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

EMN FRANCE

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- Site of the EMN France:

- <https://www.immigration.interieur.gouv.fr/Europe-et-International/Le-reseau-europeen-des-migrations-REM3>

**ACCURATE, TIMELY, INTEROPERABLE?
DATA MANAGEMENT IN THE ASYLUM PROCEDURE**
Study conducted by EMN France

December 2020

Disclaimer:

The information provided by EMN France is considered to be up to date and objective, and thus in accordance with the context and aims of the study. However, this information may not be exhaustive and representative of the overall official policy in France. EMN France shall not be held liable, under any circumstances, for the use which may be made of the information contained in this study.

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List of Acronyms

- AEF IT system: IT system for the Administration of Foreign Nationals in France (*Système d'information de l'Administration des Étrangers en France*)
- AGDREF : National central database for foreign nationals in France (*Application de gestion des dossiers des ressortissants étrangers en France*)
- CESEDA : Code on Entry and Residence of Foreign Nationals and Right of Asylum (*Code de l'entrée et du séjour des étrangers et du droit d'asile*)
- CNDA: National Court of Asylum (*Cour nationale du droit d'asile*)
- CRA: Administrative detention centre (*Centre de rétention administrative*)
- DGEF: General Directorate for Foreign Nationals in France (*Direction générale des étrangers en France*)
- DNA: National reception arrangement (*Dispositif National d'Accueil*)
- EURODAC: European Asylum Dactyloscopy Database
- FPR: Wanted Persons File (*Fichier des personnes recherchées*)
- GDPR: General Data Protection Regulation
- GUDA: Single desk for asylum seekers (*Guichet unique pour demandeur d'asile*)
- INEREC: National database for monitoring information on asylum applications
- OFII : French Office for Immigration and Integration (*Office français de l'immigration et de l'intégration*)
- OFPRA: French Office for the Protection of Refugees and Stateless Persons (*Office français de protection des réfugiés et des apatrides*)
- PAF: The Border Police (*Police aux frontières*)
- SPADA: Initial Reception Centre for Asylum Seekers (*Structure de Premier Accueil des Demandeurs d'Asile*)

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EXECUTIVE SUMMARY

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 improve also interoperability to assist operational efficiency¹. 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.

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, this study provides in **Section 1** an overview of the state of play of data management policy in France in the context of the regular asylum procedure but also in the context of specific procedures. **Sections 2 to 5** examine the different phases of the asylum procedure, how the data is collected and how the information is provided to asylum seekers at each stage. Furthermore, they analyse whether there have been procedural changes to improve data sharing and how this has impacted data management in these processes. **Section 6** looks at data quality and safeguards for data collection and management, while **section 7** identifies challenges and changes in data management.

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. First, it will focus on data collected by various actors involved in the asylum procedure. Then, 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 etc.).

¹ MPI, Chasing Efficiency: Can Operational Changes Fix European Asylum Systems? March 2020: <https://www.migrationpolicy.org/sites/default/files/publications/MPIE-ChasingEfficiency-EuropeAsylum-Final.pdf>

The Study will cover four main phases, based on EASO's guidance on asylum procedure:²

- 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.**

² EASO Guidance on asylum procedure: operational standards and indicators, EASO Practical Guides Series, September 2019, https://easo.europa.eu/sites/default/files/Guidance_on_asylum_procedure_operational_standards_and_indicators_EN.pdf

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?

Yes / No

If yes, please describe these changes.

However, to deal with the health crisis, the government has taken measures to adapt the administrative and appeal rules and deadlines applicable to asylum applications:

- Individuals that lodged an asylum application over 90 days after their entry into the territory are not placed in an accelerated procedure if this deadline expired between 12 March and 24 June 2020. They have a 90 day time period from 24 June 2020 for registering their application under the normal procedure;
- The departure point for appeals that may be filed against the decisions of the French Office for the Protection of Refugees and Stateless Persons (OFPRA) made between 12 March and 24 May 2020 is delayed until 24 May 2020;
- All asylum claim certificates that expired between 15 March 2020 and 15 June 2020 have automatically been extended for 90 days.
- The time period for payment of the asylum seekers' allowance was extended either up to the end of May (for rejected asylum seekers) or the end of June (for protected persons).

The ruling of 5 May 2020³ also changed the duration of the asylum claim certificate. Thus, the validity period of the first asylum claim certificate that justifies the person's right to remain in the territory for the duration of the application examination, has gone from one to ten months when the OFPRA rules under the normal procedure and from one to six months for the accelerated procedure. It is then renewed by six-month periods for both the normal and accelerated procedures.

³ Order of 5 May 2020 amending the Order of 9 October 2015 on the basis of article L. 741-1 of the Code on Entry and Residence of Foreign Nationals and Right of Asylum, <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000041865597/>

Section 1. The asylum procedure

The data management aspects of each phase of making, registering, lodging and examining an asylum claim will be described in more detail in the following sections. This introductory section serves as a first overview to better understand the following sections on data management within each phase. If France has implemented specific procedures (e.g. 'airport procedure') that deviate from the usual procedure(s), it will be pointed out.

1.1 Overview of the asylum procedure

1. Does your (Member) State clearly distinguish in national legislation among the abovementioned phases of **making, registering and lodging** of an application?

Yes / No

If yes, please elaborate.

I. Normal procedure

Article L. 741-1 of the Code on Entry and Residence of Foreign Nationals and Right of Asylum (CESEDA)⁴ provides that "a foreign national present in the French territory who wishes to apply for asylum must appear in person before the competent administrative authority that registers the application and determines the responsible State". The same article adds that "the registration must take place at the latest three working days after the application has been made to the competent administrative authority". In compliance with the 2013 "Procedures" directive⁵, French legislation distinguishes between the **making of the asylum application by the applicant at an Initial Reception Centre for Asylum Seekers (SPADA)**, on the one hand, and its **registration by the Prefecture**, on the other hand.

1. Pre-registration

To make an asylum application in France at the OFPRA, the asylum seeker must first go to a **SPADA** responsible for initial reception, which notably has the task of making an appointment with the single desk (GUDA). The association provides the asylum seeker with a notification for this appointment that takes place within three working days (ten days when a large number of people arrive at the same time).

In Île de France, a new asylum application access channel was launched at the beginning of May 2018. To obtain an appointment with the SPADA, the person must first call a number managed by the OFII (the "OFII telephone platform"). An OFII agent, supported by an interpreter, asks the asylum seeker questions about their identity and journey. After the telephone conversation, the agent sends an SMS (or email) with a date and time for

⁴ Code on Entry and Residence of Foreign Nationals and Right of Asylum, <https://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006070158&dateTexte=20200619>

⁵ 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 (recast), <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32013L0032>

the SPADA appointment in Île-de-France. The applicant must then present this SMS (or email) at the SPADA appointment.

The Ministry of the Interior's circulars of 13 July 2015 implementing the asylum reform⁶ and of 25 January 2016 on the regional reception plans for asylum seekers⁷, along with the Guide for Asylum Seekers in France⁸, prepared by the General Directorate for Foreign Nationals in France at the Ministry of the Interior, stipulate the role of the association responsible for pre-registration.

The operator is responsible for:

- providing the foreign national with information about the asylum procedure;
- completing the electronic asylum application registration form, which indicates the identity and composition of the asylum seeker's family;
- making the appointment at the single desk using a shared calendar;
- providing the applicant with a notification indicating the place, date and time that they must present themselves to the single desk;
- taking identity photographs or covering the cost.

The PADA fills in the electronic asylum application registration form and checks that the application is complete for the Prefecture. To fill in this form, the PADA agent asks questions about:

- civil status (full name, nationality, family status, etc.);
- the travel itinerary from the country of origin;
- the conditions of entry into France;

The PADA then transmits the electronic asylum application registration form to the single desk.

2. Registration of the asylum application at the single desk

The asylum application is registered at the single desk responsible for the asylum seeker's place of residence, which comprises agents from the Prefecture and the French Office for Immigration and Integration (OFII). There are 38 single desks spread throughout mainland France and the French overseas territories.

The registration of the asylum application at the single desk comprises two stages:

i. The Prefecture

After the SPADA, the applicant must go to the GUDA, which brings together the Prefecture and the OFII services.

