



EMN Ad-Hoc Query on Processing of asylum applications from nationals of Turkey

Requested by FR EMN NCP on 12th January 2017

Protection

Responses from [Austria](#), [Belgium](#), [Croatia](#), [Cyprus](#), [Czech Republic](#), [Estonia](#), [Finland](#), [France](#), [Germany](#), [Greece](#), [Hungary](#), [Latvia](#), [Lithuania](#), [Luxembourg](#), [Malta](#), [Netherlands](#), [Poland](#), [Slovak Republic](#), [Spain](#), [Sweden](#), [United Kingdom](#), [Norway](#) (22 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:

Since 3 months, France has received an increasing number of asylum applications based on real or supposed belonging to the Fethullah Gülen movement. The French Office for the Protection of Refugees and Stateless Persons (OFPRA) would like to know how Member States process asylum applications based on this ground.

Questions

1. Has your Member State noticed a significant increase of asylum applications from nationals of Turkey since the coup d'état attempt in July 2016?
2. Does your Member State receive asylum applications based on real or supposed belonging to the Fethullah Gülen movement?
3. Has your Member State established a doctrine or guidelines for processing asylum applications based on this ground? If yes, could you share it?

Responses

	Country	Wider Dissemination	Response
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Belgium	Yes	<ol style="list-style-type: none">1. Yes, there was a significant increase of Turkish applicants, in particular in October and November 2016 (for more details see the Excel table in attachment)2. No information available3. No
	Croatia	Yes	<ol style="list-style-type: none">1. No increase has been observed.2. Such applications have not been received.

			3. N/A
	Cyprus	Yes	<ol style="list-style-type: none"> 1. No significant increase has been observed. 2. No such applications received. 3. n/a
	Czech Republic	Yes	<ol style="list-style-type: none"> 1. No such increase has been monitored. 2. NO 3. N/A
	Estonia	Yes	<ol style="list-style-type: none"> 1. There has been no significant increase since that time period. 2. There have been no such applications where applicants claim having belonged to the Fethullah Gülen movement. 3. N/A
	Finland	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	France	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Germany	Yes	<ol style="list-style-type: none"> 1. Yes, we have noticed an increase since July 2016. For details, please see the attached document. 2. No findings.

			3. Yes, we have internal guidelines.
	Greece	Yes	<p>1. According to the official statistical data of the Greek Asylum Service, during the first semester of 2016, 49 applications for international protection were lodged by Turkish nationals, while since the attempted coup (second semester) the relevant number of applications rose up to 140, marking a raise of 185,7%. 48 applications for international protection were lodged by Turkish nationals in January 2017.</p> <p>2. Since the attempted coup in Turkey of July 2016, a significant number of international protection applications have been submitted by Turkish nationals where real, alleged or attributed membership of the Fethullah Gülen movement is part of these claims.</p> <p>3. The Greek Asylum Service has not issued any guidance to case workers dealing with these claims. Their standard instructions are to examine each claim on an individualized basis.</p>
	Hungary	Yes	<p>1. Hungary has not noticed a significant increase of asylum applications submitted by Turkish nationals in Hungary since the coup d'état attempt on 15 July 2016. (In 2015 304 Turkish citizens, during the period between 01.01.2016-14.07.2016 401 Turkish citizens, during the period between 07.15.2016-31.12.2016 24 Turkish citizens, in 2017 (until 14.02.2017.) 4 Turkish citizens applied for asylum in Hungary.)</p> <p>2. No, we do not receive such applications.</p> <p>3. No, we did not establish such doctrine or guidelines.</p>
	Latvia	Yes	<p>1. No, Latvia has not experienced significant increase of applicants from Turkey since the coup d'état attempt in July 2016.</p> <p>2. Some of received applications (1 family) are based on indirect belonging to the Fethullah Gülen movement.</p> <p>3. Until now we do not have any guidelines for examination of mentioned applications.</p>

