

Draft - EMN Synthesis Report for the EMN Focussed Study 2017

Challenges and practices for establishing the identity of third-country nationals in migration procedures



Migrapol EMN Doc 000

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This First Draft is based on the National Contributions from the following Member States:

Actions: EMN NCPs are invited to provide written comments on this first version of the Synthesis Report by 23rd October 2017

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DISCLAIMER

This Synthesis Report has been produced by the European Migration Network (EMN), which comprises the European Commission, its Service Provider (ICF) and EMN National Contact Points (EMN NCPs). The report does not necessarily reflect the opinions and views of the European Commission, EMN Service Provider (ICF) or the EMN NCPs, nor are they bound by its conclusions. Similarly, the European Commission, ICF and the EMN NCPs are in no way responsible for any use made of the information provided.

The Focussed Study was part of the 2017 Work Programme for the EMN.

EXPLANATORY NOTE

This Synthesis Report was prepared on the basis of national contributions from 25 EMN NCPs (AT, BE, CY, CZ, DE, EE, EL, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK, and UK) collected via a Common Template developed by the NO NCP and EMN NCPs to ensure, to the extent possible, comparability. National contributions were largely based on desk analysis of existing legislation and policy documents, reports, academic literature, internet resources and reports and information from national authorities rather than primary research. The listing of Member States in the Synthesis Report following the presentation of synthesised information indicates the availability of relevant information provided by those Member States in their national contributions, where more detailed information may be found and it is strongly recommended that these are consulted as well.

Statistics were sourced from Eurostat, national authorities and other (national) databases.

It is important to note that the information contained in this Report refers to the situation in the abovementioned Member States up to July 2017 and specifically the contributions from their EMN National Contact Points.

EMN NCPs from other Member States could not, for various reasons, participate on this occasion in this Study, but have done so for other EMN activities and reports.

EXECUTIVE SUMMARY

KEY POINTS TO NOTE:

- ★ The importance of identity management in migration procedures has increased significantly in recent years in lights of the rise in the number of applications for international protection since 2014/2015 and of current heightened security challenges. The ability to unequivocally establish the identity of a third-country national is of key importance in all migration processes.
- ★ (Member) States face challenges related to identity establishment of third-country nationals in all migration processes, however, due to the significant rise of applicants for international protection in recent years, these have become particularly visible in asylum and return procedures. Generally, (Member) States observed an increased in the number of international protection applicant unable to provide a valid proof of identity.
- ★ EU-wide information management systems, such as Eurodac, the Visa Information System (VIS) and Schengen Information System (SIS) play an increasingly important role in the identity establishment process, by storing biographic and biometric data of third-country nationals.
- ★ Next to travel and identity documents, (Member) States use a wide range of methods to support the process of identity establishment. Cooperation between competent authorities on a national, bilateral and European level has been established in the form of pilot projects, shared databases, etc.
- ★ The importance of identity establishment for the outcome of the application depends on the type of procedure. While a valid proof of identity is crucial for a positive decision in legal migration procedures, many (Member) States also grant international protection if identity cannot be (fully) established. In return procedures, the importance of a valid proof of identity generally depends on the requirements of the (presumed) country of origin.

What does the study aim to do?

The following synthesis report presents an overview of the important challenges faced by national authorities in EU Member States and Norway in their efforts to establish and verify the identity of third-country nationals within the context of various migration procedures – namely those related to asylum, return and legal migration channels (including both short-stay and long-stay visas and residence permits) – and of national practices to address those challenges. Moreover, the study provides an insight into the use of information management systems at national and European level to support identification and verification processes.

What is the scope of this study?

The Study covers (Member) States' approaches to establish the identity of third-country nationals within the migration process, looking both into identification and identity verification related tasks. This will be addressed within the context of the asylum procedure, return procedure, as well as legal migration channels, i.e. applications for short-stay visas and for long-stay visas/residence permit for study, work and family purposes. Identity management issues related to naturalisation procedures are outside the scope of the Study.

What is the EU legal context for identity establishment?

The obligations of Member States with regard to the establishment of identity of third-country nationals are laid down in various EU directives and regulations. For international protection and return procedures, legislative instruments adopted in the framework of the Common European Asylum System (CEAS) are relevant, inter alia requiring Member States to assess the identity of asylum seekers (recast Qualification Directive), and obliging applicants to cooperate with the competent authorities (recast Asylum Procedures Directive). In the case of return, the EU Return Directive is relevant as it establishes the right for Member States to keep a third-country national in detention for identification purposes. Against the background of fostering cooperation with countries of origin in identity establishment in the area of return, Readmission Agreements are also an important element. As regards legal migration procedures, the Visa Code and Family Reunification Directive are particularly important, as these establish the procedures and conditions for issuing visa or residence permits to third-country nationals.

This legislative framework is complemented by EU information management systems (SIS, VIS and Eurodac), which allow the exchange of biographic and biometric data between the relevant authorities at national level. In the absence of internal border controls in the Schengen area, these are particularly relevant for identity management. In most (Member) States, relevant authorities have access to these databases.

What are the main challenges (Member) States face in relation to identity management in migration processes?

Challenges related to identity establishment are particularly apparent in international protection procedures. Most (Member) States reported that applicants for international protection are often not able to provide official travel and/or identity documents, and even if these are provided, a further challenges lies in determining whether these are genuine. In return procedures, challenges stem from a lack of cooperation from third-country nationals and difficulties in cooperating efficiently with authorities in the (presumed) third country of origin and exchanging biometric information with them. In the case of legal migration, challenges relate mostly to forged or counterfeit identity/travel documents, as well as limited comparability of biometric data contained in VIS.

What does the legislative and institutional framework for identity establishment look like at national level?

For international protection procedures, most (Member) States lay down the establishment of identity in national legislation, either closely reflecting the provisions set out in EU legislation, or providing more detailed national provisions as regards the specific methods and procedures to be followed. As a consequence of the transposition of the above-mentioned CEAS directives between 2013 and 2015 Member States have reported on recent changes to their national legislation regarding identity establishment. Such changes mainly relate to the scope of the duty of applicants for international protection and the distribution of functions between the institutions involved in the asylum procedure. Similarly, in the case of return procedures, some Member States strengthened the obligation of return candidates to cooperate in identity establishment, as well as including in national legislation the collection of biometric data. For legal migration procedures, most (Member) States have inscribed general obligations on third-country nationals in national law to provide identity documents.

Mainly as a result of the significant rise in of asylum applications in many Member States in recent years, various changes in the national institutional frameworks were made to allocate responsibilities among relevant authorities more efficiently.

What methods and types of documents are used to establish the identity of third-country nationals?

The majority of (Member) States do not use a legal or operational definition of “identity” in the framework of migration procedures, although this term generally refers to a set of characteristics that unmistakably characterise a person. First and foremost, (Member) States use valid travel/identity documents to establish identity in all migration processes. In international protection applications, other types of documents (e.g. birth certificates) can also be accepted (as contributing) to establish identity, while in return procedures this very much depends on the requirements of the (presumed) country of origin. In the absence of documentary evidence of identity, Member States employ a wide range of methods, such as language analysis and interviews to determine the probable country/region of origin and DNA analysis. Recently, the role of social media also increased in establishing identity.

How are these different methods combined to establish the identity of third-country nationals, and their outcomes used to make a decisions within the migration procedures?

The status and weight of different methods and documents to determine identity differs widely across (Member) States. In international protection procedures, Member States place varying degrees of significance on the outcome of the identity establishment procedure, with many granting protection status without a fully proven identity. In contrast, the establishment of identity is a decisive factor in all (Member) States for return procedures, as this is needed to draw up the necessary travel documents with the country of origin. In legal migration procedures, a positive decision is generally only granted when identity is proven.

Which personal data is collected in the framework of migration procedures and which data sharing arrangements are in place?

National authorities usually collect and store biographic and biometric data of applicants in all migration procedures. Memoranda of Understanding and other types of agreements are in place in many countries to support the sharing of data between different entities. Various (Member) States reported on recent changes related to the processing of personal data, mainly with a view to further automating the collection and comparison of biometric data. In addition, pilot projects were put in place to foster the cooperation among national authorities and between authorities of different Member States, as well as extending the scope and improving the interoperability of various (national) databases.

Introduction

This Study presents the main findings of the EMN Focussed Study on *Challenges and practices for establishing the identity of third-country nationals in migration procedures* based on National Reports from twenty-five Member States. The aim of this Study is to present an overview of the important challenges faced by national authorities in their efforts to reliably establish and verify the identity of third-country nationals within the context of various migration procedures - namely those related to asylum, return and legal migration channels (including both short-stay and long-stay visas and residence permits) - and of national practices to address those challenges.