Before the applicant arrives at the GUDA, the SPADA transmits a compilation of information to enable the Prefecture to make checks (public order, applicant history). During the GUDA appointment, a prefecture agent checks all of the information transmitted to the single desk by the initial reception organisation. If the asylum seeker is

⁶ Circular of 13 July 2015 implementing the right to asylum, https://juridique.defenseurdesdroits.fr/index.php?lvl=notice_display&id=15677&opac_view=-1&lang_sel=fr_FR

⁷ Circular of 25 January 2016, NOR: INTV1523797C, Regional reception schemes for asylum seekers, <https://www.legifrance.gouv.fr/download/pdf/circ?id=40532>

⁸ Ministry of the Interior, DGEF, <https://www.immigration.interieur.gouv.fr/Asile/Guide-du-demandeur-d-asile-en-France>

aged 14 or over ⁹, a rolled impression of the ten fingerprints is taken and transmitted to the EURODAC central database. The applicant's fingerprints are also taken to query Visabio.

- If the asylum application is likely to be processed under the responsibility of another Member State, in the case of a positive hit validated by the EURODAC cell, the so-called "Dublin III" procedure is implemented and the agent carries out an **individual interview** to retrace the journey from the asylum seeker's country of origin, in order to determine the country responsible for examining the asylum application. The applicant receives an initial asylum application certificate for a four month period and the application is sent to a Regional Dublin Hub (except for the GUDA in Île de France);
- If the asylum application comes under French responsibility, the OFPRA is competent for examining it, under the normal or accelerated procedure.

In the latter situation, since the ruling of 5 May 2020¹⁰, the validity of the initial **asylum application certificate** which was previously one month, was increased to ten months for normal procedures and six months for accelerated procedures, renewable throughout the procedure (renewal by six-month periods).

The Prefecture also issues an **asylum application form** to be filled in, signed and sent to the OFPRA within 21 days following the issue of the asylum claim certificate if it is a first application and within eight days for re-examined or reopened procedures.

ii. The OFII

During the second stage, an OFII agent carries out **the assessment of the asylum seeker's individual situation via a questionnaire**. This assessment cannot concern the grounds for the asylum application that will be indicated to the OFPRA. The OFII agent is responsible for checking the conditions for access to material reception conditions (accommodation, residence, assessment and management of vulnerability, asylum seeker's allowance).

In terms of system interoperability, the registration of the asylum application by the OFII triggers the sending of an IT flow from the AEF IT system (IT system for the Administration of Foreign Nationals in France) to the different IT systems including INEREC¹¹.

3. Application processing at the OFPRA

i. Lodging the asylum application at the OFPRA

The asylum application form must be filled in, signed and sent to the OFPRA within **21 days** for a first application and **8 days** for a re-examined or reopened procedure, following the date of issue of the asylum claim certificate.

Whatever the procedure, if the application is complete, it is considered to have been lodged and the OFPRA sends a letter attesting that the asylum application has been lodged. This

⁹ Fingerprinting is mandatory from the age of 14.

¹⁰ Ruling of 5 May 2020 amending the ruling of 9 October 2015 taken in application of article L. 741-1 of the CESEDA, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000041865597&categorieLien=i>

¹¹ National database for monitoring information on asylum applications. It has several input and output interfaces (limited consultation / "push data").

indicates the identity, nationality, date of birth and place/country of birth. This confirmation letter often includes the notification for the OFPRA interview.

An email and/or SMS confirming that the application has been lodged at the OFPRA and the confirmation letter are also sent to the applicant.

Since 15 July 2020, the OFPRA has set up an online User Space for asylum seekers from two regions (Brittany and Nouvelle-Aquitaine). This paper-free process falls within the framework of the provisions of the decree no.2018-1159 of 14 December 2018 taken in application of law no.2018-778 of 10 September 2018¹², which stipulates that the notification given to asylum seekers for their individual interview at the OFPRA and the notification of the decisions made by the OFPRA General Director are made by "all means that guarantee the confidentiality and individual receipt by the applicant". An explanatory note is given to asylum seekers when the GUDA registers the application, including the identifying number (AGDREF¹³ number) and a connection key (for the first connection).

From this User Space, asylum seekers can access their lodging confirmation letter, their notification and the decision made by the OFPRA General Director on their application. The person may indicate their telephone number and email address that will be used to inform them if new documents have been uploaded by the OFPRA to the User Space.

The paper-free process should be rolled out to all regions from 2021.

ii. Convocation for the interview on the asylum application

If the notification was not attached to the lodging confirmation letter, the asylum seeker receives the notification by letter, or in their User Space, if applicable (Brittany and Nouvelle-Aquitaine) for an interview at the OFPRA offices. An experiment with paper-free interview notifications is on-going in two French regions.

iii. Examination of the application

Under the normal procedure, the OFPRA rules on the asylum application within six months of the lodging of the application with the Office, unless this time limit is extended (article R. 723-2 of the CESEDA which refers to paragraphs 3 and 4 of article 31 of Directive 2013/32/EU of the European Parliament and Council of 26 June 2013 on common procedures for granting and withdrawing international protection).

Under the accelerated procedure, the OFPRA rules on the asylum application within 15 days from its lodging with the Office (article R. 723-4 of the CESEDA).

iiii. The OFPRA's decision

The OFPRA's decision is sent by registered letter with acknowledgement of receipt. It also includes the transcript of the interview with the OFPRA.

¹² Decree No 2018-1159 of 14 December 2018 adopted for the implementation of Law No 2018-778 of 10 September 2018 on controlled immigration, effective asylum and successful integration and laying down various provisions relating to the fight against irregular immigration and the processing of asylum applications, <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000037816431?r=huZJDJdxIA>

¹³ AGDREF: French central database for foreign nationals in France.

An experiment with paper-free decision notifications is on-going in two French regions (Brittany and Nouvelle-Aquitaine).

II. Procedure in detention

1. Making and registering the application

The foreign national that expresses the wish to request asylum sends a written request to the competent GUDA which informs the Prefect of the *département* in which the detention facility is located. The Prefect sends an asylum application form (article R. 741-2 of the CESEDA and Protocol aiming to improve coordination between detention facilities and Ministry of the Interior services for implementing measures to remove foreign detainees from the national territory, in annex to the instruction of 16/08/2019).

2. Application processing at the OFPRA

i. Lodging the asylum application at the OFPRA

The completed asylum application is sent to the Office which carries out the same checks as for the normal procedure.

ii. Notification for an interview and examination

The detained applicant is interviewed by video conference from the detention facility. In order to organise the interview, the OFPRA contacts the detention facility registrar to obtain authorisation to interview the detainee. When prior authorisation from the judicial authorities is required by the detention facility, the OFPRA contacts the prosecution service for the detention facility location if the person has already been sentenced or the examining magistrate if the person is in pre-trial custody and has not yet been sentenced.

iii. The OFPRA's decision

The decision is notified by registered letter with acknowledgement of receipt to the address of the detention facility, and to the attention of its Director. The envelope contains an information letter for the detention facility, a blank notification record and a second envelope, sealed and labelled with the name of the asylum seeker, with the decision, and, if applicable, the transcript of the interview and supporting documents provided by the applicant. This sealed envelope is given to the asylum seeker by the detention facility, and signed for, and the detention facility then sends the notification record to the OFPRA by electronic means.

After each processing phase, IT flows are generated by the INEREC IT system and sent by IT connectors to the other IT systems, thus ensuring system interoperability.

III. Procedure in administrative detention

1. Making and registering the application

An asylum application made in an administrative detention centre (CRA) comes under the responsibility of the Prefect that ordered the person's administrative detention (article R.741-1 of the CESEDA).

