



EMN Ad-Hoc Query on Ad-hoc query on international protection to Georgian nationals

Requested by Adolfo SOMMARRIBAS on 14th March 2018

Protection

Responses from Austria, Belgium, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Slovak Republic, Spain, Sweden, United Kingdom, Norway (23 in total)

Disclaimer:

The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

Background information:

On 28 March 2017, the visa waiver agreement between the European Union and Georgia entered into force.

Luxembourg included Georgia in the list of safe country of origin by Grand-ducal regulation of 5 December 2017 amending the grand ducal regulation of 21 December 2007, which establishes the list of safe country of origins.

Since the entering into force of the visa liberalisation agreement there has been an increase of international applications of Georgian nationals.

The profile of the Georgian nationals applying for international protection is: single male, age: 20 to 35 years old, multiple drug addiction, jobless and they do not belong to any minority group.

Since 01/01/2018 until 28/02/2018 the applications of the Georgian nationals represent 11,1% of the total number of international protection applications. In addition, transfer decisions concerning Georgian nationals represent 11,6% of the total number of transfer decisions taking during the reference period. There was only a Georgian national granted the refugee status during 2017 (0,9%) and since the beginning of the year there has not been any international protection granted (0%).



The Directorate of Immigration of the Luxembourgish Ministry of Foreign and European Affairs would like to ask the following questions:


Questions



1. Do you consider Georgia as a safe country of origin? Yes/No. If no, can you please explain the reasons.
2. Does your MS face an increase in the number of applications for international protection filed by Georgian nationals? Yes/No. If possible, can you provide the statistics since April 2017 until February 2018? (please fill the attached table) If you answer yes, can you please describe the measures that your Member State has taken to prevent this influx?
3. What is the profile of these applicants?
4. In your MS which is the recognition rate (both refugee and subsidiary protection status) of Georgian nationals?
5. A) How many transfer decisions (Dublin) do you have taken since April 2017 in regard to Georgian nationals? (please fill in the attached table). B) Between January and February 2018, what percentage of the total number of transfer decisions represent transfer decisions taken of Georgian nationals ?
6. How many Georgian nationals are actually in detention?



Responses




	Country	Wider Dissemination	Response
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	Austria	Yes	<p>1. Yes, according to Art. 1 subpara 12 Regulation on Countries of Origin, Georgia is considered a safe country in Austria. --- Source: Ministry of the Interior</p> <p>2. Yes, the number of applications has increased - see Table 2 in the annex. Georgia has been considered a safe country of origin since 2016, and since 2011 there has been an EU readmission agreement with Georgia. --- Source: Ministry of the Interior</p> <p>3. Overall, applications in Austria are submitted predominantly by men. In 2017 there were 3, and in January and February 2018 there were no final decisions on granting of asylum pertaining to male applicants. By comparison, in 2017 2 final decisions on granting asylum and in January and February 2018 no such decisions pertained to female applicants. The number of unaccompanied minors from Georgia is very low. In the period from April 2017 to February 2018 there were only four. --- Source: Ministry of the Interior</p> <p>4. See Table 4 in the annex. In Austria, out of the 444 asylum decisions of the first and second instance regarding the application of Georgian citizens, in 2017, 1.1 percent were positive, 77.3 percent negative, and 21.6 percent other decisions. In January and February 2018, out of a total of 80 asylum decisions of the first and second instance regarding the application of Georgian citizens, 0 percent were positive, 83.8 negative and 16.3 other decisions. --- Source: Ministry of the Interior</p> <p>5. See annex --- Source: Ministry of the Interior</p> <p>6. As of 23.03.2018 there were 5 Georgians in detention and 1 Georgian in administrative imprisonment. --- Source: Ministry of the Interior</p>
	Belgium	Yes	<p>1. Yes, Belgium added Georgia to the list of safe countries of origin on August 3, 2016 and the list was published in the Belgian Official Journal on August 29, 2016. At present, the following countries are considered as safe countries of origin: Albania, Bosnia-Herzegovina, FYROM, Kosovo, Montenegro, Serbia, India and Georgia.</p> <p>2. In particular during February 2018 (89 applications lodged by Georgian nationals) and March 2018 (124 applications) the number increased substantially (see also table in attachment). Belgium</p>




