with a return decision or being removed, and attempts to enter the EU territory with a new valid travel document. The State Border Guard, where there are reasonable grounds for believing that the person will pose a risk of illegal employment and migration within the EU countries, has the right to verify the personal data in the SIS by biographic and biometric data of the person; however, considering that the person arrives on the territory of the EU with a new document, the coincidence of the person's biographic data is not found; but, the verification of biometric data shows that the biometric data of the said person has been added to the SIS as the person is prohibited to entry any of the Schengen Member States (which has determined the entry ban). Such data exchange allows to prevent cases where a person who has been denied entry into the territory of the EU, by changing his or her identity documents, has the opportunity to enter the EU thus violating the established entry ban.⁵⁴

4.2 Information provided to asylum applicants at the lodging phase

28. Are asylum applicants provided with a processing/privacy notice⁵⁵ about the personal data collected from them during the lodging phase?

Yes

If yes, please describe which information is provided (i.e. the purpose for which personal data from the asylum applicant is collected and on what basis, who has access to the information, data protection rights etc).

After receiving the asylum application, the State Border Guard officer issues to the asylum seeker:

1. The required common booklet on the Dublin procedure prepared by the European Commission according to the provisions of Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 (Dublin Regulation)⁵⁶ as well as the special booklet for unaccompanied minors to be served to asylum seekers to inform them about the application of the Dublin Regulation. The booklet is prepared in Albanian, English, Arabic, Armenian, Farsi, French, Italian, Russian, Chinese, Portuguese, Pashto, Somali, Spanish, Tigrinya, and Urdu languages. In addition, contact information of institutions where an asylum seeker can apply for his or her rights or for solving specific issues during the asylum procedure is provided (for example, information on the state supervisory authorities, non-governmental organizations (Red Cross, Latvian Centre for Human Rights, etc.), institutions for the protection of children's rights, organizations for ensuring the representation of unaccompanied minors, etc.);

⁵⁴ Source: State Border Guard.

⁵⁵The obligation to take appropriate measures to provide data subjects with a processing or privacy notice stems from Article 12 GDPR which obliges data controllers to provide "any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language." The information referred to in Articles 13 sets out the information to be provided where data has been collected from the data subject. It includes setting out the purpose of the data collected and legal basis; legitimate interests of the data controller (where this is used as the legal base); recipients of the data or categories of data; and if the data will be transferred to a third country or international organisation. Articles 15 to 22 refer to the data subject's rights including the rights to access, rectification and erasure; the right to object (if data is being collected for certain purposes including for a task carried out in the public interest or an official function vested in the data controller or in pursuit of legitimate interests of the data controller); right to data portability etc.

⁵⁶ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person. - Official Journal, L 180, 29.6.2013

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2. The Office has developed a guide (booklet) "Guideline for asylum seekers in Latvia", which is prepared in Arabic, Dari, English, Farsi, French, Latvian, Pashto, Russian, Tigrinya, Kurdish, Georgian, and Azerbaijani languages. It provides information to the asylum seeker about:

1. Asylum procedure in the Republic of Latvia, its time-limits;
2. Rights and obligations of the asylum seeker during this procedure;
3. The possible consequences of non-compliance with obligations and non-cooperation with the institutions involved in the asylum procedure;
4. Consequences of a clear or indirect withdrawal of an application;
5. Competence of the institutions involved in the asylum procedure;
6. Institutions that provide legal assistance, as well as the conditions of admission, including the right to receive health services.

Before obtaining data for input into the Eurodac system, the person shall be informed of:

1. Name, surname and position of the system user performing the data processing;
2. In the case of data entry in the Eurodac system, depending on the reason for the data entry (CAT1, CAT2, CAT3), the justification for data processing in the Eurodac system by issuing to the person against the signature a common booklet with the relevant information drawn up by the European Commission. Booklets are available in Albanian, English, Arabic, Armenian, Farsi, French, Italian, Russian, Chinese, Portuguese, Pashto, Somali, Spanish, Tigrinya, and Urdu languages.
3. The right of a person to access data from the Eurodac system and the right to propose the editing of the data entered if the data are entered incorrectly or the deletion of the data entered if the data are entered unlawfully.
29. a) Who provides the information mentioned above (under Q 28) (public authorities, international organisations, CSO - civil society organisations)?