2. Application processing at the OFPRA

i. Admissibility and lodging the asylum application at the OFPRA

The asylum seeker in administrative detention has five days to claim asylum from the date of notification of the individual's rights, and specifically, of their right to request asylum. Unless the asylum seeker comes from a country of origin considered to be safe, only the Office can assess the admissibility of the application with regard to this time period. It will assess whether the application is complete. The assessment of the five day time period takes into account the date on which the asylum application form was given to the centre manager. The Office must ensure that the applicant has been able to benefit from legal and linguistic assistance. Late lodging of the application may not be held against an applicant who proves facts that took place after the expiry of the five-day deadline. If these conditions are not met, the Office will make a decision of inadmissibility (article L.551-3 of the CESEDA).

ii. Notification for an interview and examination

The Office has 96 hours to process asylum applications in administrative detention as it is an accelerated procedure (articles L.556-1, paragraph 6, and L.723-2 of the CESEDA). The asylum seeker is interviewed by an Office agent either at Fontenay-sous-Bois or via video conference from an Office-approved CRA. The asylum application made under the accelerated procedure may be rechannelled by the Office. In this case, the Office informs the CRA manager and the Prefect who decided the administrative detention. The administrative detention is ended by the Prefect. The Office continues to process the application under the normal procedure after having confirmed the address at which the applicant may be contacted (through the Prefecture), in order to invite the person for an interview and, in any case, notify the decision made on the application.

iii. The OFPRA's decision

Decisions to recognise refugee status or grant subsidiary protection, on inadmissibility (late application), closure or withdrawal of the asylum application are sent to the CRA by electronic means, then notified to the applicant by administrative channels via the CRA manager.

If there is a rejection or inadmissibility decision, the applicant is informed by a sealed registered letter with acknowledgement of receipt. Simultaneously, the Office communicates the decision to the CRA manager.

The IT flows described in II above are not yet available for asylum applications in administrative detention.

2. a) Does your (Member) State clearly distinguish in practice among the abovementioned phases of **making, registering and lodging** of an application?

Yes / No

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)?

Yes, there is a distinction between how an asylum application (initial reception) is made depending on whether it is in the territory or at the border.

The asylum application at the border

The asylum procedure at the border aims to authorise (or not authorise) entry to the French territory by a foreign national, without the required documents, and who requests admission for asylum at the air, rail or sea border.

According to article L. 221-1, 2° of the CESEDA, the person may be placed in a waiting zone for the time strictly required to determine whether the application comes under France's responsibility, whether it is admissible and whether it is not manifestly unfounded. The Holding in the waiting zone may not exceed a total of 20 days, during which the Freedom and Detention Judge reviews whether the person should continue be held in the waiting zone. In certain exceptional situations, the total duration for holding in the waiting zone may be extended to 30 days (articles L. 222-2, 2° and L. 213-9 of the CESEDA). After this period has expired, the foreign national is automatically admitted to the territory (article L.224-1 of the CESEDA) under an eight-day regularisation visa. The Border Police (PAF) is responsible for registering the request for admission to the territory in respect of asylum for the foreign national at the border, even if the person does not have any documents. The law on reforming the right to asylum of 29 July 2015¹⁴ specifically managed the conditions for holding applicants for international protection at the border in a waiting zone.

The PAF transfers the application to the Ministry of the Interior, which is competent for accepting or refusing entry into France, based on the OFPRA's opinion. When registering the application, the asylum seeker is immediately informed by the service responsible for border controls, in a language they can reasonably be considered to understand, of the asylum application procedure, their rights and obligations over the course of this procedure, the potential consequences of any failure to meet these obligations or any refusal to cooperate with the authorities, and the measures available to help them present their request (article R. 213-2 of the CESEDA). To guarantee the effectiveness of this right, the applicant is heard as soon as possible by the OFPRA after the application has been made. The Office prepares a notification including the place and time of the interview, as well as the indication of the applicant's right to be accompanied by a third party. It gives it directly, or transfers it by secure electronic means to the service responsible for border controls in order to notify the applicant against signature. The notification is also sent to the Ministry of the Interior.

Article R. 213-4 of the CESEDA states that, unless the claim comes under the responsibility of another State, the OFPRA, as part of its specific task at the border, interviews applicants according to the modalities stipulated in articles R. 723-5 to R. 723-9 of the CESEDA . Thereupon it transmits a motivated opinion on the inadmissible or manifestly unfounded nature of the application to the competent ministry within two working days from the time that the asylum application is registered in the record (article R. 213-5 of the CESEDA).

The examining agents posted to the border asylum mission are located in the waiting zone (ZAPI III) at Roissy-Charles de Gaulle airport. Interpreting is provided by the OFPRA by telephone. The vast majority of asylum seekers coming forward at Roissy-Charles de Gaulle airport (over 85%) are interviewed in person. The interviews at Orly, Marseille and Lyon airports are carried out by video conference (article R. 723-9 of the CESEDA). In the other waiting zones, they are carried out by telephone (article R. 213-4 of the CESEDA)

¹⁴ Law no. 2015-925 of 29 July 2015 on reforming the right of asylum, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000030949483&categorieLien=id>

while awaiting the installation of suitable audiovisual equipment to carry out video conference interviews.

If, as part of the assessment carried out by the Office, it appears that the applicant has vulnerabilities requiring specific procedural guarantees that are incompatible with remaining in the waiting zone, the OFPRA immediately informs the authority that placed the person in the waiting zone along with the Ministry of the Interior, and the placement in the waiting zone is ended (article L. 221-1 of the CESEDA). The OFPRA sends its opinion to the Minister for Immigration within two working days from time that the request to benefit from asylum is entered in the record (article R. 213-5 of the CESEDA).

When favourable, the OFPRA's opinion binds the Minister with responsibility for immigration to admitting the person to the territory under the asylum procedure, unless the foreign national is a serious threat to public order.

In the event of a refusal to entry under asylum, the applicant may file a suspensive execution appeal before the administrative judge within 48 hours from the notification; the administrative judge then rules within 72 hours of the referral (article L. 213-9 of the CESEDA).

In the case of admission, the foreign national is authorised to enter the territory to carry out the asylum application procedure. The Border Police issues the foreign national with a regularisation visa valid for eight days (article L. 224-1 of the CESEDA) which authorises him or her to go to the Prefecture in the *département* where he or she intends to live to register the asylum application under normal conditions. The Prefecture must issue the asylum claim certificate. The asylum application is then examined in-depth by the OFPRA.

The Border Asylum Mission, which is the OFPRA department responsible for issuing motivated opinions on the inadmissible or manifestly unfounded nature of the application, has its own database, called DAF (data base of the border asylum mission), which is separate from INEREC. It collects data such as the civil status of people held in the waiting zone that wish to request international protection, their origin, their placement in the waiting zone, the processing of their request by the OFPRA, the exercise of appeals.

As the border procedure takes place before the international protection request procedure (registration, lodging, examination), the information collected in this database is not listed in the table in part 1.3.

3. a) Does 'channelling' of specific caseloads take place in the asylum procedure in France ?

Channelling: Yes / No

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

Article L. 723-2 of the CESEDA defines the different criteria that enable an asylum application to be examined under the **accelerated procedure**.

The OFPRA rules under the accelerated procedure, **in application of the law**, according to article L. 723-2 I and L. 556-1 of the CESEDA, when:

- the applicant comes from a safe country;
- the re-examination request was judged admissible by the Office after the preliminary assessment;
- the asylum application was made in detention.

The OFPRA rules under an accelerated procedure, according to article L. 723-2 III of the CESEDA, **when the administrative authority responsible for registering the asylum application decides** after having noted:

- the refusal to be fingerprinted in application of the EURODAC Regulation;
- the presentation of false documents or the concealing of information on identity, nationality or the mode of entry into France;
- that the applicant went to the Prefecture to register an asylum application more than 90 days after their entry into France (with the exception of Guiana where the time period is 60 days);
- that the asylum application is only made to obstruct a removal decision;
- that the applicant's presence in France constitutes a serious threat for public order, public safety or state security.

In application of article L. 723-2 II of the CESEDA, the OFPRA may, **on its own initiative**, rule under an accelerated procedure when:

- the applicant has presented false identity or travel documents, provided false indications or concealed information or documents on their identity, nationality or mode of entry into France with the aim of misleading or has presented several asylum applications under different identities;
- the applicant has only raised issues irrelevant to the asylum application;
- the applicant has made obviously incoherent and contradictory or obviously false or implausible declarations to the Office that contradict the verified information on their country of origin.

The applicant is informed of the examination of the application under the accelerated procedure either by the administrative authorities at the time of registration, or by the OFPRA at the time of the notification for the individual interview **by signing a document indicating the reason for the placement under the accelerated procedure**.