			<p>anticipated on a possible increase on the number of asylum applications due to the visa liberalisation by adding Georgia to the list of safe countries of Origin in August 2016.</p> <p>3. About 80% of them are men and most of them are aged between 18 and 34. However a lot of the applicants from Georgia disappear before their application for international protection can be assessed on the merits. According to the Immigration Office, a lot of them merely apply for international protection to avoid return and/or are involved in criminal activities.</p> <p>4. The recognition rate for the year 2017 was about 11,5%. In 2017, a refugee status was granted to 15 persons on a total of 130 first instance decisions, no subsidiary protection statuses were granted.</p> <p>5. In 2017 there were 80 Dublin decisions taken (annex 26 quarter, this is a document issued by the Immigration Office, which states that Belgium is not responsible for the examination of the application for international protection) for Georgian nationals, however in the course of 2017 only 26 Dublin transfers took place.</p> <p>6. In the course of 2017, 157 Georgian nationals have been detained in a closed reception center, and 63 Georgian nationals were detained in prison at the end of 2017.</p>
	Bulgaria	Yes	<p>1. Yes.</p> <p>2. There is no increase in the number of applications for international protection filed by Georgian nationals. No applications are filed during that period.</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. There are no transfer decisions during this period.</p> <p>6. N/A</p>



	Croatia	Yes	<p>1. 1. No. Georgia is not on the Croatian national list of safe countries of origin.</p> <p>2. 2. No. The last application for international protection filled by Georgian national was in 2015 (one application).</p> <p>3. 3. N/a.</p> <p>4. 4. N/a.</p> <p>5. 5. None.</p> <p>6. 6. N/a.</p>
	Czech Republic	Yes	<p>1. No. Georgia is not on the official list of safe countries of origin of the Ministry of the Interior</p> <p>2. Yes, we can observe a slight increase in the number of applications of Georgian citizens, however there is a certain proportion of those who have been transferred within the Dublin system to the Czech Republic, as the Czech Republic has been assigned to be responsible under Regulation No. 604/2013 - Dublin III Regulation. The Czech Republic did not take any measure to prevent high influx by itself. There has been taken only general EU measure which is mentioned in the Regulation of the European Commission No. 539/2001.</p> <p>3. The Czech Republic doesn't collect this kind of data.</p> <p>4. Out of 128 applications that were decided in 2017 and 2018 (Jan-Feb) there was no case of granting an international protection. So the recognition rate is 0 %. 34 decisions were negative and in 84 cases the proceeding was discontinued.</p> <p>5. See table attached. In 2017 18 "take charge" and "take back" requests (in regard to Georgian nationals) and between January and February 2018 8 "take charge" and "take back" requests (in regard to Georgian nationals) were sent out. There were also 16 Dublin transfers decisions (in regard to Georgian nationals) during 2017 and 8 Dublin transfers decisions (in regard to Georgian nationals)</p>


			<p>during the first two months of 2018. Total number of transfer decisions (in regard to all foreign nationals) were 122 in 2017 and 51 during the first two months of 2018. This means that around 15 % of transfer decisions issued in Jan and Feb 2018 was against Georgian nationals.</p> <p>6. 2</p>
	Estonia	Yes	<p>1. Estonia has specified a list of safe countries of origin and Georgia is considered a safe country of origin, however all the applications for international protection are evaluated case by case.</p> <p>2. In the period from April to December 2017, 1 Georgian citizen was granted international protection, All together, protection (refugee status or subsidiary protection) has been granted for 22 persons, in addition, a decision was made to issue 23 residence permits for a family members, 88 decisions to reject an application and 24 decisions to terminate proceedings.</p> <p>3. N/A</p> <p>4. See answer to question 2.</p> <p>5. In the case of Dublin, both incoming and outgoing requests are considered and the basis for the person's involvement in international protection proceedings is taken into account. In the period January-February 2018 there were no requests for any Georgian citizens.</p> <p>6. None.</p>
	Finland	Yes	<p>1. Not at the moment, Finland is currently in the process of reviewing the situation in Georgia.</p> <p>2. Yes, Finland saw an increase in the number of applications towards the end of 2017, although the number decreased in the first two months of 2018, please see the annex table. Finland has not taken any particular measures. Georgian nationals have swiftly received a negative decision accompanied by an entry ban due to either criminal activities or a manifestly unfounded application.</p> <p>3. The applicants are 90% males and their claims include problems with private individuals, problems</p>