RATIONALE AND CONTEXT OF THE STUDY

The ability to unequivocally establish the identity of a third-country national is of key importance in all migration procedures – for deciding upon applications for international protection, issuing visas for legal entry to a Member State, as well as for the procedures required to return migrants in irregular situations to their country of origin. Moreover, effective identity management policies and practices are a prerequisite not only for the proper functioning of the migration and asylum systems but also for maintaining citizens' trust in their integrity and reliability.¹

The authorities tasked as decision-makers in migration processes face a number of challenges in establishing identity. Many applicants for international protection, for example, cannot provide reliable documents. Those who flee persecution may not have the possibility to take identity documents with them when leaving their country of origin, or may not want to reveal the identity by which they are known to the authorities in that country, for genuine fear of the consequences of this, or for other valid reasons, or may have received advice by smugglers or by same-country nationals, who have previously migrated to the EU², to destroy their identification documents upon arriving in the EU. Moreover, when applicants for international protection do provide identity documents, these are sometimes considered false or otherwise invalid by the authorities responsible in the (Member) States. Without first establishing the identity of an applicant, it can be very difficult for the authorities responsible to determine the credibility of the asylum claim, and also whether responsibility for assessing the claim lies with the (Member) State where this has been lodged, in accordance with the rules governing the Dublin system. (Member) States' challenges in relation to identity management across all migration procedures are further described in Section 1.1 below.

These challenges have been compounded by the surge in the number of asylum applications in recent years, especially since 2014/2015, resulting in increasing pressure on the authorities responsible to make fair decisions quickly. Based on statistics provided by Eurostat, the number of applications for international protection more than doubled between 2009 (287,000) and 2014 (662,000), with a sharp increase from 2013. In 2015, the number of applications for asylum lodged more than doubled when compared to 2014, reaching a total of 1.39 million applications, and this level has reduced only slightly in 2016, to 1.26 million.³ The EU has established the '**Hotspot**' approach to provide operational support to the Member States concerned (**Italy** and **Greece**), in particular in relation to the registration and identification processes.

Over 158 thousand unaccompanied minors (UAMs) applied for asylum in the EU in 2015, with Germany receiving around 37% of them.⁴ As in the asylum application procedure in general, establishing identity is not always possible in the case of unaccompanied minors, making it necessary to rely on other measures to determine nationality or age.

¹ For a reflection on these issues, see the Introduction to the proceedings of the Conference 'The Establishment of Identity in the Migration Process', Vienna (Austria), 2 May 2016, available at: <http://www.emn.at/en/national-emn-conference-austria-the-establishment-of-identity-in-the-migration-process/> [last accessed on 20 March 2017]

² European Commission (DG HOME), A study on smuggling of migrants - Characteristics, responses and cooperation with third countries (2015), at http://research.icmpd.org/fileadmin/Research-Website/Project_material/Study_on_smuggling_of_migrants/study_on_smuggling_of_migrants_final_report_master_0_91115_final_pdf.pdf

³ Eurostat, 'Asylum Statistics (Statistics extracted on 2 March 2016)', available at: http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics [last accessed on 12 March 2016].

⁴ See Eurostat, 'Asylum applicants considered to be unaccompanied minors by citizenship, age and sex Annual data (rounded)', [migr_asyunaa], available at http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr_asyunaa&lang=en, last accessed on 2nd November 2017.

Establishing whether an individual is an adult or a child is essential to ensure that children are afforded the protection they are entitled to by law and also to prevent adults being placed among children and accessing rights and services to which they are not entitled.⁵

It is widely recognised that an efficient return policy is needed to safeguard the integrity of the common asylum procedure. However, effective returns are often complicated by a lack of (valid) identity documents. In the absence of valid proof of identity (which is needed to determine nationality), it is very difficult to return rejected asylum seekers to their assumed country of origin or residence since they may not be accepted by the authorities there. While an important distinction exists between assisted (voluntary) and forced return of applicants rejected for international protection, this Study only addresses the regulations and procedures which exist in relation to forced return.

In addition to national authorities within the EU, identity management tasks are also performed at the Member States' embassies and consulates abroad. In 2015 almost 15.5 million applications for Schengen visas were processed at EU consulates in third countries and over 14 million visas were issued (up from around 12 million in 2011).⁶ Unlike in the asylum and return procedures, where credible identity documents are often lacking (see above), visa applicants are under a strong obligation to establish their identity by presenting a valid travel document. In order to ascertain whether the person concerned meets entry conditions, the competent consulate is responsible for verifying the authenticity of the travel document presented. However, before the Visa Information System (VIS) became operational in November 2015, (Member) States faced important difficulties in ascertaining whether a visa applicant was using a false identity to obtain a Schengen visa.⁷

For stays longer than three months, third-country nationals should obtain a **long-stay visa and/or a residence permit** for the purposes of work, study or family reunification. Applicants for long-stay visas and/or residence permits are generally also required to provide credible and verifiable documentation of their identity,⁸ and to satisfy the other conditions applicable for the granting of the visa or permit. As in other migration procedures, however, the need to verify this documentation and link it to the applicant creates challenges for the responsible authorities. Moreover, the EU rules on free movement within the Union mean that this is not only a national concern but one in which national capacities and practices have consequences for all (Member) States.

STUDY AIMS

The specific aims of the Study are to:

- ★ Identify **common challenges** concerning the establishment and verification of a third-country national's identity when processing applications for international protection, managing return procedures and handling applications for short and long stay visas and residence permits;
- ★ Present available statistics on the **estimated scale** of the population of asylum applicants, migrants in irregularity and returnees lacking (reliable) identity documents, as well as the reasons why such statistics are not available or not published;
- ★ Document (Member) States' **policies and practices** in addressing identity issues (including the lack of satisfactorily documented identity) in the handling of migration procedures;

⁵ EASO, 'Age assessment practice in Europe, December 2013', available at: <https://www.easo.europa.eu/sites/default/files/public/EASO-Age-assessment-practice-in-Europe1.pdf>, last accessed on 24th March 2017.

⁶ See the Complete statistics on short-stay visas issued by the Schengen States available from the European Commission website at https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy_en#stats, last accessed on 5th April 2017.

⁷ European Commission, Commission Staff Working Document, 'Evaluation of the implementation of Regulation (EC) No 767/2008 of the European Parliament and Council concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) / REFIT Evaluation', SWD(2016) 328 final, 14.10.2016.

⁸ A partial exception to this rule concerns family reunification. While in family immigration cases the obligation for the applicant to establish and clarify the identity of the applicant is stronger than in the asylum procedure, if it is impossible to get the requisite documents, the authorities may resort to other means in order to identify the person and ascertain the family relationship. See Oxford Research, 'Comparative study of ID management in immigration regulation – Norway, Sweden, the Netherlands and United Kingdom', 2013, available at: <https://www.udi.no/statistikk-og-analyse/forsknings-og-utviklingsrapporter/comparative-study-of-id-management-in-immigration-regulation.-norway-sweden-the-netherlands-and-united-kingdom-2013/>, last accessed on 5th April 2017.

- ★ Map (Member) States' approaches to establish the identity of third-country nationals in **situations of disproportionate migratory pressure** at the external borders or on the national territory, including under the EU 'Hotspot' approach;
- ★ Gain an insight into the use of **innovative technologies and methodologies** (including e.g. biometrics, databases and language analysis) to support identification and identity verification processes;
- ★ Uncover any recent **changes in identity management policy and practice**, in particular in those (Member) States affected by the increasing number of arrivals to the EU as of 2015 and examine the main elements of current debates on these issues in (Member) States; and
- ★ Identify possible steps towards **further joint actions** in this area to make (Member) States' efforts more effective;

The Study intends to update and supplement the 2013 EMN Study on '[Establishing Identity for International Protection: Challenges and Practices](#)', especially in light of the application of the recast Directives on Qualification for international protection⁹ and Asylum Procedures,¹⁰ the experiences gained by some (Member) States since 2014 from handling higher numbers of asylum seekers and migrants in irregularity and the use of new identity management technologies and techniques. The Study also explores identity management issues emerging within the context of legal migration channels, a thematic area which was not addressed in the 2013 EMN Study.

SCOPE OF THE STUDY

The term 'identity' is generally defined as a set of characteristics that unmistakably characterise a certain person. Such characteristics can include the person's name, date and place of birth, nationality and biometric characteristics.

Within the scope of this Study, (Member) States approaches to establish the identity of third-country nationals within migration procedures will be examined in a broad sense, covering both identification and identity verification related tasks:¹¹

- ★ **Identification:** Identification procedures and systems (e.g. biometric systems) are different from identity verification systems in that they seek to identify an unknown person or biometric. The identification procedure/ system aims to answer the question: "Who is this person?" Biometric identification systems are characterised as 1-to-n matching systems where "n" is the total number of biometrics in the database against which the person's biometric characteristics are checked.
- ★ **Identity verification:** Identity verification procedures and systems seek to answer the question: "Is this person who they say they are?" Biometric verification systems are generally described as 1-to-1 matching systems because they try to match the biometric presented by the individual against a specific biometric already on file.