The decision to place the application under the accelerated procedure may only be contested by the asylum seeker at an appeal lodged before the National Court of Asylum (CNDA) against the OFPRA's rejection decision.

If the OFPRA changes the normal procedure into an accelerated procedure, the Prefecture is also informed about the rechannelling to an accelerated procedure.

The application is examined individually by the OFPRA under the same conditions as the normal procedure. The applicant is invited to an interview with an OFPRA protection officer.

Unless the applicant is a serious threat to public order, public safety or State security, the application examined under the accelerated procedure may be rechannelled by the OFPRA to the normal procedure if the Office considers that a more in-depth examination is required. If the OFPRA finally decides to examine an application initially placed under the accelerated procedure under the normal procedure, it informs the applicant by letter, whatever the examination stage (article R. 723-4 III of the CESEDA). In the case of the procedure under detention, if the Office rechannells the application to a normal procedure, it informs the CRA manager and the Prefect responsible for the placement under detention. The administrative detention is ended by the Prefect. The Office continues to process the application under the normal procedure after having confirmed the address at which the applicant may be contacted (through the Prefecture), in order to invite the person for an interview and, in any case, notify the decision made on the application.

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

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 law of 29 July 2015 reforming the right of asylum replaced the priority procedure by the accelerated procedure for which the conditions were presented in question 3 a).

The law of 10 September 2018 for managed immigration, effective right to asylum and successful immigration¹⁵ reduced the time for making an asylum application following entry to the national territory. Thus, the foreign national has 90 days (previously 120 days) following their arrival in France to make an application, beyond which the application is channelled into the accelerated procedure.

This law stipulates that the Office may not rechannel an application from the accelerated to the normal procedure if the applicant is a serious threat for public order, public safety or state security.

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?

Yes / No

If yes, please describe and specify the time frames/limits for the phases applicable in France.

The initial reception structure for asylum seekers provides a **notification for the appointment at the GUDA**, which, according to article L. 741-1, 3° of the CESEDA, must take place within **three working days** (ten days when a large number of applications are made at the same time).

After the registration of the asylum application at the single desk, the **asylum application form**, issued by the Prefecture, must be filled in, signed and sent to the OFPRA within **21 days** from the issue of the asylum claim certificate (article R. 723-1 of the CESEDA) and within eight days in the event of a re-examined or re-opened application.

Examination of the application

In application of the provisions of the law of 29 July 2015, dictated by the requirement to transpose article 31, paragraphs 3 and 4 of the 2013 "Procedures" directive to promote faster work by the OFPRA (article L. 723-17 of the CESEDA), the decree of 21 September 2015¹⁶ set variable examination time frames for the OFPRA depending on the type of application and the applicable procedure.

Under the normal procedure, the OFPRA rules on the asylum application within **six months, at the latest, from its presentation at the Office**. Pursuant to the governmental action plan of 12 July 2017, the Office aims to process asylum applications

¹⁵ Law no. 2018-778 of 10 September 2018 for a managed migration, an effective right of asylum and a successful integration, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000037381808&categorieLien=id>

¹⁶ Decree no. 2015-1166 of 21 September 2015 taken in application of the law no. 2015-925 of 29 July 2015 on the reform to the right of asylum, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000031194603&categorieLien=id>

within an average of two months. A target and performance contract is currently being signed between the OFPRA and the State.

For certain cases, an additional 15 months may be added to the six-month period (i.e. a total of 21 months):

- if the Office's support divisions are called upon due to a complex legal question or where additional information is required about the country of origin;
- if removal is envisaged;
- upon the decision of the General Director due to a large number of asylum applications made at the same time;
- upon the decision of the General Director due to an uncertain situation in the country of origin while awaiting a stabilisation of the situation.

Article R. 723-3 of the CESEDA stipulates that when the Office has not ruled within six months, it has to inform the applicant thereof within 15 calendar days prior to the expiration of that period. On the applicant's request, the OFPRA must indicate the reasons for the delay and the forecast time within which it will rule on the application.

Accelerated procedure

Fifteen-day period

Under the accelerated procedure, the processing time for the asylum application is reduced to 15 days from the time the application is made (article R. 723-4 I of the CESEDA).

If the accelerated procedure has not been ruled within this time period, the Office retains the possibility to use it (for cases at its own initiative¹⁷), when, following the individual interview with the applicant, the latter is found to come under one the cases indicated in article L. 723-2, II of the CESEDA.

Request for re-examination

When the protection claim is a re-examination request, the OFPRA carries out a preliminary examination of the new facts within eight days from the time the application is lodged (articles L. 723-16 and R. 723-16 of the CESEDA).

If, after this examination, it decides to carry out an in-depth study of the application, the Prefect must be informed (article R. 723-17 of the CESEDA), and the application is examined in-depth according to the accelerated procedure (within 15 days) (article L.723-2 I. 2° du CESEDA).

Inadmissible applications

If the person benefits from effective asylum protection in a European Union Member State or refugee status and effective protection in a third country in which they may effectively be readmitted, the decision is taken within one month from the application being made.

If the grounds for inadmissibility are revealed during the interview, the OFPRA must rule within one month after the interview, subject to extension (article R. 723-11 and 12 of the CESEDA).

If the person already benefits from international protection in a third country, the Office refers the matter to the competent Prefect, along with the elements required for checks, in order to ensure that the applicant may effectively be readmitted to the country in which he or she benefits from refugee status. This referral suspends the time period provided in article R. 723-11 of the CESEDA. If an answer is not received within two months, the Office rules on the substance (article R. 723-12 of the CESEDA).

¹⁷ See Q 3.a.

As with the first application, the information flows are exchanged via the IT systems using IT connectors.

Procedure in administrative detention

When the applicant is in administrative detention, the OFPRA's examination period is reduced to 96 hours (articles L. 556-1. paragraph 6 and article R. 723-4, I of the CESEDA). The Office must take into account the applicant's vulnerability.

The National Court of Asylum

If the OFPRA rejects the applicant, the individual has one month to lodge an appeal before the CNDA. Failing this, the decision is considered to be definitive after the time period expires.

In the event of an appeal, the applicant may request legal aid within two weeks from the OFPRA decision. In this case, the one-month period for appeal before the CNDA is suspended, and restarts, for the remaining days, from the notification from the legal aid office.

The target time period at the CNDA, the legal authority under the Council of State, is then an average of four months for all procedures (five months for a normal procedure and five weeks for the accelerated procedure).

In terms of data flows, two points stand out:

- the OFPRA and the CNDA exchange data and documents on appeals lodged against OFPRA decisions via a dedicated IT flow;
- the OFPRA informs the AEF IT system of decisions made by the CNDA, via the connectors described above.

b) Did France introduce any changes in the national timeframes / limits in the years since 2014?

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 law no. 2015-925 of 29 July 2015 on the reform of the right of asylum accelerated the procedures. The aim was to achieve a target average of nine months for processing an asylum application by the end of 2016, instead of almost 15 months up to then. The entire asylum application chain was reviewed: from the initial association reception until the end of the asylum procedure. To achieve this objective, substantial resources were allocated to the OFPRA for the examination phase (additional recruitment).

The decree no. 2015-1166 of 21 September 2015 taken in application of the law of 29 July 2015 entered into force on 1 November 2015. It stipulates the conditions for lodging and examining the asylum application, including the time periods, and sets the conditions for approving associations whose representatives may accompany the applicant to the interview.

As part of the "**Guaranteeing the right of asylum, better managing migratory flows**" plan of 12 July 2017¹⁸, the Government wanted to restore the rightful place of the right to asylum by improving time periods for processing and the reception conditions for asylum seekers.

¹⁸ Action plan guaranteeing the right of asylum and better managing migratory flows, <https://www.gouvernement.fr/conseil-des-ministres/2017-07-12/plan-d-action-pour-garantir-le-droit-d-asile-et-mieux-maitri>

The ministerial instruction of 18 January 2018¹⁹ provided for the implementation of several measures to reduce the time taken to register asylum applications in the GUDA in order to accelerate the lodging and examination of asylum requests at the OFPRA. The aim was to reduce registration periods to ten days from the first half of 2018 and to three days before the end of 2018. To achieve these targets, the GUDA services benefited from extra staff (+32 Full Time Equivalents) and the OFII employment ceiling was raised to support this effort (+35 FTE).