			<p>with criminals, political problems and economic problems. Many withdraw their applications during the asylum process. The majority of the applications are manifestly unfounded.</p> <p>4. 0%. Finland has not granted international protection to Georgian nationals.</p> <p>5. A) Please see the annex table. B) January 2018: 24% February 2018: 8%</p> <p>6. The Finnish Immigration Service does not have statistics on the issue. It is known that many Georgian applicants of international protection have been apprehended for petty crimes and thefts during their stay in Finland.</p>
	France	No	
	Germany	Yes	<p>1. No, but the classification of Georgia as a safe country of origin is currently under discussion.</p> <p>2. Yes, the number of applications has increased over the past months. In order to prevent the influx, the establishment of a liaison in Georgia is currently considered. See also the attached document.</p> <p>3. No data available.</p> <p>4. The acceptance rate for refugee and subsidiary protection status from April to December 2017 has been 0,6 %. From January to February 2018 it was 0,3 %. This does not include domestic humanitarian protection or asylum according to German Basic Law.</p> <p>5. A. See attached table. B. No data available.</p> <p>6. No data available.</p>
	Greece	Yes	<p>1. No. The Asylum Service examines all international protection applications, including those lodged by Georgian citizens, with no regard to the notion of safe country of origin, as Greece has not</p>

			<p>developed a list of “Safe countries of origin”.</p> <p>2. Yes. In 2016, 687 asylum applications of Georgian citizens were registered by the Asylum Service. The number of relevant registrations rose to 1,107 in 2017. Although there has been a significant increase in the number of international protection applications lodged in the referred period of time, no measures have been taken to prevent this influx. Notably, the total of asylum applications of Georgian citizens makes up for only 2,1% of the total asylum applications registered in Greece in 2017. Monthly distribution of asylum applications lodged by Georgian applicants from April 2017 to February 2018 is illustrated in the following table. 2017 2018 Total Age ranges Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb 0-13 5 11 10 12 8 25 16 13 9 14 7 130 14-17 0 1 1 2 2 2 3 1 0 1 1 14 18-34 28 43 47 31 37 46 46 41 38 51 32 440 35-64 30 52 47 42 50 39 38 54 42 45 36 475 65 and over 2 1 3 1 1 1 1 4 14 Total 65 108 105 90 97 113 103 110 90 112 80 1073</p> <p>3. Within the defined period of time (April to December 2017), 1,073 asylum applications have been lodged (by 429 male and 644 female) Georgian applicants. 2017 2018 Total Gender Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Male 27 38 46 29 33 51 42 47 34 46 36 429 Female 38 70 59 61 64 62 61 63 56 66 44 644 Total 65 108 105 90 97 113 103 110 90 112 80 1073 Bearing in mind that the Asylum Service does not keep statistical data on the specific grounds of the asylum claims, and a thorough investigation of a reliable sample of applications would require substantial administrative effort, we cannot provide you with reliable data on the profile of the Georgian applicants timely.</p> <p>4. Recognition rate of international protection applications submitted by Georgian citizens is 0%.</p> <p>5. A) No transfer decisions based on application of provisions of the Dublin Regulation have been made since April 2017. B) No transfer decisions have been made between January and February 2018.</p> <p>6. Data not available. (Asylum Service)</p>
	Hungary	No	