The Study addresses identity management issues within the context of the following migration procedures:

- ★ International protection procedures;
- ★ Return procedures;
- ★ Legal migration channels:

⁹ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), OJ L 337, 20.12.2011.

¹⁰ 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), OJ L 180, 29.6.2013.

¹¹ See for example, BiometricUpdate.com: 'Explainer: Verification vs. Identification Systems', available at: <https://www.biometricupdate.com/201206/explainer-verification-vs-identification-systems>, last accessed on 24th March 2017.

- > Applications for short-stay visas;
- > Applications for long-stay visas/ residence permit for study, work and family purposes.

Identity management issues related to naturalisation procedures are outside the scope of the Study.

STRUCTURE OF THE REPORT

In addition to this introduction, the Synthesis Report consists of the following Sections:

- ★ Section 1: The National Framework
- ★ Section 2: Methods for Establishing Identity
- ★ Section 3: Decisions-making process
- ★ Section 4: Databases and data procedures
- ★ Section 5: Debate and evaluation
- ★ Section 6: Conclusions.

1 The National Framework

The 2013 EMN Focussed Study on *Establishing Identity for International Protection: Challenges and Practices* provided an overview of important challenges faced by national authorities in their efforts to establish, in the absence of credible documentation, the identity of applicants for international protection (i.e. asylum and subsidiary protection) and for the return of applicants. While a deficiency of identity documents is not always a decisive factor when assessing the merits of an application for international protection from a third-country national, this is less the case in the context of return. To implement a (forced) return, the nationality of the person concerned must either be verified or documented in a way that is accepted by the (presumed) country of origin.

This section analyses the nature of the challenges encountered by (Member) States in establishing identity in the various migration procedures and the extent to which these challenges have changed since the EMN Study on *Establishing Identity for International Protection: Challenges and Practices* was published in 2013, also in the context of the high number of asylum applications in recent years. It also analyses the impact those challenges have had on the legislative and operational framework of (Member) States.

1.1 CHALLENGES IN RELATION TO IDENTITY MANAGEMENT IN THE MIGRATION PROCESS

Establishing identity in international protection procedures

The 2013 study found that third-country nationals who apply for international protection did not provide documents to substantiate their identity in a significant number of cases. Rather than presenting (valid) identity documents, applicants tended to declare their identity. When third-country nationals did present identity documents, there were often difficulties in assessing authenticity, due to the presentation of false documents and claims of multiple identities. Since 2013, a majority of (Member) States have reported facing on-going challenges in establishing the identity of applicants for international protection.¹²

Establishing the identity of an applicant for international protection is of crucial importance for national administrations¹³ in assessing the credibility and legitimacy of a claim and presents a number of challenges. The availability of valid identity documents however is not a prerequisite for an application for international protection to be considered. Rather they are taken into consideration to substantiate the statements and facts included in an application for international protection, for example, regarding the situation in the country of origin. This is particularly relevant in situations where applicants claim to be nationals of countries where the security situation is known to be dangerous or where the applicant claims to be a minor.¹⁴

In practice, most (Member) States reported that applicants for international protection often provide neither an official travel nor an identity document.¹⁵ Failure to provide documents may be explained by the situation which forced the applicant to leave his/her country of origin¹⁶ or the fact that identity documents are simply not provided by the administration in the applicant's country of origin.¹⁷ Where children have been born to mothers in transit to the EU, no official certificate may have been issued at birth (LU).¹⁸ Furthermore, as **Belgium, Czech Republic, Germany** and **Finland** observed, asylum applicants sometimes claim to be unable to produce their official travel and identity documents, in order to hamper the identification process in the event of a forced return.

¹³ BE, CZ, DE, IE, IT, FR, FI, LU, SK, SE, UK, NO

¹⁴ CZ, FR, IE, IT, SE

¹⁵ AT, BE, CY, CZ, DE, EE, EL, HR, HU, IE, IT, LV, LU, MT, NL, PL, SK, NO

¹⁶ DE, EL, FI, NO

¹⁷ BE, DE, EL, NO

¹⁸ LU

In the period **from 2012 to 2016**, for those (Member) States that were able to provide statistics (i.e. **Finland**¹⁹, **Lithuania**, **Latvia**, **Norway**, **Sweden** and **Slovak Republic**²⁰), in relation to the total number of applicants for international protection, the average percentage of applicants for whom identity was not documented at the time of application ranged from 23% in **Latvia** to over 80% in **Norway** and **Sweden**. In **Finland**, this percentage was 69% and in **Lithuania** 42% (see Table A.4.1 in Annex 4).

The number of asylum applicants whose identity was not documented at the time of the application increased proportionally to the number of applications received, for example in 2015, when most of the six (Member) States registered an increase in the number of applications for international protection received.

Where identity documents were provided by applicants for international protection, a further challenge for the national authorities of Member States was to determine whether these were genuine or not.²¹ Whilst this was also identified as an issue in the 2013 EMN Study, a number of (Member) States observed that the volume of applications where no credible documentation is presented has increased since 2013.²² The validation of non-biometric credentials (e.g. birth certificates or certain ID cards) is identified as a particular challenge where:

- ★ applicants are from countries with identified governance issues – such as corruption or lack of recognised government;²³
- ★ weaknesses in the functioning of national or local administrations in country of origin lead to the issuance of genuine identity documents on the basis of false or counterfeit information;²⁴
- ★ a lack of cooperation between the applicant and the national authority resulted in incomplete information on the country of origin²⁵ for example regarding the security situation in the country of origin;²⁶
- ★ applicants using multiple identities;²⁷
- ★ Identity documents are genuine but belong to another individual.²⁸

In such circumstances, some (Member) States resorted to methods other than documentation for establishing nationality, such as comparison of fingerprints²⁹, DNA tests and language analysis (see Section 2 on Methods for Establishing Identity). Some Member States reported that, as a rule, third-countries' authorities are not contacted during the processing of an asylum application.³⁰ From 2015, increasing numbers of applications for international protection have exacerbated the challenges in a number of (Member) States³¹ creating an additional strain on national authorities and necessitating additional trained staff to process applications and verify the authenticity of documents.³²

Table 1 below provides a list of third countries³³ where Member States encountered the above mentioned challenges to establish the identity of their (presumed) nationals. This table summarises only publicly available information.

¹⁹ The statistical information is only approximate. Between the years 2012-2015, it was not mandatory to record in the UAM electronic case management system information on how the identity was documented.

²⁰ This concerns overall statistics of asylum seekers. It is not possible to provide detailed statistical data on the number of persons with established identity at the beginning of asylum procedure and at the point of issuing the decision. The only exception is, however, 2015 when applicants from Iraq were resettled in **Slovakia**.

²¹ BE, CY, DE, IE, IT, FI, FR, LU, LV, NL, MT, SK, UK, NO

²² BE, FI, FR, EL, HR, HU, IE, IT, LV, LU, MT, SK, SE

²³ BE, IE, LU, SE, UK

²⁴ BE, DE, FI, IE, IT, SE

²⁵ LV, NO

²⁶ BE, FI

²⁷ CZ, FR, IT, MT, PL, NO

²⁸ IE, LV, LU

²⁹ However, such method may be further compromised by third-country nationals by damaging their own fingerprints, as reported by **the United Kingdom**.

³⁰ AT, BE, CZ, DE, EE, FI, FR, IE, IT, SE

³¹ AT, BE, CY, DE, EL, FI, FR, HU, IE, IT, LV, NL, PT, SE

³² BE, CY, DE, HR, LU, NL, PT, SK

³³ The list is not comprehensive as in some cases, (Member) States have not indicated all third countries where they encounter challenges to establish identity of their (presumed) nationals. This is could be due to the limited number of cases or for the lack of sufficiently established relations with the country in question.