	Lithuania	Yes	<ol style="list-style-type: none"> 1. There were no asylum applications received in the 3rd quarter of 2016, in the 4th quarter of 2016 there were 4 asylum applications received. 2. Yes, one of 4 applications received in the 4th quarter of 2016 was based on belonging to the Fethullah Gülen movement. 3. No.
	Luxembourg	Yes	<ol style="list-style-type: none"> 1. No. During the period January to November 2016 the number of Turkish nationals applying for international protection in Luxembourg was of 13 applications. 6 applications were filed in the first six months and 7 applications between September and November 2016, so there was not a significant increase in the second half of the year. Jan. Feb. Mar. Apr. May June July Aug. Sep. Oct. Nov Total 1 1 0 2 0 2 0 2 1 4 13 Source: Directorate of Immigration, MAEE © LU EMN NCP 2. One case. 3. No. Luxembourg treats every international protection application on a case by case basis analyzing the facts described by the applicant as well as the evidence provided and taking into consideration the general situation of the country of origin.
	Malta	Yes	<ol style="list-style-type: none"> 1. Is the information related to making and examining an application for international protection classified by your national law? No, such information is not officially classified. 2. If not, what general or specific legislative safeguards do you use in order comply with provisions of Art. 30 and 48 of the directive 2013/32/EU? Articles 30 and 48 of the Directive 2013/32/EU have been transposed into Maltese national legislation, specifically in Article 15 of the Subsidiary Legislation 420.07, as amended by Legal Notice 416 of 2015 which states that:

			<p>15. (1) All information concerning applications for international protection shall remain confidential, without prejudice to access of the applicant's file by the Minister.</p> <p>(2) No information concerning an application shall, under any circumstances, be disclosed to the alleged actor of persecution or serious harm. Nor shall the Maltese authorities obtain any information from the alleged actor of persecution or serious harm in a manner that would result in such actor being directly informed of the fact that an application has been made by the applicant in question, and would jeopardise the physical integrity of the applicant or his dependants, or the liberty and security of his family members still living in the country of origin.</p> <p>According to these provisions and in full respect of the principle of confidentiality, the Office of the Refugee Commissioner cannot disclose any information concerning applications for international protection to third parties. Moreover, no information, under any circumstances, can be disclosed to, or obtained from, the alleged actor of persecution or serious harm in a manner that would result in such actor being directly informed that the applicant has applied for asylum, and would jeopardise the physical integrity of the applicant or his dependants, or the liberty of his family members still living in the country of origin.</p> <p>The only exceptions are when access to the applicant's file is requested by the Minister, or when the applicant has lodged an appeal to a decision taken in relation to his application for international protection (at which point access to file would be granted to the applicant's lawyer). Access to file is also granted to the applicant's lawyer in other circumstances when such a request is authorized by the client himself.</p>
	Netherlands	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Poland	Yes	<ol style="list-style-type: none"> In the past three years Turkish citizens didn't apply for asylum in Poland [In case of Poland asylum and international protection: refugee status and subsidiary protection applies as different procedure]. However Turkish citizens applied for international protection (2014 - 3 applications, 2015 - 15 applications, 2016 - 65 applications). It should be mentioned that noticeable increase of applications regarding international protection wasn't a direct consequence of the coup d'etat attempt as other reasons were mentioned by applicants.

			<p>2. The Office for Foreigners in Poland has received one application for international protection (2017), in which the applicant declares association with the Fethullah Gülen movement. Due to the fact that the case is to be checked, the application has not yet been verified.</p> <p>3. Because of the lack of asylum applications regarding abovementioned reasons, Poland has not made the solutions regarding the asylum applications based on the association with the Fethullah Gülen movement.</p>
	Slovak Republic	Yes	<p>1. No, Slovak Republic has not noticed an increased number of applications following the coup d'état attempt.</p> <p>2. No.</p> <p>3. No, Slovak Republic has not established any such guidelines.</p>
	Spain	Yes	<p>1. We have actually noticed a significant increase of applications since august 2016. Traditionally, Spain does not receive a huge number of applications from nationals of Turkey. During 2015, only 6 applications were lodged, most of them by kurds. Since last summer's coup, we actually started receiving an increasing number of applications. Only in the second half of 2016 we received 22 applications form Turkish nationals.</p> <p>2. We keep receiving an increasing number of applications based on political reasons. In particular, from people who claim to be members of HIZMET (Gülen movement), such as high profile entrepreneurs, teachers, etc.</p> <p>3. We have not established specific guidelines on this issue, and we keep gathering new information on a weekly basis. For example, last Government Decree-Law 679 provides for additional dismissals of thousands of civil servants, professors... On the other hand, over 200 individuals who had been dismissed under previous decree-laws were reinstated and formerly closed newspapers were allowed to open again. We check and verify all this pieces of information very carefully. Anyway, we are working case by case and if credibility issues arise while studying the applications, we call the applicant for a second interview to perform an in-depth credibility study.</p>