	Ireland	No	
	Latvia	Yes	<p>1. Yes. Although we do not have the list of safe countries of origin, generally we consider that Georgia is a safe country of origin (nonetheless each case is considered on its individual merits).</p> <p>2. Not anymore – there was a sharp increase in the number of applications for international protection filled by Georgian nationals starting from year 2011 to 2014 when Georgia was the Top 1 country of origin in LV (2011 – 53%, 2012 – 56%, 2013 – 77.8%, 2014 – 45.6%), but starting from 2015 there is significant decrease in number of asylum applications submitted by Georgian nationals (2015 – 8.8%, 2016 -1.1%, 2017- 2%). During the period of increase all Georgian cases were examined on substance but decisions were made as quickly as possible and gradually it helped to reduce the number of asylum applications submitted by Georgian nationals.</p> <p>3. The profile of the Georgian nationals applying for international protection: single male, age - 20 to 35 years old, often - with drug addiction, jobless, as well very often – with debt problems.</p> <p>4. During the mentioned time period - the recognition rate was 0%.</p> <p>5. From April 2017 to February 2018 there were no transfer decisions taken regarding Georgian nationals.</p> <p>6. We do not have information regarding Georgian nationals in detention, however during the time of increase (2011- 2014) there were several cases when Georgian nationals were involved in criminal actions – shoplifting, mutual brawls with bodily injuries.</p>
	Lithuania	Yes	<p>1. LT does not have a lot of practice regarding applications for international protection filed by Georgian nationals. Each application is examined individually but conclusions could not be made due to lack of case practice.</p> <p>2. No. (Please find statistics in the Annex)</p>


			<p>3. In 2017, there were 10 applications for international protection filed by Georgian nationals: all men, 7 in the age group of 18-34 years old, 3 in the age group of 35-64.</p> <p>4. 0% (Please find statistics in the Annex)</p> <p>5. a) Please find statistics in the Annex. b) 0%</p> <p>6. As of 29th of March, 2018 there were no Georgian nationals in detention.</p>
	Luxembourg	Yes	<p>1. Yes.</p> <p>2. a) Yes. b) See table attached. c) Luxembourg has included Georgia in the list of safe country of origin.</p> <p>3. The profile of the Georgian nationals applying for international protection is: single male, age: 20 to 35 years old, multiple drug addiction, jobless and they do not belong to any minority group.</p> <p>4. The recognition rate was 0,9% between April 2017 and December 2017. Since the beginning of the year it is 0%.</p> <p>5. A) During the period of April to December 2017 the total number of decisions was 65. B) Between January and February 2018 there were 25 transfer decisions representing 11,6% of the total number of transfer decisions taken.</p> <p>6. Actually there is 1 Georgian national in detention and 6 persons are under house arrest in the SHUK (structure d'hébergement d'urgence Kirchberg).</p>
	Malta	Yes	<p>1. Currently Georgia is not on the Maltese national list of safe countries of origin. However, this does not entail that the Office of the Refugee Commissioner considers Georgia to be a country where nationals would generally be at risk of persecution or serious harm.</p> <p>2. While the Office of the Refugee Commissioner did experience an increase of applications for</p>

			<p>international protection lodged by Georgian nationals (9 applications in 2017 as opposed to 2 applications in 2016 and none between 2009 and 2015), the number of applications by Georgian applicants represented a very limited part of the Maltese caseload (0.56% of the total caseload for 2017).</p> <p>3. Out of 9 applicants; there was a family of 4 (1 male, 1 female and their 2 children), 2 single males, 1 separated male, and 2 accompanied minors (their parents had applied for international protection in 2016).</p> <p>4. According to the latest statistics, the recognition rate of Georgian nationals stands at 0%.</p> <p>5. In 2017 there was 1 case that was closed as a Dublin Closure on the basis that Malta was not the Member State responsible in accordance with the Dublin Regulation. Between January and February 2018, no transfer decisions were given to Georgian applicants</p> <p>6. We have one Georgian national (male) in detention since 9 February 2018</p>
	Netherlands	Yes	<p>1. To a certain extent. Georgia is recognized as a safe country of origin, with the exemption of the areas that are not under effective control of the central authorities.</p> <p>2. There is no significant increase. The table will be sent later when the data is confirmed.</p> <p>3. The profile of the Georgian nationals is: male, age 24 to 35, 50% is married, often they travel alone or with a second degree relative.</p> <p>4. In 2017, 510 Georgian nationals applied for asylum. 235 applications were rejected (there was a rejection rate of 97.9%). No applicants got the subsidiary or international protection status. 5 Georgian nationals got the refugee status (Eurostat).</p> <p>5. Georgian nationals are since 3 July 2017 no longer dismissed in the Dublin procedure but instead are treated by the Dutch law, even if appears that another Member State is responsible for the Georgian national under the Dublin Regulation. This approach also applies to asylum seekers from the</p>