The ruling of 5 May 2020 extended the validity of the asylum claim certificate from one to ten months. This same ruling increased the validity of the asylum claim certificate to six months when the OFPRA rules under the accelerated procedure.

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 ²⁰
2014	n.d. ²¹
2015	n.d. ²²
2016	8.8
2017	18.2
2018	8.3
2019	5.8

These time periods are for mainland France (excluding French overseas territories).

- 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.

In case France applies 'channelling', please specify the average time for each channel (average days; and please add additional columns in case more channels apply). If France 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).

¹⁹ Ministerial instruction of 18 January 2018 http://circulaire.legifrance.gouv.fr/pdf/2018/01/cir_42919.pdf

²⁰ The period between pre-reception at the SPADA and the lodging of the application at the OFPRA.

²¹ The 2014-2015 figures are not available due to the creation of the GUDA on 1 November 2015 as part of the implementation of the reform of 29 July 2015 with the implementation of this indicator the following year, in 2016.

²² Idem.

Table 2 ²³

Average time period between the application lodging and the first instance decision (in number of calendar days)					
(all procedures, all types of applications)	(all procedures, initial applications)	Procedure 1 (normal procedure; initial applications)	Procedure 2 (accelerated procedure excluding administrative detention; initial applications)	Procedure 3 (asylum at the border)	Procedure 4 (asylum under administrative detention; initial applications)
203.5	223.2	263.7	95.1	1.4	7.7
216.1	238.6	261.8	123.0	1.6	10.6
182.6	200.92	220.49	157.5	2.4	13.1
186.6	200.90	220.53	166.2	3.4	8.6
149.6	163.5	176.4	141.0	2.7	4.0
161.1	175.1	194.2	143.8	3.5	3.2

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 making an application	Legally competent for registering an asylum application (please indicate type of authority and specify name)	Legally competent for lodging an asylum application (please indicate type of authority and specify name)	Legally competent for examining an asylum application (please indicate type of authority and specify name)
Border Police	PAF	PAF (asylum at the border)		
Local Police				
(Branch) office for Refugees			OFPRO	OFPRO

²³ OFPRO Activity Reports, with the exception of 2017 (Report to Parliament on the data for 2018).

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)
Ministries (Interior, Justice, etc.)	Ministry of the Interior	OFII / Prefecture Prefecture for asylum applications in administrative detention MI for asylum applications at the border (upon OFPRA opinion)		
Local Citizen's Office/Mayor of a local city/town				
(Local) immigration office	Ministry of the Interior	Single Desk (GUDA): Prefecture and OFII		
(Shared) accommodation for refugees				
EU Agency				
International Organisation				
Detention facility for TCNs	PAF (asylum in detention)			
Reception centre	Initial Reception Centre for Asylum Seekers (SPADA): association			
Other : detention centre	GREFFE (asylum in administrative detention)			

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? (whenever possible please refer to the authorities listed in section 1.2)	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> <p>- current name</p>	<p>1, 2, 3</p>	<p>1 : GUDA (a prefecture agent) ; 2, 3 : OFPRA</p>	<p>1 :</p> <ul style="list-style-type: none"> - written questionnaire (in paper) - oral (interview, face-to-face) - analysing documents - using automated or artificial intelligence for analysis of data 	<p>1 :</p> <ul style="list-style-type: none"> - in an electronic file - in a database - on paper <p>2 : in an electronic file, in a database, on paper</p>	<p>1: Asylum Information System (AGDREF 2) 2, 3 : INEREC</p>

			<p>2 :</p> <ul style="list-style-type: none"> - written questionnaire (in paper) - data collection via the AEF IT system <p>3 :</p> <ul style="list-style-type: none"> - oral (interview, face-to-face), oral (interview via phone/ videocall) - analysing documents 	<p>3 : in an electronic file, in a database, on paper</p>	
- <i>birth name</i>	1, 2, 3	<p>1 : GUDA (a prefecture agent) ; 2, 3 : OFPRA</p>	<p>1 :</p> <ul style="list-style-type: none"> - written questionnaire (in paper) - oral (interview, face-to-face) - analysing documents <p>2 : written questionnaire (in paper), data collection via the AEF IT system</p> <p>3 : oral (interview, face-to-face, oral (interview via phone/ videocall) and analysing documents</p>	<p>1 :</p> <ul style="list-style-type: none"> - in an electronic file - in a database - on paper <p>2 : in an electronic file, in a database, on paper</p> <p>3 : in an electronic file, in a database, on paper</p>	<p>1: Asylum Information System (AGDREF 2) 2, 3 : INEREC</p>
- <i>previous name(s)</i>	2, 3	2, 3 : OFPRA	<p>2 : written questionnaire (in paper), data collection via the AEF IT system</p> <p>3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents</p>	<p>2 : in an electronic file, in a database, on paper</p> <p>3 : in an electronic file, in a database, on paper</p>	2, 3 : INEREC
- <i>pen name (alias)</i>	1, 2, 3	<p>1 : GUDA (a prefecture agent) ; 2, 3 : OFPRA</p>	1 :	1 :	<p>1: AGDREF 2, 3 : INEREC</p>

			<ul style="list-style-type: none"> - written questionnaire (in paper) - oral (interview, face-to-face), analysing documents - using automated or artificial intelligence for analysis of data <p>2 : written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents</p>	<ul style="list-style-type: none"> - in an electronic file - in a database - on paper <p>2 : in an electronic file, in a database, on paper 3 : in an electronic file, in a database, on paper</p>	
- <i>religious names</i>					
- <i>other names</i>					
Sex	1, 2, 3	1 : GUDA (a prefecture agent) ; 2, 3: OFPRA	1 : <ul style="list-style-type: none"> - written questionnaire (in paper) - oral (interview, face-to-face), - analysing documents <p>2 : written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents</p>	<p>1 :</p> <ul style="list-style-type: none"> - in an electronic file - in a database - on paper <p>2 : in an electronic file, in a database, on paper 3 : in an electronic file, in a database, on paper</p>	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC
Biometric data					
- <i>photo</i>	1, 2	1 : GUDA (a prefecture agent) ; 2: OFPRA	1 : picture taken at the GUDA for the SIAEF and for the file 2 : written questionnaire (in paper)	<p>1 :</p> <ul style="list-style-type: none"> - in an electronic file - in a database 	1: Asylum Information System (AGDREF 2)

				- on paper 2 : in an electronic file, on paper	
- fingerprints (which fingers, rolled or pressed fingerprints)	1	GUDA (a prefecture agent)	1 : At the GUDA taking of the ten fingerprints (EURODAC and Visabio)	1: - in an electronic file - in a database - on paper	EURODAC/ Visabio
- iris scan					
- other					
Eye colour					
Height					
Date of birth	1, 2, 3	1 : GUDA (a prefecture agent) ; 2, 3: OFPRA	1 : - written questionnaire (in paper) - oral (interview, face-to-face) - analysing documents 2 : - written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 in an electronic file 3 in a database 4 on paper	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC
Citizenship(s)	1, 2, 3	1 : GUDA (a prefecture agent) ; 2, 3: OFPRA	1 : - written questionnaire (in paper) - oral (interview, face-to-face) - analysing documents 2 : written questionnaire (in paper), data collection via the AEF IT system	2 in an electronic file 3 in a database 4 on paper	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC

			3 : oral (interview, face-to-face), oral (interview via phone/videocall) and analysing documents		
Country of origin	1, 2	1 : GUDA (a prefecture agent) ; 2: OFPRA	1 : - written questionnaire (in paper) - oral (interview, face-to-face) - analysing documents 2 : - written questionnaire (in paper)	2 in an electronic file 3 in a database 4 on paper	1: Asylum Information System (AGDREF 2)
Place of birth					
- <i>town</i>	1, 2, 3	1 : GUDA (a prefecture agent) ; 2, 3 : OFPRA	1 : - written questionnaire (in paper) - oral (interview, face-to-face) - analysing documents 2 : written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 in an electronic file 3 in a database 4 on paper	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC
- <i>region</i>					
- <i>country</i>	1, 2, 3	1 : GUDA (a prefecture agent) ; 2, 3: OFPRA	1 : - written questionnaire (in paper) - oral (interview, face-to-face) - analysing documents 2 : - written questionnaire (in paper), data collection via the AEF IT system	2 in an electronic file 3 in a database 4 on paper	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC

			3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents		
- <i>other</i>					
Date of arrival in France	1,2, 3	1 : GUDA (a prefecture agent) ; 2, 3: OFPRA	1 : - written questionnaire (in paper) - oral (interview, face-to-face) and analysing documents 2 : - written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1 : - in an electronic file - in a database - on paper 2 : in an electronic file, in a database, on paper 3 : in an electronic file, in a database, on paper	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC
Last place of residence in the country of origin	3	3 : OFPRA	3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	3 : in an electronic file	
Last place of residence before entry in the (Member) State	2, 3	2, 3 : OFPRA	2 : - written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
Contact details					
- <i>phone number</i>	1,2, 3	1 : GUDA (a prefecture agent) ; 2, 3: OFPRA	1 : - written questionnaire (in paper) - oral (interview, face-to-face) and analysing documents 2 : - written questionnaire (in paper), data collection via the AEF IT system, teleprocedure OFPRA	1 : - in an electronic file - in a database - on paper 2 : in an electronic file, in a database, on paper	1: Information System Asylum (AGDREF 2) 2, 3 : INEREC

			3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	3 : in an electronic file, in a database, on paper	
- <i>email address</i>	1, 2, 3	1 : GUDA (a prefecture agent) ; 2, 3: OFPRA	2 : written questionnaire (in paper), data collection via the AEF IT system, teleprocedure OFPRA 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1 : - in an electronic file - in a database - on paper 2 : in an electronic file, in a database, on paper 3 : in an electronic file, in a database, on paper	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC
- <i>current address</i>	1,2, 3	1 : GUDA (a prefecture agent) ; 2, 3: OFPRA	1 : - written questionnaire (in paper) - oral (interview, face-to-face) - analysing documents 2 : written questionnaire (in paper), data collection via the AEF IT system, teleprocedure OFPRA 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1 : - in an electronic file - in a database - on paper 2 : in an electronic file, in a database, on paper 3 : in an electronic file, in a database, on paper	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC
- <i>other</i>					
Civil status	1, 2, 3	1 : GUDA (a prefecture agent) ; 2, 3: OFPRA	1 : - written questionnaire (in paper) - oral (interview, face-to-face)	1 : - in an electronic file - in a database - on paper	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC

			<ul style="list-style-type: none"> - and analysing documents <p>2 : written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents</p>	<p>2 : in an electronic file, in a database, on paper 3 : in an electronic file, in a database, on paper</p>	
Accompanied by:					
- <i>Spouse or civil partner</i>	1,2, 3	1 : GUDA (a prefecture agent) ; 2, 3 : OFPRA	<p>1 :</p> <ul style="list-style-type: none"> - written questionnaire (in paper) - oral (interview, face-to-face) - analysing documents <p>2 : written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents</p>	<p>1 :</p> <ul style="list-style-type: none"> - in an electronic file - in a database - on paper <p>2 : in an electronic file, in a database, on paper 3 : in an electronic file, in a database, on paper</p>	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC
- <i>children</i>	1,2, 3	1 : GUDA (a prefecture agent) ; 2, 3 : OFPRA	<p>1 : written questionnaire (in paper)</p> <p>2 : written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents</p>	<p>1 :</p> <ul style="list-style-type: none"> - in an electronic file - in a database - on paper <p>2 : in an electronic file, in a database, on paper 3 : in an electronic file, in a database, on paper</p>	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC
- <i>parents</i>	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper), data collection via the AEF IT system	2 : in an electronic file, in a database, on paper	2, 3 : INEREC

			3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	3 : in an electronic file, in a database, on paper	
- <i>other relatives</i>	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
Family members in France					
- <i>name</i>	1,2, 3	1 : GUDA (a prefecture agent) ; 2, 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents - questionnaire to sign (in the frame of family reunification) 2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1 : - in an electronic file - in a database - on paper 2 : in an electronic file, in a database, on paper 3 : in an electronic file, in a database, on paper	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC
- <i>residency</i>	1,2, 3	1 : GUDA (a prefecture agent) ; 2, 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents 2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1: - in an electronic file - in a database - on paper 2 : in an electronic file, on paper 3 : in an electronic file, on paper	1: Asylum Information System (AGDREF 2)
- <i>citizenship</i>	1,2, 3	1 : GUDA (a prefecture agent) ; 2, 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents	1: - in an electronic file	1: Asylum Information

			2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	- in a database - on paper 2 : in an electronic file, on paper 3 : in an electronic file, on paper	System (AGDREF 2)
- <i>other</i>	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	2, 3
Family members in another (Member) State	1, 3	1 : GUDA (a prefecture agent) ; 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1 : - in an electronic file - in a database - on paper 3 : in an electronic file, on paper	1: Asylum Information System (AGDREF 2)
Close relatives in the (Member) State	1, 3	1 : GUDA (a prefecture agent) ; 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1 : - in an electronic file - in a database - on paper 3 : in an electronic file, on paper	1: Asylum Information System (AGDREF 2)

Close relatives in another (Member) State	1, 3	1 : GUDA (a prefecture agent) ; 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents - analysing content of mobile devices (e.g. phones, laptops) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1: - in an electronic file - in a database - on paper 3 : in an electronic file, on paper	1: Information System Asylum (AGDREF 2)
Health status					
- specifics on health status	1, 2 , 3	1 : GUDA (an OFII agent) 2, 3 : OFPRA	1: - oral (interview, face-to-face) - analysing documents 2 : written questionnaire (in paper) and for objective vulnerabilities IT flows from the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1 : - in an electronic file - in a database - on paper 2 : in an electronic file, on paper 3 : in an electronic file, on paper	DNA
- reference that a general health check has been carried out	1, 3	1 : GUDA (an OFII agent) 2 : OFPRA	1 : - oral (interview, face-to-face) - and analysing documents 2 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1: - in an electronic file - in a database - on paper 3 : in an electronic file, on paper	DNA

- other					
Education					
- school attendance	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
- academic studies	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
- trainings	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
- apprenticeships	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
- non-formal work experience	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
- other					
Language skills	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper), data collection via the AEF IT system on the choice of interview language and the language that the applicant is reasonably supposed to understand. 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, in a database, on paper 3 : in an electronic file, in a database, on paper	2 : INEREC

Profession	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
Criminal record	1, 3	1 : GUDA (a prefecture agent) 3 : OFPRA	1 : Consultation of police file 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1 : - in an electronic file - in a database - on paper 3 : in an electronic file, on paper	FPR and TAJ
Financial resources	3	1 : GUDA (a prefecture agent) 3 : OFPRA	1: oral (interview, face-to-face) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	3 : in an electronic file, on paper	
Supporting documents					
- passport	1,2, 3	1 : GUDA (a prefecture agent) ; 2, 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents 2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1 : - in an electronic file - in a database - on paper 2 : in an electronic file, on paper 3 : in an electronic file, on paper	1: Asylum Information System (AGDREF 2)
- travel document	1, 2, 3	1 : GUDA (a prefecture agent) ; 2, 3 : OFPRA	1 : written questionnaire (in paper) 2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1: - in an electronic file - in a database - on paper	1: Information System Asylum (AGDREF 2)

				2 : in an electronic file, on paper 3 : in an electronic file, on paper	
- other	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
Reasons for fleeing	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
Reasons for not wanting to be returned to the competent Member State as part of a Dublin procedure	3 NB : dans le cadre des étapes 1 et 2, pas de collecte de données sur le motif pour lequel la personne a refusé d'être transférée vers l'État membre responsable	3 : OFPRA	3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	3 : in an electronic file, on paper	
Previous applications	1,2	1: GUDA (a prefecture agent) 2: OFPRA	1 : - oral (interview, face-to-face) - analysing documents - Consultation of files - written questionnaire (in paper) 2 : written questionnaire (in paper)	1: - in an electronic file - in a database - on paper 2 : in an electronic file, in a database, on paper	2 : INEREC
Information on the route taken	1, 3	1 : GUDA (a prefecture agent) ; 3 : OFPRA	2 : - oral (interview, face-to-face) - electronic data base - questionnaire to sign	1: - in an electronic file - in a database	1 : Asylum Information System (AGDREF 2)