	Sweden	Yes	<p>1. Month Number of asylum seekers from Turkey Jan 16 35 Feb 16 13 Mar 16 33 Apr 16 17 May 16 24 June 16 24 July 16 25 Aug 16 88 Sep 16 111 Oct 16 161 Nov 16 119 Dec 16 88 Jan 17 96 As is shown by the figures above an increase has occurred.</p> <p>2. There has been an increase in the numbers of asylum application from nationals of Turkey since the coup. However, the Swedish authorities do not register the reasons for asylum applications in a way enable us to answer the question in more detail.</p> <p>3. The Swedish Migration Agency has not yet established a doctrine or guidelines for processing asylum applications based on this ground. Even if there were guidelines, every application has to be examined on its own merits.</p>
	United Kingdom	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Norway	Yes	<p>1. Norway saw a clear increase from 1-4 applicants per month before the attempted coup to 4-28 applicants in the following months (12 in August, 17 in September, 28 in October, 13 in November and 4 in December). However, the number of applicants that came from Turkey in the months prior to the coup attempt was lower than usual, and even when taking into account the number of applicants that came after the attempted coup, the total number of Turkish applicants in 2016 was the same as in 2015 (89 applicants both years). These numbers are higher than in 2014 (52 applicants) but lower than in 2015 (96 applicants).</p> <p>2. UDI saw a clear increase from 1-4 applicants per month before the attempted coup to 4-28 applicants in the following months (12 in August, 17 in September, 28 in October, 13 in November and 4 in December). However, the number of applicants that came from Turkey in the months prior to the coup attempt was lower than usual, and even when taking into account the number of applicants that came after the attempted coup, the total number of Turkish applicants in 2016 was the same as in 2015 (89 applicants both years). These numbers are higher than in 2014 (52 applicants) but lower than in 2015 (96 applicants). Here is a table with the monthly figures for 2016: Month Number of asylum seekers from Turkey 01 4 02 3 03 1 04 2 05 2 06 1 07 2 08 12 09 17 10 28 11 13 12 4 Total 89</p> <p>3. Yes, Norway has received applications based on both actual and expected accusations about membership in organizations connected to the Gülen movement. About ½ to 2/3 of all applications received from</p>

			<p>Turkish citizens after the attempted coup are in some way related to the Gülen movement or to (expected) accusations of having connections to the coup attempt.</p> <p>4. Yes, the UDI has received applications based on both real and perceived membership in organizations connected to the Gülen movement. About ½ to 2/3 of all applications received from Turkish citizens after the attempted coup are in some way related to the Gülen movement or the coup attempt.</p> <p>5. The Norwegian Directorate of Immigration (UDI) has not established any doctrine or special guidelines for processing these asylum applications. The assessment of applications and claims related to Gülen and HDP has been put on hold due to uncertain information and the difficulty in assessing future risk. Perhaps the most important questions for us are: who are being convicted for belonging to the Gülen movement and the type and level of involvement, role etc., and what are the legal and other consequences (loss of job, fines, prison etc.). We are still lacking information on these issues since the trials have only just started. Uncertainty regarding the use of torture during arrest, custody and imprisonment is also a factor that has led us to await further developments before establishing a policy. The vast majority of the cases from Turkish applicants that have been decided after the coup attempt were either clear rejections or approvals relating to former members of the PKK.</p> <p>6. The UDI has not established any doctrine for processing asylum applications on this basis. The assessment of applications and claims related to Gülen and HDP have been put on hold due to uncertain information and difficulty in assessing future risk. Perhaps the most important questions for us are: who are being convicted for belonging to the Gülen movement (level of involvement, role etc.), and what are the legal and other consequences (loss of job, fines, prison etc.). We are still lacking information on these issues since the trials have only just started. Uncertainty regarding the use of torture during arrest, custody and imprisonment is also a factor that has led us to wait for further developments before deciding on a policy. The vast majority of the cases from Turkish applicants that have been finalized after the coup attempt are either clear rejections or approvals relating to former membership in the PKK.</p>
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