			<p>Western Balkan countries. Since the Western Balkan countries and Georgia are considered as safe countries of origin, the preference is to have a fast-track procedure instead of following the Dublin Regulation.</p> <p>6. There is 1 Georgian in detention.</p>
	Poland	No	
	Slovak Republic	Yes	<p>1. Georgia could be considered as a safe country of origin.</p> <p>2. Currently, SR has again recorded applicants for international protection from Georgia after a longer time, however, this cannot be considered as an increased influx, these are more occasional cases.</p> <p>3. Applicants are usually males around 40 years old, single or divorced, who had previously been abroad from Georgia, e.g. working in Turkey, Russia, Ukraine. They left the country of origin legally with their passport and were returned to SR within Dublin because they arrived to Europe on Slovak visa. There are hints that they could have had drug problems in the past.</p> <p>4. The recognition rate is low, due to the fact that in most cases applicants leave the Slovak territory.</p> <p>5. 0</p> <p>6. 0</p>
	Spain	Yes	<p>1. Spain does not consider Georgia a safe country of origin because it is a still very weak democracy, the balance of powers is not guaranteed and it has two very unstable territories (ossetia and Abkhazia)</p> <p>2. Yes SPAIN 2017 2018 Month Apr. May June July Aug. Sept. Oct. Nov. Dec. Jan. Feb. Applications 8 33 36 19 30 17 16 27 12 31 55 % Increase 313% 9% -47% 58% -43% -6% 69% -56% 158% 77% If possible, can you provide the statistics since April 2017 until February 2018? (Please fill the attached table) SPAIN 2017 2018 Month Apr. May June July Aug. Sept. Oct. Nov. Dec. Jan. Feb.</p>