The State Border Guard ensures the provision of information.

b) How is this information provided (orally, digitally, in writing or all three)?

Please describe.

An official of the State Border Guard issues to the person the common booklets elaborated by the European Commission and will require a signature (currently the booklets are prepared in 15 languages), as well as the guide prepared by the Office (currently in 12 languages). If necessary, in order for the asylum seeker to properly understand the information contained in the booklets and the guide, the State Border Guard official explains them verbally. If the asylum seeker does not speak any of the languages in which the said booklet and guide are available, the State Border Guard invites an interpreter who interprets the information contained in the booklet to the asylum seeker.

c) Where information is provided orally, is interpretation available?

Yes.

If yes, who provides the interpretation services (e.g. national authorities, NGOs etc)?

If the asylum seeker does not speak any of the languages in which the said booklet and guide are available, the State Border Guard invites an interpreter who interprets the information contained in the booklet and the guide to the asylum seeker.

d) Where information is provided digitally, is translation available?

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Information is not offered digitally – only in printed form and verbally.

N/A

Yes / No

If yes, who provides the digital information (e.g. national authorities, NGOs etc)?

e) Where information is provided in writing is translation available?

Yes

If yes, who provides the translation service (e.g. national authorities, NGOs etc)?

If the asylum seeker does not speak any of the languages in which the said booklet and guide are available, the State Border Guard invites an interpreter who interprets the information contained in the booklet and the guide to the asylum seeker.

30. Is any specific training or guidance provided for staff responsible for data management with regard to information collected at the lodging phase?

All officials of the State Border Guard who carry out procedural activities with an asylum seeker as provided for in the Asylum Law are specially trained, including with regard to data processing systems.

Section 5: Examining an asylum application

The following sections request information on any additional data collected after an asylum application is deemed to have been lodged and before a first instance decision is issued.

5.1 Cross checking of data collected at the examination phase

31. Against which databases at i. local/regional, ii. national, iii. European and iv. international levels is the information collected during the examination phase cross-checked (please elaborate, what the purpose is of the cross-checking and if only specific categories of data are cross-checked)?

Already in the early stages of the asylum procedure, with the aim to identify the person, the data entered in the Eurodac national system are automatically verified and compared with biometric data contained in the Eurodac national system, the Automated Fingerprint Identification System (AFIS), the Visa Information System, the Schengen Information System and the “Criminal” and “Civil” array of the Biometric Data Processing System (national level) and with the biographical data in the Schengen Information System; in addition, the data are also automatically sent (in the NIST file format) to the International Cooperation Bureau of the Main Criminal Police Administration of the State Police, which carries out the verification in the database of the General Secretariat of INTERPOL to find out whether the person is in the international search of foreign judicial bodies.

If during the asylum procedure a person has changed identity data (such as name, surname, or birth data), a re-examination of the data in the relevant systems with new biographical data of the person is carried out.⁵⁷

32. Does systematic cross-checking against (a) VIS and (b) SIS take place?

Yes

⁵⁷ Source: Office of Citizenship and Migration Affairs.

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The verification of personal data in respect of the VIS and SIS shall be carried out already at the initial stage of the procedure when his/her identification is carried out. If a person has changed identity data during the procedure, the information in these systems is checked with the new/updated personal data.

33. What issues has your (Member) State encountered in cross checking data collected at the examination phase?

Officials of the responsible institution of Latvia have not encountered problems in the verification of the referred to data.

For each issue mentioned, please describe a) for whom it is an issue, b) why it is considered an issue and c) whether the assessment that this issue based on input from experts (please indicate sources).

5.2 Information provided to asylum applicants at the examination phase

34. Are asylum applicants provided with a processing/privacy note⁵⁸ about the personal data collected from them during the examination phase?