Table 1: List of countries or regions of (presumed) origin where (Member) States³⁴ encounter significant challenges to establishing identity in international protection procedures

| Third countries/geographical regions | (Member) States |
|--------------------------------------|--------------------------------|
| Afghanistan | BE, CZ, EL, FI, HR, HU, SK, SE |
| Algeria | SK |
| Bangladesh | HU |
| Cameroon | CY |
| East Africa | FR |
| Egypt | SK |
| Eritrea | EL, FI, MT, NL, SE |
| Ethiopia | MT |
| Gambia | LU |
| Guinea | BE |
| Iraq | BE, FI, HU, NO, SK |
| Liberia | LU |
| Morocco | HU |
| Niger | MT |
| Nigeria | CY, FI |
| Pakistan | SK |
| Palestine | HR, SK, SE |
| Russia | EL |
| Senegal | LU |
| Sierra Leone | LU |
| Somalia | BE, CY, FI, MT, SK, SE |
| South Sudan | EL |
| South-East Asia | FR |
| Sudan | EL, MT |
| Syria | BE, , HR, NL, NO, SK, SE |
| Tunisia | HU, SK |
| Ukraine | SK |
| West Africa | FR, |
| Zimbabwe | LU |

Source: National Reports

Establishing identity in Return procedures

Challenges related to identity establishment in the context of return procedures noted by (Member) States are mainly two-fold:

- ★ Firstly, these stem from a **lack of cooperation from third-country nationals** in forced return procedures³⁵, for example, by failing to provide or withholding identity documents,³⁶ or in some cases making false statements about their nationality or their identity.³⁷

³⁴ BE, CY, CZ, EL, FI, FR, HR, HU, LU, MT, NL, NO, SK, SE

³⁵ BE, DE, HR, IT, MT, LT, LU, LV, SE, SI, SK, UK, NO

³⁶ BE, CZ, DE, HR, MT, NL, SI, SK, UK

³⁷ BE, CZ, HR, MT, SK, SE, SI, NL, NO

- ★ Secondly, the degree of **cooperation from authorities in the (presumed) country of origin** plays a major role in this context: implementing (forced) return is generally highly dependent on the willingness of third countries to cooperate on matters of identification, issuance of identity documents and agreeing on the logistics of the return.³⁸ A number of Member States reported difficulties in establishing cooperation with third countries' authorities and their diplomatic representations on matters of identification of (presumed) nationals for the purpose of return.³⁹

Table 2 below presents a non-exhaustive list of third countries where Member States encountered challenges in implementing the forced return of third-country nationals as a result of their identity not being acknowledged by the (presumed) country of origin. This table summarises only publicly available information.

Table 2: List of countries of (presumed) origin where twelve Member States⁴⁰ encountered significant challenges to establishing identity in return procedures⁴¹

| Third countries/geographical regions | (Member) States |
|--------------------------------------|------------------------|
| Afghanistan | BE, EL, FI, HR, SK |
| Algeria | BE, FI, PT, SE, SI |
| Azerbaijan | SE |
| Bangladesh | EL, PT, SI |
| Congo | CZ, EL |
| Democratic Republic of Congo | EL |
| Eritrea | EL, IE |
| Ethiopia | FI, SE |
| Gambia | LU |
| Guinea | BE |
| Iraq | BE, FI, HR, IE |
| Iran | BE, CZ |
| India | SE, SK |
| Liberia | LU |
| Libya | SE |
| Mali | EE |
| Morocco | BE, FI, PT, SK, SE, SI |
| Myanmar | EL, |
| Nigeria | EL, FI, LU, SK |
| Pakistan | EL, SI |
| Palestine | HR |
| Russia | IE |
| Senegal | LU |
| Sierra Leone | EL, LU |
| Somalia | EL, FI, SE |
| Sri Lanka | EL, SE |
| Syria | HR, SE, SK |
| Tunisia | SE, SK |
| Vietnam | EE, LT |
| Zimbabwe | LU |

Source: National Reports

³⁸ AT, BE, CZ, DE, FR, IE, IT, LT, SI, SK

³⁹ BE, CZ, DE, EE, FI, FR, IT, SI, SK. These difficulties were reported despite the readmission agreements in place with some third-countries to facilitate the administrative formalities linked to the return of third-country nationals (see section 1).

⁴⁰ BE, EE, EL, FI, FR, HR, IE, LT, LU, PT, SE, SK

⁴¹ Sweden also reported challenges with stateless persons from Egypt, the Gulf States, Iraq and Syria.

In comparison to international protection procedures, where establishing identity is not a requirement in a number of Member States, determining at least the nationality of the person concerned is key. For that purpose, (Member) States are more and more reliant on information contained in biometric databases, both at EU and national level, but also on information stored in registration databases established in third countries.⁴² In this regard, **Belgium** reported challenges to exchange biometric information with countries of origin, notably due to a lack of registers in countries of origin of interest and of national databases. The use of biometric data and databases by (Member) States is further assessed in Section 4 below.

Estonia reported the support received via the EURLO (European Return Liaison Officers Network) and EURINT (European Integrated Return Management Initiative) networks to overcome some of the challenges listed above in return procedures.

Establishing identity in Legal migration procedures

Challenges in establishing identity also exist within legal migration procedures. Some (Member) States⁴³ reported challenges in the processing of **visa applications** due to forged or counterfeit identity or travel documents from nationals of certain third-countries. As a consequence, various Member States⁴⁴ provided specific training to consular staff in third-countries to verify the authenticity of the documents presented (see also Section 2 on the methods used by national authorities to verify the authenticity of identity documents).

For the processing of **residence permits**, a general issue stems from the authenticity of documents provided to support the issuance of identification or travel documents in third-countries (See also Section 2.1.3 on the authenticity of documents).⁴⁵ A few (Member) States⁴⁶ specifically highlighted challenges to establish identity within the procedure for **family reunification** where proof of family links need to be provided by applicants. For example, birth and marriage certificates may be forged or altered.⁴⁷ These are more significant in cases of applications from beneficiaries of international protection.⁴⁸

As in the other migration procedures examined above, Member States rely on information stored in national, EU or international databases for purposes of identification and verification of documents. Cases of non-biometric passports provided by third-country nationals which could not be checked against available national and international databases were reported by **Ireland**, **Belgium** and **Finland** noted a challenge in comparing biometric data registered during the process of applications for long-term visas or residence permit as information about these are not registered in an EU-wide database such as VIS.

Section 2 below provides an overview of the documents generally requested by (Member) States for legal migration and visa procedures.

1.2 RELEVANT NATIONAL LEGISLATION

Changes in legislation on procedures used to determine identity within international protection procedures

The 2013 EMN study outlined that the establishment of identity was laid down in national legislation in most (Member) States and (part of) the process for the establishment of identity was stated in national legislation in relation to applications for international protection. While in some (Member) States, the relevant provisions reflected primarily those set in EU legislation, other (Member) States adopted more detailed national provisions on the process for establishing identity, with specific methods and steps to be followed.

⁴² BE, UK

⁴³ CZ, DE, FI, FR, IE, PL, PT, SI and NO

⁴⁴ CZ, FI, PL, SI

⁴⁵ BE, CZ, EE, EL, FI, FR, HR, HU, IE, LU, NL, PT, SI, SK, SE, UK, NO

⁴⁶ BE, FI, HR, IE, LU, PT

⁴⁷ IE

⁴⁸ NL

The adoption of the ‘second generation’ of CEAS instruments between 2013 and 2015 is one of the main reasons for the changes introduced by a number of (Member) States in their national legislation since 2013. Indeed, a number of Member States introduced changes in their national legislation to comply with the transposition requirement set in those instruments, in particular in the recast Asylum Procedures Directive⁴⁹ and the Reception Conditions Directive.⁵⁰

Other reasons cited by (Member) States to introduce new legislation was to fight abuse and fraud in international protection procedures⁵¹, as a result of changed political priorities and to accommodate in part the increase in numbers of applicants for international protection⁵². **Germany** for example introduced a number of legislative amendments as a response to the increased number of asylum applications from 2014 onwards. National authorities responsible for verifying, establishing and documenting the identity of third-country nationals can now also check data carriers (mobile phones and/or other electronic devices) in the possession of the concerned third-country nationals.

The transposition of EU asylum Directives had an impact on the scope of the duty of applicants for international protection to cooperate within the framework of procedures establishing their identity in some (Member) States.⁵³ For example in **Germany**, asylum applicants now have the duty to present, surrender to or leave with the responsible authorities all data carriers which may help to establish their identity and nationality on request. In case applicants refuse to provide their fingerprints to allow for a EURODAC comparison, national legislation allows relevant authorities to apply fast-track asylum procedures. In other (Member) States, EU legislation had an impact on the procedures used to establish identity of minors⁵⁴ and on the increased use of biometrics.⁵⁵ Section 4 provides further information on the use of biometric data.

A few other Member States⁵⁶ also introduced changes impacting the distribution of functions between the institutions involved in the asylum procedure (e.g. between law enforcement authorities or authorities operating checks at the border and the asylum or immigration services taking charge of the asylum application).

Several Member States did not report any changes to the legislative basis of national procedures to establish identity in international protection procedures compared to the findings reported in the 2013 EMN study.⁵⁷

Changes in legislation on procedures used to determine identity within return procedures

The 2013 EMN study found that most Member States have laid down, to a certain extent, the obligation to establish identity in national legislation – all (Member) States, in line with the Return Directive referred to the fact that third-country nationals without a regular status cannot be returned to a third country when their identity cannot be established (Article 15).