			3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	- on paper 3 : in an electronic file, on paper	
Information on exclusion grounds	3	3 : OFPRA	3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	3 : in an electronic file, on paper	
Religious affiliation	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
Vulnerabilities					
<i>Unaccompanied minor</i>	1, 2, 3 (par exemple en cas de remise en cause de l'autorité parentale alléguée)	1 : GUDA 2, 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents - written questionnaire (in paper) 2 : written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1: - in an electronic file - in a database - on paper 2 : in an electronic file, in a database, on paper 3 : in an electronic file, in a database, on paper	1: Asylum Information System (AGDREF 2) 2, 3 : INEREC
<i>Pregnant</i>	1, 2, 3	1 : GUDA (OFII) 2, 3 : OFPRA	1: - oral (interview, face-to-face) - analysing documents 2 : written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1: - in an electronic file - in a database - on paper 2 : in an electronic file, on paper 3 : in an electronic file, on paper	1: DNA

<i>Disabilities (which?)</i>	1, 2, 3	1 : GUDA (OFII) 2, 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents - written questionnaire (in paper) 2 : written questionnaire (in paper), data collection via the AEF IT system 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1: - in an electronic file - in a database - on paper 2 : in an electronic file, on paper 3 : in an electronic file, on paper	1: DNA
<i>Elderly</i>	1, 2, 3	1 : GUDA (OFII) 2, 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents 2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1: - in an electronic file - in a database - on paper 2 : in an electronic file, on paper 3 : in an electronic file, on paper	
<i>Single parent with minor child(ren)</i>	1, 2, 3	1 : GUDA (OFII) ; 2, 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents - written questionnaire (in paper) 2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	1: - in an electronic file - in a database - on paper 2 : in an electronic file, on paper 3 : in an electronic file, on paper	

<i>Victims of human trafficking</i>	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
<i>Mental disorders</i>	1, 2, 3	1 : GUDA 2, 3 : OFPRA	1 : - oral (interview, face-to-face) - analysing documents 2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
<i>Victims of torture, physical or sexual violence (female genital mutilation)</i>	2, 3	2, 3 : OFPRA	2 : written questionnaire (in paper) 3 : oral (interview, face-to-face), oral (interview via phone/ videocall) and analysing documents	2 : in an electronic file, on paper 3 : in an electronic file, on paper	
<i>other</i>					

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.

Pour chaque bonne pratique, merci de décrire a) pour quel acteur est-elle considérée comme une bonne pratique, b) pourquoi est-elle considérée comme une bonne pratique et c) quelle est la source de cette affirmation.

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 ²⁴			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
(Database 1)	Asylum IT system (AGDREF 2) – national database	SPADA – GUDA- PRD	Pre-registration and registration of the asylum application - monitoring of the Dublin procedure			
(Database 2)	INEREC – national database National database for monitoring information on asylum applications This database has several input and output interfaces (limited consultation / "push data").	OFPRA Interface beneficiaries: DGEF, CNDA, OFII, prefectures.	From registration to appeal.	Monitoring and examination of applications	S/O.	

²⁴ 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.

(Database 3)	DNA – national database	OFII	Material reception conditions: asylum seeker allowance and accommodation			
.....	EURODAC – European database	GUDA	Taking of fingerprints			

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

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?

A foreign national may appear before authorities that are not competent to register an asylum application: the OFII, police or gendarmerie services, agents at the administrative detention centre and prison service agents.

In accordance with article R. 741-2 of the CESEDA, in France, when the foreign national that wishes to request asylum comes before these authorities, they provide information for the registration and direct the person to the competent authority. Agents have received suitable training for this purpose.

For the specific case of the registration of an asylum application presented in administrative detention, article L. 551-3 of the CESEDA provides that the foreign national is notified of their rights to claim asylum on arriving at the centre. This document notably indicates the person's right to legal and linguistic assistance.

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

Yes / No

If yes, please specify

- which type of data is collected;
- is this data further transferred to the competent authorities?

Prison service agents and border police agents responsible for registering asylum applications respectively in detention and at the border register the asylum applications and transfer them to the OFPRA (application in detention) or to the Ministry of the Interior (asylum application at the border).

Section 3. Registering an asylum application

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

This section requests information on the registration of asylum applications.

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-checked²⁵ (please elaborate, what the purpose is of the cross-checking and if only specific categories of data are cross-checked)?

Interconnection of the following databases: Asylum IT system (AGDREF 2) – INEREC – DNA (see table 58 of 1.4): depending on the stage of the asylum procedure, certain specific data categories 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 notice²⁶ about the personal data collected from them during the registration phase?

²⁵ Purpose 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).

²⁶ The 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

Yes / No

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?

Yes / No

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

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 / No

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.

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

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

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

If yes, please elaborate and indicate who provides this information

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

5. Is self-registration mandatory or optional?

Please elaborate.

data controller or in pursuit of legitimate interests of the data controller); right to data portability etc.

Section 4: Lodging an asylum application

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

3.4 Cross checking of data collected at the lodging phase

19. 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)?

A cross-check (Wanted Persons File - FPR/SIS and Criminal Record) is carried out when the asylum application is registered based on the elements provided (identity and/or travel documents) or declared. The consultation of the FPR provides information on TE (opposition to entry), E (expulsion measures and administrative bans from the territory), J (legal bans from the territory), S (state safety) and PJ (police) files. The content of the latter two files is not accessible to administrative services which must turn to the police services for the procedure.

The finding of a serious threat to public order may result from other locally available information or information brought to the Prefecture's attention by the police, intelligence or legal authority services, particularly for criminal convictions.

The data registered at the single desk is transmitted to the OFPRA via the AEF IT system connectors and is then recorded in the OFPRA's database, INEREC when the application is lodged. Data exchanges between INEREC and the AEF IT system ensure that both IT systems are updated with relevant data.

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

Yes / No

21. 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 OFPRA encountered a coordination problem when obtaining EURODAC Hits contained in the EURODAC IT system for people that are detected in another EU Member State.

An IT solution is being implemented. Via the Asylum IT system, using the EURODAC number, the INEREC database already enables information on Dublin procedures carried out before the lodging of the asylum application to be obtained. Information on Inerec via a similar procedure regarding EURODAC Hits is being set up.

3.5 Information provided to asylum applicants at the lodging phase

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

Yes / No

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).

Information on how the applicant's personal data is processed is contained in the asylum application document given to the applicant at the single desk and that the applicant must fill in, sign and send to the OFPRA in order to register the asylum application.

The applicant is informed that certain personal information useful for the procedure and completion of administrative formalities relating to the application will be used in IT processing by the OFPRA, in accordance with the provisions of article 8 of the law no. 78-17 of 6 January 1978 (amended) on IT, files and freedoms²⁷. The applicant is also informed that they have a right to access and correct the information by sending a written request directly to the OFPRA. Moreover, the applicant is advised that certain personal data - not including the grounds for the application - may be communicated to agents authorised by the Ministry of the Interior, the Ministry for Foreign Affairs, the OFII, the Prefecture of the place of residence, the CNDA and the French delegation at the High Commissioner for Refugees (HCR).

The applicant is also informed that this information (not including the grounds for the application and corresponding decisions), including data contained in identity and travel documents, may be exchanged between the OFPRA and other organisations responsible for determining refugee status, in application of Regulation (EU) no. 604-2013 of 26 June 2013²⁸ and similar international conventions.

Lastly, the person must expressly agree that the grounds for the application as well as, if applicable, the content of the corresponding decisions may be subject to exchanges between these organisations within the same legal framework.

This information and express agreement from the applicant are also valid for the asylum application examination phase, as the OFPRA is responsible for both stages.

23. a) Who provides the information mentioned above (under Q 28) (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?

Yes / No

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

²⁷ Law no. 78-17 of 6 January 1978 (amended) on IT, files and freedoms, <https://www.legifrance.gouv.fr/loda/id/LEGITEXT000006068624/2019-06-04/>

²⁸ 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), <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32013R0604>

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

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 / No

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

However, the association that accompanies the asylum seeker and helps to complete the asylum application to be lodged with the OFPRA explains how the OFPRA collects the information and requests permission to transmit it.