Yes

At the beginning of the asylum procedure, the asylum seeker is already provided with information about the asylum procedure and his or her rights and obligations during this procedure. During the personal interview, the asylum seeker is informed of the purposes for which information is obtained about him or her during the interview, as well as of the confidentiality conditions that are binding on the staff/institutions and interpreters/translators involved in the asylum procedure.

35. If yes, please describe which information is provided (i.e. the purpose for which personal data from the asylum applicant is collected and on what basis, who has access to the information, data protection rights etc).

Asylum seekers are given a verbal explanation of the purpose of obtaining personal data, the principle of confidentiality in the processing of data obtained, as well as the fact that access to data is only the participating institutions of the asylum procedure for whose employees do not have the right to disclose this information to third parties without the consent of the asylum seeker.

- a) Who provides the information mentioned above (under Q 34) (public authorities, international organisations, CSO - civil society organisations)?

At the time when the application of the asylum seeker is being examined, information on the purposes of obtaining the data during the personal interview as well as on the information contained in the submitted evidence shall be provided by the employee of the Asylum Affairs Division of the Office who interviews the asylum seeker.

- b) How is this information provided (orally, digitally, in writing or all three)?

⁵⁸The obligation to take appropriate measures to provide data subjects with a processing or privacy notice stems from Article 12 GDPR which obliges data controllers to provide "any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language." The information referred to in Articles 13 sets out the information to be provided where data has been collected from the data subject. It includes setting out the purpose of the data collected and legal basis; legitimate interests of the data controller (where this is used as the legal base); recipients of the data or categories of data; and if the data will be transferred to a third country or international organisation. Articles 15 to 22 refer to the data subject's rights including the rights to access, rectification and erasure; the right to object (if data is being collected for certain purposes including for a task carried out in the public interest or an official function vested in the data controller or in pursuit of legitimate interests of the data controller); right to data portability etc.

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Please describe.

Information on the purpose of obtaining data and the principle of confidentiality in the processing of this information is provided orally; it is recorded in the personal interview report and also in the audio record of the interview, a copy of which is issued to the asylum seeker if he/she requests one.

c) Where information is provided orally, is interpretation available?

Yes.

In personal interviews, the participation of an interpreter is always provided.

If yes, who provides the interpretation services (e.g. national authorities, NGOs etc)?

Public authorities that obtain information from/about asylum seekers within the framework of their functions have contracts with translation companies for the provision of interpreters/translators. The contracts contain strict rules on confidentiality issues with regard to interpreters/translators.

d) Where information is provided digitally, is translation available?

N/A

If yes, who provides the digital information (e.g. national authorities, NGOs etc)?

e) Where information is provided in writing is translation available?

Yes.

General information on the principle of confidentiality in the asylum procedure is available in the information booklet "Guideline for asylum seekers in Latvia" which is prepared by the Office and translated into English, Arabic, Azerbaijani, Dari, Farsi, French, Georgian, Russian, Kurdish, Pashto, and Tigrinya.

If yes, who provides the translation service (e.g. national authorities, NGOs etc)?

Public authorities that obtain information from/about asylum seekers within the framework of their functions have contracts with translation companies for the provision of interpreting/translation services.

36. Is any specific training or guidance provided for staff responsible for data management with regard to information collected at the examination phase?

Staff is trained with regard to data entry in the Register. Access to the Register and to the information collected there shall be limited to authorities whose functions include taking appropriate action in the asylum procedure. Each employee has a certain amount of user rights (just view the data or the right to view and enter data), and the login of each employee to the Register is personalized and the actions performed are traceable. Since the data accumulated in the Register are available only to a limited number of persons working in public institutions, each of them has already signed obligation on non-disclosure of confidential information upon entering into employment relations.⁵⁹

Section 6: Data quality and safeguards [max 4 pages]

⁵⁹ Office of Citizenship and Migration Affairs.

The following sections request information on how data quality is managed and the safeguards that (Member) States apply.