Since 2013, the legislative changes reported by (Member) States⁵⁸ included the strengthened obligation on a third-country national to cooperate with national authorities during return procedures in cases where s/he did not possess identity documents. For example in **Austria**, a third-country national subject to a return decision is explicitly obliged to cooperate in order to obtain a replacement travel document and to establish his/her own identity. This obligation can be sanctioned via penalties. In **Germany**, the duty of the third-country national subject to a return decision includes, inter alia, reporting personally to diplomatic authorities of his/her own country of origin to obtain the necessary identity documents.

⁴⁹ AT, BE, CY, EL, LV, LU

⁵⁰ CY, LU

⁵¹ BE

⁵² NO

⁵³ AT, BE, DE

⁵⁴ EL

⁵⁵ AT, BE, DE, NL

⁵⁶ FI, LT

⁵⁷ CZ, EE, HR, HU, IT, MT, PT, SK, SE, SI

⁵⁸ AT, BE, DE, NL

Since 2013, a few (Member) States also included in national legislation the collection and use of biometric data in the return procedures, stored in national central databases or registers.⁵⁹ In some Member States, in the absence of valid travel documents, the obligation on third-country nationals to cooperate may extend to allowing national authorities to check mobile phones and/or other electronic devices in their possession (e.g. in **Germany**).

The 2016 EMN study on 'Returning Rejected Asylum Seekers' reported a number of measures recently adopted by (Member) States to enhance the re-documentation process of rejected asylum seekers such as the repetition of fingerprint capture attempts, including by using special software to read damaged fingerprints and the use of language experts to detect nationality. Section 2 provides an overview of the methods used by (Member) State (as contributing) to establish identity within the return procedure of rejected asylum seekers.

Existing legislative basis for determining identity in legal migration procedures

The 2013 EMN study focused on the procedures to determine identity of applicants of international protection and rejected asylum seekers. The scope of the present study, however, is to also find out whether (Member) States have established procedures to verify the identity of third-country applicants for visas (short-stay and long-stay) and residence permits (for purposes of study, work and family reunification) in national law. As mentioned above, most (Member) States have adopted legislation regarding the documents (e.g. passports) to be presented by third-country nationals in legal migration procedures to be able to apply for a visa and/or a residence permit.

Most (Member) States do not have legislation adopted specifically for the purpose of verifying the identity of third-country nationals. Overall, (Member) States have inscribed in national law general obligations on third-country nationals to provide documents proving his or her identity and other documentary evidence necessary for the submission of an application for a visa or a residence permit. Other provisions enable national authorities to operate a number of examinations⁶⁰ and checks on these documents, such as verifications against forged documents⁶¹ or comparing new documentation against previous documents submitted and registered in national databases.⁶² Some (Member) States adopted internal guidelines or instructions for staff working in immigration services or consulates dealing with specific topics related to establishment of identity (e.g. taking fingerprints).⁶³

In comparison, **Germany's** legislation frames measures which may be taken to document and establish identity in cases where the identity of the third-country national cannot be established by other measures. These include taking biometric data (photographs and fingerprints) and performing a medical examination to establish the age of the applicant. National legislation also provides for a procedure to establish identity where there are doubts about identity, age or nationality of a third-country national holder of a residence permit, which includes interviews of the person concerned.

1.3 INSTITUTIONAL FRAMEWORK

Since 2013, various changes in the institutional frameworks of Member States were reported, in the field of both international protection and return. These changes can mainly be attributed to the significant rise of asylum applications in many Member States in 2015 and 2016, which generated the need for a more efficient allocation of responsibilities among relevant authorities involved in the establishment of identity, as well as more efficient procedures.

One of the main changes was the recent establishment of Central Competence Centres in many Member States, which are responsible for establishing identity and/or verifying documents for some or all of the asylum and migration processes. While in 2013, only three Member States⁶⁴ had developed such centres, this number increased to nine by 2017.

⁵⁹ AT, BE, DE, NL

⁶⁰ NO

⁶¹ PL

⁶² CY

⁶³ AT, BE, EL

⁶⁴ FI, NL, NO

Table A.1.1 in Annex 1 provides an overview of the organisations with operational responsibility for establishing the identity of applicants within the migration and return procedures in EU Member States and Norway. Table A.2.1 in Annex 2 illustrates the organisation of the identity establishment process in each (Member) States in the context of the different migration and return procedures.

Institutions responsible for establishing the identity of applicants for international protection

In 2013, the organisations with operational responsibility for establishing identity in Member States could be divided into three types. Firstly, offices in charge of deciding on asylum applications, secondly police/law enforcement authorities, and thirdly, other organisations that provided a supporting role, independent of both the asylum offices and law enforcement authorities.⁶⁵

A number of (Member) States⁶⁶ reported changes since 2013 in this institutional framework dealing with the establishment of identity in international protection. These changes were mainly undertaken to create more synergies and to centralise procedures. In a number of these Member States, such changes were not adopted as a consequence of the increase in the number of applicants from 2015.⁶⁷ As an example, in **Austria**, the newly created Federal Office for Immigration and Asylum is now responsible in the first instance for conducting both asylum procedures and return procedures. The rationale behind this change was to pull together responsibilities in areas related to Aliens law, thereby achieving synergies and responding more efficiently to increasing migration flows.

For similar reasons, a transfer of responsibilities from the law enforcement authorities and border control authorities to immigration and/or asylum authorities in charge of processing applications for international protection has taken place both in **Finland** and **Greece**. Although the former are involved at the stage of registering applications and saving biometric identifiers, the immigration and/or asylum services are the authorities responsible for establishing the identity of applicants during the processing of their applications. Rising numbers of applications for international protection in some Member States did result in changes in institutional organisation at national level. For example:

- ★ **France** adopted a “one-stop-shop approach” which aims to centralise all registrations and applications for international protection, allowing applicants to be readily directed to the relevant authority for the processing of their application.
- ★ Specific reception units or facilities, in particular at the border crossing-points, where law enforcement authorities or border guards support with the screening of incoming third-country nationals and registration of their identity have been established in several Member States.⁶⁸
- ★ Specific procedures to establish the identity of applicants within the context of exceptional migratory flows were set up in a number of (Member) States⁶⁹, in some cases, involving other authorities in the processing of applications⁷⁰. In the case of **Greece**, the specific procedures put in place mainly aim at expediting the asylum procedure and include the establishment of specialised Reception and Identification Centres, as well as Mobile Reception and Identification units.

Institutions involved in Return procedures

In 2013, the majority of Member States⁷¹ had assigned responsibility for establishing the identity of rejected asylum applicants subject to a return decision to a different organisation from the one establishing the identity of asylum applicants. Only in nine Member States⁷² this was the same organisation responsible for both types of procedures.⁷³

⁶⁵ “Establishing Identity for International Protection: Challenges and Practices” (2013), European Migration Network, Section 3.1. https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/establishing-identity/0_emn_id_study_synthesis_migr280_finalversion_2002013_en.pdf

⁶⁶ AT, EL, FI, FR, IE, SI, UK and NO

⁶⁷ AT, FI, IE, SI

⁶⁸ EL, FI, NL, PL

⁶⁹ DE, EL, PL, SE

⁷⁰ DE, EL

⁷¹ AT, BG, CY, CZ, DE, EL, ES, FI, FR, HU, IE, LU, NL, SE, SI, SK, NO

⁷² BE, EE, IT, LT, LV, PL, PT, SE, SI, UK

⁷³ “Establishing Identity for International Protection: Challenges and Practices” (2013), European Migration Network, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/establishing-identity/0_emn_id_study_synthesis_migr280_finalversion_2002013_en.pdf

A few Member States reported changes to the institutions responsible for enforcing returns since 2013. These are the following:

- ★ In **Austria**, the Federal Office for Immigration and Asylum is responsible as of 2014 for both international protection and return procedures in the first instance. The Federal Administrative Court is responsible for second-instance decisions in such cases, which may entail also establishing identity of the third-country national concerned.
- ★ In **Hungary**, the Coercive Measures and Return Unit is now responsible for the identification and the issuance of travel documents in cases where the third-country national has to be returned to a country with which there is no readmission agreement. In cases where a readmission agreement is signed (bilaterally or at EU level), the Police Headquarters are responsible inter alia of the identification and issuance of travelling documents.
- ★ In **Germany**, in order to improve the coordination of the return efforts, the Return Support Centre was established in March 2017, which holds a central role in obtaining travel documents for return purposes.

Institutions involved in Legal migration procedures

The institutional framework in place for establishing identity in legal migration procedures was not part of the scope of the 2013 study.

The current study found that generally, a distinction is to be made between procedures linked to visas and residence permits.

As a rule, national authorities responsible for the issuance of visas are embassies or consulates abroad. In certain third countries, (Member) States also make use of external contractors for the processing of visa applications. Authorities responsible for issuing visas abroad can also receive support from specialised staff where there may be doubts about the verification of an identity or the authenticity of documents. Such support can include either staff of police authorities accompanying the missions or consular staff consults with central authorities of the (Member) State. Furthermore, visas can be issued at border crossing points by border authorities in cases where visas could not be issued at the consulates.