			<p>Applications for international protection of Georgian nationals 8 33 36 19 30 17 16 27 12 31 55 % Increase 313% 9% -47% 58% -43% -6% 69% -56% 158% 77% Dublin transfers decisions (Georgians) A total number of 80 petitions were lodged between April 1st, 2017 and February 28th, 2018. 3 transfer decisions of Georgian nationals. Recognition decisions 0 0 0 0 0 0 0 0 0 0 0 Total n° applications 2.005 2.834 2.545 2.805 3.270 2.909 2.994 3.100 2.284 3.187 2.981 % Georgian App. 0,40% 1,16% 1,41% 0,68% 0,92% 0,58% 0,53% 0,87% 0,53% 0,97% 1,85% If you answer yes, can you please describe the measures that your Member State has taken to prevent this influx? Spain has not taken any concrete measure in order to prevent the increase on the number of Georgian applications</p> <p>3. Out of the total number of 388 applications presented 2017-2018 by Georgian nationals, 40% (156 applicants) were women and 60% (232 applicants) men. A 32% are below 18, 44% are between 18-35 years old and 24% are above 35 years old. Regarding the allegations, the majority (80%) of Georgian nationals claim to be linked, in one way or another, with the former regime of President Saakashvili and the United National Party and to be persecuted for it. Another percentage (5%) claim to be a victim of some type of corruption or abuse of public powers. The rest (15%) claim to be victims of mafias or organized crime groups in the country or other reasons unrelated to international protection.</p> <p>4. The recognition rate of Georgian nationals for the period of study is of a 3,29 %</p> <p>5. A total number of 80 incoming requests of Georgian nationals were lodged between April 1st, 2017 and February 28th, 2018. Out of them, 3 transfer decisions of Georgian nationals were taken. SPAIN 2017 2018 Month Apr. May June July Aug. Sept. Oct. Nov. Dec. Jan. Feb. Dublin transfers decisions (Georgians) A total number of 80 petitions were lodged between April 1st, 2017 and February 28th, 2018. 3 transfer decisions of Georgian nationals. 5. B) Between January and February 2018, what percentage of the total number of transfer decisions represent transfer decisions taken of Georgian nationals? None.</p> <p>6. This information is not currently available</p>
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	Sweden	Yes	<p>1. No. Sweden does not have a list of safe countries of origin. But manifestly unfounded asylum applications are fast-tracked with the aim of keeping processing times as short as possible. The Swedish Migration Agency has not granted protection to any Georgian national in 2017 or during the first two months of 2018.</p> <p>2. Yes. Over the period April - December 2017, the number of Georgian asylum applicants has increased in Sweden. Please see Table attached. The Swedish Migration Agency has tried to fast-track manifestly unfounded asylum applications by Georgian nationals with the aim of reducing the processing times. The Migration Agency has deployed a return liaison officer in Tbilisi, Georgia. The Swedish government has held talks with the Georgian government, expressing its concerns about the increased number of manifestly unfounded asylum applications and growing criminal activity.</p> <p>3. Most Georgian applicants in 2017 were single men (63%). Most Georgian applicants were within the age group 21-40 years (66%).</p> <p>4. The recognition rate (first instance) has been zero percent, both last year and so far in 2018. Please see Table attached.</p> <p>5. Please see Table attached.</p> <p>6. On 1 March 2018, 23 Georgian nationals were in detention in Sweden.</p>
	United Kingdom	Yes	<p>1. No, the UK does not have a 'safe' list of countries; however under section 94(4) of the Nationality, Immigration and Asylum Act 2002 (http://www.legislation.gov.uk/ukpga/2002/41/contents) there is provision for a list of countries from which asylum or human rights claims must be certified as 'clearly unfounded' unless the Home Office is satisfied that they are not. A person whose asylum or human rights claim is certified as 'clearly unfounded' does not have an in-country right of appeal against the refusal of the claim but can appeal once they have left the UK. A full list of designated countries is available on the GOV.UK website (see page 28). Individual cases from any country can also be certified on a case-by-case basis. The UK receives few asylum claims from Georgia and has not considered it necessary to assess whether Georgia meets the criteria for a 'designated' state.</p>

			<p>2. The UK has not faced an increase. [Member State] 2017 2018 Month Apr. May June July Aug. Sept. Oct. Nov. Dec. Jan. Feb. Applications 9 5 6 3 8 3 4 3 1 N/A N/A</p> <p>3. Due to the limited numbers, the UK does not have a profile of the applicants.</p> <p>4. 0%</p> <p>5. The UK has returned 8 Georgian nationals since 2017.</p> <p>6. 54</p>
	Norway	Yes	<p>1. Yes. Georgia has for several years been placed in the 48-hour asylum-procedure in Norway. This means that we regard the country to uphold international human rights to an acceptable level. Most applications are therefore rejected as manifestly unfounded. Still, some cases are more complex than others, and have to be transferred to the ordinary procedure.</p> <p>2. No, Norway has not experienced any notable increase of applicants from Georgia. In 2017 a total of 38 persons from Georgia applied for asylum in Norway (31 of them were men - and almost all of them arrived alone). So far this year - approximately 4 persons have arrived.</p> <p>3. Many applicants give sosio-economic reasons for leaving Georgia and applying for asylum abroad (lack of work, education, poverty etc). Others have been victims of crime/criminal networks. A variety of different - more substantial claims - are also presented: Conflicts and threats connected to elections, journalists exposing persons in power, members of the political opposition etc. A few applicants may also arrive from the autonomous regions of South Ossetia and Abkhasia (but this is very infrequent).</p> <p>4. 38 applicants in period, see attached document with table.</p> <p>5. See attached document with table. In Jan. and Feb. of this year, Norway has not received any requests for transfers for Georgian Nationals, so the percent of accepted requests is 0% / N/A</p>

			<p>6. For all of 2017, a total number of 56 persons from Georgia were detained in Norway. None of them are currently in detention; they have either been released or returned to Georgia. So far, in 2018, 9 persons from Georgia have been detained. None of them are currently in detention, having either been released or returned to Georgia.</p>
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