6.1 Data quality management

37. Is the quality of (at least some categories of) data (alphanumeric and biometric) collected during the asylum procedure assessed (e.g. with regard to accuracy, timeliness, completeness, consistency, duplication and validity of the data)?

Yes.

When entering the data of the asylum seeker in the Register, first of all, the comparison of biographical data with other systems in the field of migration is carried out. Having established that the asylum seeker had a personal file before applying for asylum (for example, a return decision has been issued or he or she had a residence permit as a student, etc.), it is being linked to the data of the asylum seeker. When entering data in the Register, the system does not allow saving of incomplete (for example, the required fields are not filled in) or incorrect data (it is noted that the asylum seeker is an unaccompanied minor, but the entered birth data exceeds the age of majority, etc.) by returning back error notifications. If a person changes identity data during an asylum procedure, the new identity is also linked to the existing file (by comparing the data with other systems repeatedly before the linking), thus ensuring that a single person does not have multiple parallel files (but the person's file can be searched and found with each of the identities indicated by him or her), as well as that the other procedures (for example, the removal procedure in connection with the irregular stay in the country before applying for asylum) are suspended until a final decision is taken in the asylum procedure.⁶⁰

If yes, please elaborate on some contrasting⁶¹ examples of data quality assessment and indicate:

- a) In which phase(s) of the asylum procedure is the quality of data assessed (quality assessment)?

Verification of the quality of the entered data is carried out already at the data entry stage. If, after the data entry form has already been saved as complete, the data inputting person finds that the data has been input incorrectly, it shall be reported to the system administrator, who shall correct the error.

If an asylum seeker has requested a change/clarification of his or her identity data, a notification shall be sent to the participating institutions regarding a significant change in the identity data following the changes made.

- b) How (specific tools)⁶² and by whom (centralised/decentralised) is the quality assessment carried out?

The system performs automatic data quality control. In turn, if the investigator has identified shortcomings in the entered data during the procedure, the erroneously entered data are corrected or the incomplete data is supplemented.

- c) If decentralised, how is it ensured that the other actors get to know about data amendments and changes?

N/A

38. Do quality assessment measures only apply retroactively?

⁶⁰ Source: Office of Citizenship and Migration Affairs.

⁶¹It will not be feasible to elaborate on all data quality assessment measures for each type of data collected which is why we are asking for contrasting examples where different types of quality assessment measure (e.g. tools, technical equipment, data analytics etc.) apply.

⁶²E.g. name transliteration, screening for duplicates against data already stored in the database, automated data quality checks, data analytics, artificial intelligence.

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No.

The data are verified already at the time of their input: before saving the entered data, the system automatically verifies the newly entered data and displays alerts about errors due to which the data are not yet ready for storage or need to be corrected or supplemented.

39. Are any preventative measures in place to get the information right at the very beginning?

Yes.

40. If yes, which safeguards are in place?

The principle of data entry requires that each individual has one key identity in the Asylum Seeker Register. If an asylum seeker changes identity data during the procedure, each of the new identities is linked to the previously entered data and the identity with the current changes is marked as the main identity.

After data entry into the system, automatic data control is performed, which results in return of the input form for supplementing if:

- the mandatory fields are not filled in;
- errors in the entry of dates (both with regard to the dates of birth of a person and with regard to procedural time-limits) are made.⁶³

6.2 Safeguards

41. Describe the supervision mechanism for data protection supervision of the personal data collected during the asylum procedure in your Member State.⁶⁴

Limited number of the system users, personalized access to the system, traceability of the performed actions by auditing data, as well as liability established in the legal framework, which provides for the personal responsibility of each user, so that the data are used only for the performance of statutory functions and not transferred to third parties.

42. Have (national) data protection authorities or similar entities assessed any of the databases described above?

No

If yes, please specify the relevant authorities, briefly describe what conclusions have they drawn, including whether such conclusions have led to changes in data management. Please indicate sources and whether there are any published reports or audits available on these inspections.

43. How is it arranged in practice the manner in which the rights of asylum applicants in relation to access, rectification and erasure of their data stored in the national systems are exercised?
Please provide available statistics concerning the number of requests made by asylum applicants, if any.