As regards verifying the identity of applicants for residence permits, the authorities responsible for the application can vary according to national legislation and the place of submission of the application. Applications for residence permits can be either lodged abroad at consulates or diplomatic missions or on the territory of the (Member) State concerned.

Establishment of Central Competence Centres

A central competence centre is not a defined concept across (Member) States due to differences in institutional organisation and competencies, and centralisation within one authority is not common. Inspiration for the establishment of such a centre and its competencies can be drawn from the **Norwegian example of an ID centre**. The latter was established as an independent administrative body under the Norwegian Police Directorate in 2012.⁷⁴ Its objective is to strengthen and support national authorities (asylum, immigration, and police) in establishing the identity of new arrivals to the country or foreign nationals applying for residency.

⁷⁴ <https://www.nidsenter.no/en/>. For more information, see Norway's National Report to this Study, and the presentation of Mr. Vegard Pettersen at the EMN Conference "The Establishment of Identity in the Migration Process" hosted in Vienna, Austria in May 2015. Conference's full report can be found here: <http://www.emn.at/en/national-emn-conference-austria-the-establishment-of-identity-in-the-migration-process/>.

The Norwegian ID Centre is an expert agency, in charge of assessing the authenticity of a foreigner's ID and travel documents. Its aim is to support the work by other national authorities to establish the identity of foreign nationals who wish to enter or reside in Norway (i.e. immigration authorities, law enforcement agencies and others) by facilitating the exchange of relevant information and developing tools and methods for carrying out this task more efficiently. The Centre also provides training programmes on identity control and verification work to different groups of professionals who need to be up to date with developments in the field. These training programmes also aim to improve cooperation amongst all relevant actors working on identity issues. The Centre is staffed with trained and experienced professionals, and has a laboratory with the most recent technology to assess the authenticity of documents. It contributes to the development of national and international reference databases.

A number of Member States have established an equivalent of such centres or entities in their institutional framework.⁷⁵ This constitutes a significant change since 2013, when only a few (Member) States had such centres in place, namely **Finland** and **Norway**. In **Sweden**, for example, the field of work of this entity has expanded and its workload has increased in recent years, mainly due to the substantial increase in asylum applications. In these (Member) States, competence centres are either independent authorities⁷⁶ or departments within law enforcement authorities⁷⁷, immigration services⁷⁸, ministries of interior⁷⁹ or asylum authorities⁸⁰.

These centres are responsible for establishing identity and/or issues relating to the verification of documents in respect of the procedures for some or all of the asylum and immigration processes. In the **Czech Republic**, **Cyprus** and **Slovakia**, the relevant authority is however only responsible for the verification of the authenticity of documents.

The centres have generally developed their own database for genuine documents and for false documents, and make use of other systems such as the iFADO, PRADO, and the EDISON⁸¹ systems. Other services provided by these centres are advisory services, assistance through the development of identity management methods, trainings to frontline officers and support with difficult cases. Some of these centres also have a forensic document unit⁸² but generally forensic expertise is to be found in a separate department or authority⁸³.

In Member States without a central competence centre or an equivalent entity, access to the above mentioned databases and provision of services is typically ensured by several national authorities or units⁸⁴ or departments within the same authority⁸⁵ working together. The competence of these authorities, units or departments vary depending on the migration procedure concerned. As an example, in the **Netherlands**, the Identity and Document Investigation Unit (within the national immigration service) and the Centre for expertise for identity fraud and documents (within law enforcement authority) share the responsibility to verify documents and provide expertise in the asylum procedure and other immigration procedures. In **Ireland**, responsibility for establishing document authenticity submitted to support an application is divided between the national asylum authority, the immigration authority and the law enforcement authorities. The Travel Document Evaluation Centre within the Police and Border Guard Board in **Estonia** assists case workers in establishing identity of applicants when needed in all migration procedures.

⁷⁵ AT, BE, CY, CZ, FI, IT, PT, SK, SE, NO

⁷⁶ NO

⁷⁷ AT, CZ, CY, FI, IT, SK

⁷⁸ PT

⁷⁹ AT

⁸⁰ SE

⁸¹ EDISON is the 'Electronic Documentation Information System on Investigation Networks' system. It was developed by the National Police Services Agency of the Netherlands. It provides examples of genuine travel documents, in order to help identify fakes. It contains images, descriptions and security features of genuine travel and identity documents issued by countries and international organizations.

⁸² AT, FI, NO

⁸³ CY, PT, SK, SE

⁸⁴ DE, FR, HU, IE, LT, LU, MT, NL, PL, SI

⁸⁵ BE, EE, UK

Institutional Access to EU databases (Eurodac, VIS, SIS II)

In most (Member) States, authorities responsible for determining the identity of third-country nationals in international protection and migration procedures have access to EU Databases such as Eurodac, VIS and SIS II. Access to these databases is regulated by their respective legal instruments and further depends on the institutional framework of each Member State (see additional background in the Introduction). Table A.1.2 in the Annexes sets out in more detail which authorities have access to which database.

A common pattern can be observed as, generally, asylum services are granted access to all databases, in particular Eurodac, law enforcement authorities to SIS II and consular authorities and other authorities responsible of issuing residence permits to VIS. In some (Member) States, access to these databases is possible only via one or a few authorised authorities.⁸⁶ Access to the databases is also dependant on the purpose of the query and the migration procedure concerned (international protection procedures, return, visas and/or residence permits) – see Section 4 and Annex 1 for further details. As an example, in **Austria**, the Federal Office for Immigration and Asylum can access the three databases for establishing identity of applicants for international protection, and it also makes use of information contained in Eurodac and SIS II for return purposes.

⁸⁶ AT, BE, DE, EL, HR, HU, LT, LU, MT, PL, PT, SI, SK

2 Methods for Establishing Identity

2.1 DEFINITION AND DOCUMENTS REQUIRED FOR ESTABLISHING IDENTITY

Legal and/or operational definitions of identity in national legislation

In the majority of (Member) States⁸⁷ no legal and/or operational definition of “identity” is used in the framework of the different migration procedures⁸⁸ and the return process. The term ‘identity’ is generally defined as a set of characteristics that unmistakably characterize a certain person. Such characteristics can include the person’s name, date and place of birth, nationality and biometric characteristics.

Operational definitions of the term ‘identity’ are used by competent authorities in AT, CZ, DE, EE, FI, LU, NO, SK, NO⁸⁹. As defined in Art. 34(2) of the Aliens Police Act and Art. 36 (2) of the **Austrian** Federal Office for Immigration and Asylum Procedures Act, the establishment of identity by representatives of the public security service refers to “recording a person’s names, date of birth, nationality and address of residence”. Article 1, 14^o of the **Belgian** Immigration Act describes the term “identified foreigner” as a person in possession of a valid travel document, a valid passport, a valid identity document or a person belonging to the category for whom the country of origin or the Belgian minister could issue a *laissez-passer*.⁹⁰ In **Germany**, the term ‘identity’ is defined by biographical or biometric features of a person and is included in different legal bases for each migration procedure and the return process.

The operational definitions of identity serve as the basis for the various types of documents and methods used by (Member) States as (contributing to) establishing identity in the different migration procedures, which are presented below.

Types of documents accepted as (contributing to) establishing identity

In all (Member) States, valid/official travel documents⁹¹ are accepted as (contributing to) establishing identity. With a few exceptions, other types of documents (e.g. birth certificates, marriage licences, etc.) are also used by the relevant national authorities to establish identity or as contributing to prove it, notably in the context of procedures for establishing the identity of applicants for international protection. In most cases, informal (residence) documents (such as UNHCR registration ones) were accepted as (contributing to) establishing identity. These are rarely used by national authorities, as regards legal migration and visa procedures. The types of documents accepted as (contributing to) establishing identity by (Member) States in the different migration procedures are mapped in Table A.3.1 in Annex 3.

In most (Member) States, copies of original documents are accepted as contributing to the establishment of identity but not to establish identity, namely as supporting documents as regards asylum, legal migration or visa procedures. In the majority of (Member) States, copies are accepted within the return process. An ad-hoc basis approach is used in **Austria**. Depending on the circumstances of each individual case, copies of identity documents could be considered in principle as evidence for establishing an individual’s identity.⁹² In **Germany**, where copies can serve as contributing to the establishment of identity in asylum, return and visa procedures, they will not be used during issuance procedures for residence permits.

Documents accepted in international protection procedures

All (Member) States accept as (contributing to) establishing identity all official/valid travel documents, including ID cards and passports within international protection procedures. Other types of documents (e.g. birth certificates, driving licence, etc.) could be accepted (as contributing) to establish identity. However in some (Member) States, this depends on the country of origin of the applicant.