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

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

25. 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)?

See answer to question 24 above.

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

Yes / No

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

5.2 Information provided to asylum applicants at the examination phase

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

Yes / No

29. 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).

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

The protection officer: public authority

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

Orally, at the start of the individual interview.

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

Yes / No

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

Service provider on request from the national authorities.

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

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 / No

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

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

Under Law No 78-17 of 6 January 1978, as amended, on IT, files and freedoms, the person concerned has the right of access to and rectification of the information concerning him or her entered in the data processing of the OFPRA. He shall be informed when he lodges his asylum application of the possibility of sending his or her application by post. However, the OFPRA does not have statistics on the number of requests related to access, rights to rectification and erasure of data.

Section 6. Data quality and safeguards

The following sections request information on how data quality is managed and the safeguards that France apply.

6.1 Data quality management

31. 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 / No

If yes, please elaborate on some contrasting²⁹ examples of data quality assessment and indicate:

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

Data quality is assessed according to two conditions, at two different times in the procedure. Firstly, it takes place in real time, when the application is lodged. The quality control of processing of requests for international protection and the OFPRA decisions takes place afterwards, and enables corrective actions to be implemented within a systemic approach.

b) How (specific tools)³⁰ and by whom (centralised/decentralised) is the quality assessment carried out?

Real time quality control is implemented through several IT routines which operate basic checks (consistency of data between registration and lodging: comparison between IT flows and the paper form).

Quality control is carried out jointly by the High Commissioner for Refugees and the OFPRA. For this, assessors refer to the digital images of files that have been rendered anonymous by masking all individual identification.

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

32. Do quality assessment measures only apply retroactively?

Yes / No

While IT routines regularly check the consistency of data and the absence of anomalies at each stage in real time, the quality control is carried out retroactively.

33. Are any preventative measures in place to get the information right at the very beginning? Yes/No. If yes, which safeguards are in place?

²⁹ It 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.

³⁰ E.g. name transliteration, screening for duplicates against data already stored in the database, automated data quality checks, data analytics, artificial intelligence.

6.2 Safeguards

34. Describe the supervision mechanism for data protection supervision of the personal data collected during the asylum procedure in your Member State.³¹

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

Yes / 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.*

36. 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.*

Pursuant to the law no. 78-17 of 6 January 1978 (amended) on IT, files and freedoms, the person has a right to access and correct personal information recorded in the OFPRA's IT processing. The applicant is informed when lodging the asylum application of the possibility of sending this request by letter.

However, the OFPRA does not have statistics on the number of requests on access, rights to correction and deletion of data.

³¹ The 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).

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

7.1 Challenges and changes/reforms in data management

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

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 ([creation of the AEF IT system and its connectors](#))
- Technical limitations in data processing
- Implementation of EURODAC and/or GDPR regulation: [on-going for the GDPR](#)
- Lack of training/information
- Transliteration (e.g. Arabic to Latin or other alphabets)
- Other (please specify):

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

Yes / No

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

[See above for interoperability. This project has federated the different databases of asylum players \(stay, rights of applicants, examination of the application, etc.\).](#)

[Moreover, in application of the law of 10 September 2018 \(notification by all means\), the OFPRA has developed a user platform for paper-free access to notifications and decisions.](#)

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

Yes / No

Please elaborate

[The IT systems for the different asylum players \(prefectures, Ministry, OFII, OFPRA, CNDA\) communicate together via IT connectors, by exchanging, in an immediate and consistent way, data useful for the transversal processing of applications with regard to the right to stay, applicable reception conditions and monitoring of the examination of the asylum application, including appeals. Via a standard communication protocol \(JSON/REST\), these connectors ensure the interoperability](#)

between the different IT systems which respectively respond to their own finalities. This mechanism, which was fairly simple to implement and is effective, ensures that only necessary data is transmitted, without making assumptions or constraints on the underlying technology, in terms of equipment, software or applications.

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

Yes / No

If yes, please elaborate.

This was, in part, the targeted objective. Specifically, in only a few months and within the application deadlines provided by the texts, this technical architecture enabled the production of new data flows imposed by the legislative changes that notably occurred in 2015 and 2018.

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

Yes, for the reasons presented above.

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

42. Would France consider this reform (s) as a good practice?

Please elaborate and explain why France 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.

Yes, for the reasons presented in detail above. These changes no doubt enabled improvements to data quality, notably in terms of consistency between partner IT systems, rapidity of information transmission and agility in internal or transversal developments.

43. Have any on-going (unaddressed) challenges related to data management in the asylum procedure been identified in France?

No, apart from the need for recurring developments and updates of the scheme.

Yes / No

If yes, please elaborate.

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

7.2 Contingency measures

44. 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?

If yes, please describe those measures.

Normally, the national systems are sufficiently dimensioned to absorb significant data volumes. In addition, one-off exchanges of data files (with separators) may meet one-off, specific and/or urgent needs.

Section 8: Conclusions

The objective of this study is to examine **how data is managed** during the different phases of the asylum procedure and to **identify recent trends**.

This study is taking into account the developments in asylum applications in recent years, in particular increases and decreases in the number and types of applications, and in view of the impact of the COVID-19 outbreak.

France has not introduced changes in data management due to the COVID-19 outbreak. However, in response to the health crisis, the government has taken steps to adapt the administrative and appeal rules and deadlines applicable to asylum applications.

The asylum procedure in France follows various stages from the pre-registration of the asylum seeker, the registration of the application to the processing of the application by the OFPRA and the final decision. Each step follows a **precise procedure regarding the collection and management of data depending on the competent authority or the one responsible for registering the application**.

Several databases co-exist at national and European level. There is an interconnection between the Asylum Information System (AGDREF 2) databases, the INEREC database used by the OFPRA for the examination of asylum applications and the National Reception System (DNA) for the accommodation of asylum seekers. Exchanges of data between INEREC and the IT system for the Administration of Foreign Nationals in France (AEF IT system) enables the respective updates of the various information systems, each in those matters that concern them.

France has **carried out improvements on the interoperability of the various databases in order to federate the various databases**. The information systems of the various asylum actors (prefectures, ministry, OFII, OFPRA, CNDA) communicate with each other via IT connectors, exchanging in an immediate and consistent manner data relevant to the transversal processing of files with regard to residence rights, applicable reception conditions and the monitoring of the examination of the asylum application, including appeals.

This technical architecture made it possible to bring into production within a short period, within only a few months and within the deadlines laid down in the legislation, new data flows required by legislative changes, in particular in 2015 and 2018.

These developments have undoubtedly made it possible to **improve the quality of data**, particularly in terms of **consistency between partner information systems, speed of information transmission and agility in internal or cross-cutting developments**.

The **synthesis report**, carried out at European level based on the EMN National Contact Points' studies, provides an overview of the policies implemented in the Member States and Norway regarding the collection and management of data in the asylum procedure. It identifies the main challenges and examples of good practice in the different Member States, as well as possible contingency measures to speed up and/or facilitate the data management process in case of significant asylum seekers flows.

Annex 1: National statistics

Number of asylum applications registered: 2014 – 2019

Number of asylum applications registered					
2014	2015	2016	2017	2018	2019
64 811	80 075	85 726	100 755	123 625	132 826

Sources: OFPRA Activity Reports (2014-2019).

Annex 2: List of interviews and contributions

The interviews and questionnaires were carried out between August and November 2020 by EMN France.

Ministry of the Interior

General Directorate for Foreign Nationals in France – DGEF, Directorate for Asylum (DA)

Department of Asylum and Protection European Asylum Policy Section

- Antonin BERNARD, Head of Section
- Loïc TOURNIAIRE, Deputy Head of Section
- Solène BISSON, Intern

Section National Law and Procedures

- Sophie CHABRIDON, Head of Section

Department for the Promotion and Financing of Asylum Policy

- Estelle CRAWFORD, Policy Officer, Coordination of the single desks

French Office for the Protection of Refugees and Stateless Persons (OFPRA)

- Graziella SOTTEJEAU, Head of the European and International Affairs Unit
- Frédérique-Jeanne BESSON, Policy Officer, Mission of European and International Affairs

Annex 3: Bibliography

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