Asylum seekers have the right to apply to the responsible authorities during the asylum procedure with a request for clarification of their identity details. Data are deleted from the system in the

⁶³ Office of Citizenship and Migration Affairs.

⁶⁴The question does not refer to the legal framework but to how a data protection authority in a Member State supervises the implementation of that legal framework (what are the structures in place in your Member State to ensure the data subject's data protection rights are being ensured).

time-limit specified in the binding regulations of the Cabinet of Ministers⁶⁵. The asylum seeker may request the correction of the erroneous data, but the complete deletion of the data from the system (until the expiration of the storage period specified in the Regulations of the Cabinet of Ministers⁶⁶) is not possible, since this is due to the selection of non-personalized data statistics.

Section 7: Responding to challenges in data management: recent reforms to the asylum procedure

7.1 Challenges and changes/reforms in data management

44. Has your (Member) State experienced any of the following challenges related to data management in the past years (since 2014)?

The Office considers that no particularly significant challenges or insurmountable difficulties have been identified.

Please elaborate **on each of the selected challenges**, mentioning: a) for whom it is a challenge (policy-maker, organisation, other stakeholders); b) why it is considered a challenge; and c) how was it identified as a challenge (e.g. surveys, evaluation reports, focus groups, experts opinions etc).

Lack of human or financial resources

Self-registration

Legal obstacles

Cooperation between national authorities

Interoperability of databases

In the opinion of the State Border Guard, problems have not been experienced so far.

Technical limitations in data processing

Implementation of Eurodac and/or GDPR regulation

In the opinion of the State Border Guard, problems have not been experienced so far.

Lack of training/information

Transliteration (e.g. Arabic to Latin or other alphabets)

Other (please specify):

45. Did your (Member) State introduce any major change(s)/reform(s) related to data management in the past years (since 2014)?

Yes.

If yes, please describe those changes and why they were made.

The progress towards digitization of files and exchange of data between the institutions involved in the asylum procedure in electronic form has been started and continues – after supplementing the register data, a notification can be sent to the e-mail addresses of the institutions involved regarding the changes made in the Register concerning the registration of the application of the

⁶⁵ Regulation No 456 "Regulations Regarding the Register of Asylum Seekers" adopted by the Cabinet of Ministers on 12 July 2016. - Official gazette "Latvijas Vēstnesis", No 137, 19.07.2016 - [entered into force on 20.07.2016]

⁶⁶ Regulation No 456 "[Regulations Regarding the Register of Asylum Seekers](#)" adopted by the Cabinet of Ministers on 12 July 2016. - Official gazette "Latvijas Vēstnesis", No 137, 19.07.2016 - [entered into force on 20.07.2016]

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asylum seeker and decisions adopted. Upon receipt of these notifications, the responsible employee may take the further steps specified in the procedure, since the documents added to the Register of Asylum Seekers are immediately available to him or her in digital form.

If not, please move to Q48.

46. Have any of the abovementioned changes become standard operating procedure in your (Member) State?

Yes.

Please elaborate.

Work on digitizing files continues so that all institutions involved in the asylum procedure use a single register thereby reducing the mutual transmission of documents and informative letters. The work is carried on in order the exchange of information with the courts at the appeal stage also would take place using the possibilities provided by the Register: the work on the establishment of an interface between the Register and the Judicial Information System is carried on.

47. Were any of these changes/reforms related to data management introduced due to the introduction of 'channelling'?

Yes

If yes, please elaborate.

Work on the creation of load accounts connected to the Register continues. A specific case of an asylum seeker will be allocated/linked in the system to each case worker, and the relevant case worker is responsible for the further processing of this case. This will facilitate the distribution of cases between case workers and will allow each case worker to follow the additions to the system regarding the asylum seeker concerned, and thus improve the control over the compliance with procedural time-limits⁶⁷.

48. Did the reforms introduced achieve the intended results? Why?

Please elaborate and explain why the reform(s) achieved/did not achieve the intended results.