⁸⁷ CZ, CY, EL, FR, HR, HU, IE, IT, LT, LV, NL, MT, PT, SE, SI, UK

⁸⁸ The migration procedures considered in this study include: applications for international protection and applications for short stay and long stay visas, permits for the purposes of study, family reunification and remunerated activities.

⁸⁹ The term of identity in the Norwegian legislation comes from law of evidence in criminal and administrative procedures. That is why operational definitions are used.

⁹⁰ This general legal definition was valid for all migration procedures and was in particular relevant in the framework of legal migration procedures and the return process.

⁹¹ A travel document is a document issued by a government or international treaty organisation which is acceptable proof of identity for the purpose of entering another country. Passports and visas are the most widely used forms of travel documents. Some States also accept certain identity cards or other documents, such as residence permits. (Source: EMN Glossary).

⁹² Art. 46 Austrian General Administrative Procedures Act

This type of document is not accepted by **Greece** within international protection procedures, and can only contribute to establishing the credibility of international protection applicants in **Ireland**.

As regards informal (residence) documents, with the exception of **France**, all (Member) States accept these documents as (contributing to) establishing identity as regards international protection procedures. Most (Member) States clarified that these documents mainly contribute to establishing identity rather than being used to prove it, in the absence of other documents.

Copies were generally not accepted or only used as supporting documents (not used in establishing or proving identity).⁹³ In some (Member) States⁹⁴, copies of identity documents could be accepted in the framework of the asylum procedure (as helping) to establish identity. However should the applicant not be able to submit an original document, she/he was generally requested to provide a valid reason (CY, UK) or submit a written statutory declaration (CZ) justifying the lack of original documentation.

Several (Member) States⁹⁵ accepted exceptions to the obligation to present official travel documents for international protection beneficiaries. In line with the Geneva Convention, national authorities can issue a travel document if international protection beneficiaries are unable to obtain a national passport (for example, for Somali nationals as there is no internationally recognised central authority in Somalia).⁹⁶

German legislation lists the obligatory presentation of a passport as one of the preconditions for the issuance of a residence title, but includes exceptions to this obligation for residence applications on humanitarian grounds submitted by persons entitled to asylum, recognised refugees/beneficiaries of subsidiary protection and victims of trafficking. **Germany** and **Sweden** foresee a thorough check/assessment of the application before waiving the obligation to present an official travel document. In the case of asylum seekers from Afghanistan, a personal document referred to as a "tazkira/tazkera" is frequently accepted by **Austrian** authorities as an alternative to an official travel document.

Documents accepted in Return procedures

In contrast to the assessment of an application for international protection where proof of identity and/or nationality is generally only one of the elements contributing to establishing its credibility, Member States reported that an established identity is of particular importance, and therefore has more weight, in implementing the return of applicants whose claims are rejected⁹⁷: returns may not be implemented in cases where identity or travel documents are lacking.⁹⁸

A much narrower range of documents are normally accepted by the (presumed) countries of origin if a rejected applicant for international protection has to be returned. All countries of origin accept a valid passport or other travel documents. In general, depending on the country of origin's willingness to cooperate, original official/travel documents will suffice. Other types of documents (including comprehensive personal data, such as school or training certificates, birth certificate, driving licence) are generally used by relevant authorities in Member States as contributing to establishing identity.⁹⁹ Depending on the country in question, other types of documents can establish or contribute to establish identity of returnees.¹⁰⁰ Copies of ID documents are generally accepted as identification in the framework of a forced return procedure in BE, CY, CZ, HR, FI, FR and LT. In some (Member) States¹⁰¹, copies are accepted as supporting documents and used by relevant consular authorities to undertake an additional verification (for further investigation). However, issues may arise where the returnee's country of origin do not accept copies as proof of nationality.

Documents accepted in legal migration procedures

Establishing identity within visa application procedures is generally a straight-forward process. In contrast with the situation of applicants for international protection, third-country nationals must submit valid international travel documents to lodge an application for a short-stay visa.

⁹³ DE, EE, FI, FR, EL, HU, IE, LT, LU, LV, NL, NO, PT, SE, SI, SK

⁹⁴ AT, BE, CY, CZ, DE, FR, UK

⁹⁵ CY, DE, EL, FI, IE, LU, NL, NO, SE

⁹⁶ NL National Report

⁹⁷ E.g. FI, SE, SI

⁹⁸ E.g. DE, FR, MT, SK, UK

⁹⁹ AT, BE, HR, CY, DE, EE, FI, HU, IE, LT, LU, LV, MT, NL, NO, SE, SI, UK

¹⁰⁰ For example, the Czech Republic mentioned, that it is not possible to state whether the assumed country of origin accepts documents other than those which are sufficient for Czech authorities (it depends on the Embassy in question).

¹⁰¹ CY, DE, HR, FR, LV, MT, NL, NO, PT, SE, SI, SK

The procedure is fully harmonised at EU level, with applicants' biometric data being recorded in the VIS database (see also Section 4 on data sharing and collection).

Third-country nationals applying for residence permits, (i.e. for stays longer than three months) are required to provide identity documents and biometric data (e.g. photo, fingerprints). The application procedures vary between (Member) States, but generally such applications are submitted by third-country nationals to diplomatic or consular offices of (Member) States abroad.

In most (Member) States, official travel documents are required as proof of identity of applicants for work/visit, student and family visas (or long-term visas). With some exceptions¹⁰², most (Member) States accept other types of documents (i.e. birth certificate, marriage licence, etc.) as (contributing) to establishing identity of legal migration and visa procedures. Marriage/birth certificates could be used to prove family links for people wanting to join their spouse, but not as proof of identity (e.g. in IE, SK and UK).

Informal (residence) documents (such as UNHCR registration documents) are not accepted as proof of identity for third country applicants for visitors' visa and residence permits for the purposes of study, family reunification and remunerated activities.¹⁰³ In most cases, this type of document is regarded as supporting the claim of a visa applicant (Schengen and national visa) but is considered insufficient to establish identity for residence permit applications (DE, FI, FR, NO, UK).

Exceptions to the obligation to present a valid identity document are generally made for temporary residence or short-visa applications (e.g. PT, SI). However, applicants were obliged to submit as soon as possible an original travel document in Croatia, make a declaration or submit other valid documents to prove identity in EL¹⁰⁴, NL and SI¹⁰⁵, when applying for the extension/renewal of temporary residence permits. Specific exemptions were reported by the following (Member) States:

- ★ **Portugal** exempted from the obligation to present a valid identity document third-country nationals, born on the national territory, who could apply for a residence permit.
- ★ In **Sweden**, these exceptions were especially applied for family reunification purposes and for some specific residence permit categories.
- ★ In **Germany**, in justified individual cases (e.g. if the person lost his / her passport on the plane) the German Federal Police or diplomatic missions abroad may apply for an exemption from the passport obligation with the Federal Office for Migration and Refugees as the responsible authority designated by the Federal Ministry of the Interior, before the person concerned enters into national territory. These exemptions could be also applied by diplomatic mission abroad.
- ★ Similarly, consular authorities in **France** could issue a consular pass in exceptional circumstances and after consultation with the national administration. In **France**, holders of EU residence cards (or spouse and/or children of holders) could apply for temporary residence permit¹⁰⁶ without submitting an official travel document.

In all (Member) States copies of identity documents are not accepted when lodging an application for visas or residence permits or within other legal migration procedures. In Sweden, applications submitted online (electronically) for study purposes and remunerated activities could include scanned copies of travel documents. Original documents in these applications are, however, produced by applicants at Swedish missions abroad and verified there. Similarly, in **Cyprus** a certified copy is accepted after presentation of original travel documents and included in the application as an additional proof.

¹⁰² EE, HU, IE, LT, LU, PT and SK

¹⁰³ CZ, EE, CY, EL, HU, HR, IE, IT, LT, LU LV, PT, SI, SK

¹⁰⁴ These document could be from the consular authority of the country of origin of the third country national (officially validated and translated) or documents from Greek public authorities.

¹⁰⁵ According to the Aliens Act-2 a residence permit (issued for any legally defined purpose, which includes family reunification, study and remunerated activities), except for the first temporary residence permit, can be issued to an alien who does not have and cannot acquire a travel document of their home country, if his/her identity is not disputable.

¹⁰⁶ Exemptions for temporary residence applications under the categories "visitor", "student", "research", "artistic and cultural profession", "professional activity" or for family and private life reasons (only for applicants over 18 years old who have been living in France for five years).

Authenticity (or genuineness) of documents

Main issues faced when determining the authenticity (or genuineness) of documents

Since the 2013 Study, most (Member) States reported an increased number of forged/false identity documents submitted when lodging an application within the context of the various migration procedures, as a consequence of the increased influx of asylum seekers and migrants.