N/A, the development of load accounts in the Register is still in the process, so it is still too early to talk about the results.

49. Would your (Member) State consider this reform (s) as a good practice?

N/A

Please elaborate and explain why your (Member) State considers/ does not consider the reform(s) a good practice. In particular, please mention whether any of those reform(s) are believed to have improved the quality of the asylum procedure.

50. Have any on-going (unaddressed) challenges related to data management in the asylum procedure been identified in your (Member) State?

Yes.

⁶⁷ Office of Citizenship and Migration Affairs.

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If yes, please elaborate.

If yes, is your (Member) State taking any steps to address these challenges?

The above-mentioned load accounts are being developed in order to provide the possibility to control the progress of cases under examination and control of procedural time-limits.

7.2 Contingency measures

51. Are there any contingency measures in place to accelerate and/or ease the process in times of high influx of asylum seekers with regard to data management?

In view of the difficulties associated with the possibility of making reasonable predictions about the number of asylum seekers for a given period in the future, general patterns of possible action for situations involving a significant increase in the number of asylum seekers have been identified so far. Simultaneously, Order No 759 “Action Plan for Movement and Admission in Latvia of Persons who need International Protection” adopted by the Cabinet of Ministers on 2 December 2015 provides a good basis for interinstitutional cooperation in the event of a significant increase in the number of asylum seekers. Taking into account the number of asylum seekers in previous years, no specific tools or systems are planned for the situation of the increase in the number of asylum seekers; however, all the actions taken to develop the Register (digitisation of files, automatic notification of changes, creation of load accounts) could play a positive role in ensuring the effective functioning of the asylum procedure even in a situation where the number of asylum seekers significantly increases.

Section 8: Conclusions [max 2 pages]

With regard to the aims of this study, what conclusions would you draw from your findings reached in elaborating your national contribution? In particular, what is the relevance of your findings to (national and/or EU level) policymakers?

The results of the study allow to draw the following main conclusions:

- The established information system *Register of Asylum Seekers* ensures the recording of asylum seekers and control of the progress of the asylum procedure in accordance with the Asylum Law from registration of the application to the taking a decision in the first instance, as well as regarding the progress of the asylum case in court;
- The Register of Asylum Seekers also provides access to personal data and other information related to the case to the other institutions involved in the asylum procedure in accordance with their competence and the laws and regulations;
- An important contribution to the effective conduct of the asylum procedure is the fact that such stages of the asylum procedure as registration and lodging of an application, decision-making in an asylum case, as well as the accommodation of asylum seekers are under the responsibility of two different institutions of the same ministry. Thus, the information system in its current configuration is able to provide adequate access to up-to-date data on the asylum seeker and the progress of his or her case.

In order to make the examination of asylum applications more effective, it is essential in the future to:

- Ensure the work on digitised files while refusing to circulate paper documents between institutions involved in the asylum procedure. In the event of an appropriate level of data security, this approach would also provide opportunities for remote work;
- Implement a load-account approach that would facilitate the distribution of cases between case workers, including in accordance with the applicable referral scheme, as well as allow each case worker to follow up-to-date information in the system on the asylum seeker concerned and facilitate control of compliance with procedural deadlines.

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Being aware that only coordinated action at all stages of the asylum procedure can lead to an effective asylum procedure that complies with the legislation and, among the rest, ensures the rights of the asylum seeker, it is necessary to establish an interface between the Register of Asylum Seekers and the Court Information System in the future.

Annex 1 National statistics

Please fill in the attached excel sheet with the respective statistics for your (Member) State – provided in a separate Excel file. The Statistical Annex consists of the following:

Annex 1.1. Number of registrations of asylum applications



data
management_statistic

Number of registrations of asylum applications <i>Please provide the data for the years 2014-2019.</i>					
2014	2015	2016	2017	2018	2019
364	328	344	355	176	178
		6 resettled persons are not included.	40 resettled persons are not included.		

*Process of registering and lodging are conducted concurrently - therefore there is no separate sheet for the lodged asylum applications.