Generally, fraud (fake documents, false declarations, multiple applications under different identities) was one of the main issues encountered by consular authorities. Some countries¹⁰⁷ also identified as main issues: the collection of and access to specimens (or reference material) for comparison purposes; the availability of background information about issuance techniques; and the lack (or poor quality) of security features (such as barcode, binding, biodata/photo/signature integration, microchip etc.¹⁰⁸) of submitted documents.

The level of corruption in some third countries was also taken into account by national authorities (BE, FI, HU) when verifying the authenticity of identity documents, as in these cases documents (notably passports and ID cards) were generally considered as less reliable (e.g. Afghanistan's identity card *tazkira/tazkera*).

Changes since the 2013 EMN Study on 'Establishing identity'

In most States there have been few changes since 2013. However, those reported include:

- ★ **Czech Republic** set up the National Centre for Document Verification (see also section 1.3 on the Central Competence Centres).
- ★ **Germany** restructured the examination activities related to the physical and technical examination division at the Federal Office for Migration and Refugees. Until 2015, all original documents were examined at the seat of the Federal Office for Migration and Refugees in Nuremberg, whereas in recent years a three-stage procedure is in place. Documents from the most important countries of origin are examined in the branch offices and arrival centres. Documents which are suspected to be counterfeit are sent on to the central division or one of three regional examination centres. A final examination, whose results can be used in court, can then be carried out at the seat of the Federal Office for Migration and Refugees in Nuremberg.
- ★ During 2015, **Greece** underwent a number of changes to its asylum system, simplifying the process of issuing documents and the registration process and upgrading the Police online system in Samos. The Hellenic Police officers started to be supported by the European Border and Coast Guard Agency (Frontex), in order to better detect cases of fraud, especially as regards declared nationality.
- ★ Since 2016, linguists of IND in the **Netherlands**, with the assistance of language analysts, have been conducting a language indicator assessment for documented as well as undocumented Syrians. Furthermore, the Identity and Document Investigation Unit of the IND changed its working methods, now including a front- and back office. This change was necessary due to the limited document experts available.

National guidelines for the control of identity and identity documents

The majority of (Member) States (AT, BE, CY, DE, EE, FI, FR, NL, NO, PL, SE, UK) have national guidelines for the control of identity of persons and identity documents. These guidelines are generally intended for all or some of the following authorities:

- ★ Ministry of Interior/Home Office and/or Ministry of Foreign Affairs;
- ★ Authorities involved in the asylum procedures and national migration agency
- ★ Police and State Coast/Border guard;
- ★ Prefectures and municipal officials responsible for issuing and renewing residence cards;
- ★ Consular authorities and staff responsible for checking visa applications.

¹⁰⁷ CZ, DE, EE, FI, LV, NL, NO, SE, SK, UK

¹⁰⁸ For a full list of security features included in the iPRADO, please refer to the Council of the European Union, Public Register of authentic travel and identity documents (PRADO), at <https://www.consilium.europa.eu/prado/en/prado-glossary/prado-glossary.pdf>

In other cases, no specific guidelines for the control of identity documents are currently available (e.g. CZ, EL, HR, HU, IE, IT, LT, LU, LV,¹⁰⁹ MT, PT, SI, SK); however, relevant authorities may refer to general national guidelines concerning identification procedures during the various migration procedures or border control (CZ, EL, HU and SK) or to short and concise internal documents (*circulaire*) (LU) or to information available in training course for Border Guard officials (PT).

Situations in which false / forged documents are detected

Most (Member) States collect statistics on the number of false/forged ID-documents detected. Generally no information is collected with regard to the situations in which forged documents were most commonly detected in connection with applications for visas and residence permits (e.g. in border control, by immigration authorities or other state agencies). Forged documents were generally detected:

- ★ by police or border guard during border control (i.e. airports, train stations, land or sea borders or spot checks on the roads);
- ★ by consular offices during visa checks;
- ★ By immigration authorities (e.g. during residence permit application procedures, in particular long-term residence applications).

For instance, in **France**, most forged documents are detected in the French Prefectures and consulates when processing visa and residence permit applications, notably by officers specially trained in documentary fraud detection. Similarly, in **Greece**, the Hellenic Police mostly detect forged documents at consulates and at border controls. **Lithuania** noted that the number of cases of aliens presenting passports with forged border crossing stamps increased in 2016. Forged stamps are used to imitate previous entries/exits to/from the Schengen Area thus expecting to more easily obtain a Schengen visa and to arrive in the Schengen Area.

2.2 METHODS USED IN THE ABSENCE OF DOCUMENTARY EVIDENCE OF IDENTITY

A wide range of methods for establishing identity is in use across the (Member) States in the context of the different migration procedures.

As Tables A.3.2 and A.3.3 (methods used for establishing identity in the asylum/ return procedures) and Table A.3.6 (methods used for establishing identity in legal migration procedures) in Annex 3 indicate, over ten different methods of establishing identity in the absence of credible documents are used, including:

- ★ Language analysis to determine probable country and/or region of origin;
- ★ Age assessment to determine probable age;
- ★ Interviews to determine probable country and or region of origin;
- ★ Identity related paper and e-transactions with the authorities (e.g. tax, social benefits);
- ★ Identity related paper and e-transactions with the private sector (e.g. bank);
- ★ Identity related e-transactions in connection with social media;
- ★ Smartphones and other digital devices: confiscation (temporarily or permanently) of such devices and access to their content in the efforts to establish or verify an identity by law enforcement/immigration authorities
- ★ Fingerprints for comparison with national and European databases
- ★ Photograph for comparison with national and European databases
- ★ DNA analysis
- ★ Other methods (e.g. personal belongings search, other type of electronic data carriers, inquiries to Interpol, body search, social media analysis, other type of investigations and interviews, etc.)
- ★ Cooperation with third countries, including missions abroad and consultation with country liaison officers based in (presumed) country of origin.

¹⁰⁹ No identity determination control guidelines have been developed in the areas of return and legal migration in Latvia.

Since 2013, new methods have been introduced by some (Member) States, including analysis of identity related paper and e-transactions with the authorities (e.g. tax, social benefits), with the private sector (e.g. bank) and with social media in the context of asylum and return procedures. Social media analysis and confiscation of smartphones and other digital devices have also started to be used by some national authorities, in particular in the context of international protection and return procedures.

Table A.3.4 and Table A.3.5 (methods national authorities plan to use for establishing identity in the asylum/ return procedure) and Table A.3.7 (methods national authorities plan to use for establishing identity in legal migration procedures) in Annex 3 indicate that there are also a number of methods that (Member) States plan to use in the future.

For instance, in the context of international protection and return procedures, **Cyprus** and **Slovakia** are planning to introduce the comparison of fingerprints and photographs with their national and European databases. **Germany** and **Lithuania** are planning to introduce the comparison of photographs with national databases as a standard practice in the context of international protection procedures.

Methods for establishing identity in international protection procedures

The methods used by (Member) States for establishing identity of applicants for international protection are similar. All (Member) States interview asylum seekers to determine probable country and/ or region of origin (or other elements of identity, such as faith and ethnicity). The majority of (Member) States conducts language analysis to determine probable country and/or region of origin. With the exception of **Malta**, all (Member) States compare fingerprints with either national or European databases and most (Member) States take photographs for comparison with national and European databases. In most (Member) States, age assessment is undertaken when there is doubt about the age of an applicant who claims to be a minor.

Compulsory DNA analysis is used by **Ireland** for establishing family connections with reference to the Dublin Regulation and may be requested in the case of family reunification and **Lithuania** when there is legitimate doubt regarding the person's age. The use of DNA analysis by national authorities is optional in AT, HR, EE¹¹⁰, EL, FI, IT, LV, NL and the UK, or can be conducted on a voluntary basis in **Luxembourg**.

(Member) States also share a similar approach on how these methods are used as part of the process of establishing the identity of asylum seekers. Conducting an interview / interviews with the applicant for international protection was reported as an obligatory or standard practice in all (Member) States.

Compared to the 2013 Study, some (Member) States have introduced new methods to establish the identity of applicants for international protection. For example, the analysis of identity related paper and e-transactions (e.g. tax, social benefits, bank statements) is a standard practice in **Czech Republic**¹¹¹ and **Greece**. In some (Member) States¹¹² these methods are used as an optional practice.

The analysis of social media became a standard practice in **Belgium, Czech Republic, Greece, the Netherlands** and **Norway**, while it is optionally used by AT, HR, EE, HU, IE, LT, MT, SE, SI, SK, UK. Similarly, confiscation of smartphones and other devices is a standard practice in **Germany, the Netherlands** and **Estonia** and optional in HR, LT, and NO. In **Latvia**, confiscation of such devices is obligatory only within the framework of the Criminal Procedure Law. In **Luxembourg**, smartphones are seized only in the context of criminal procedures and following the public prosecutor's request for a warrant to the investigation judge.

A more varied picture emerges for other types of methods (e.g. personal belongings search, other type of electronic data carriers, inquiries to Interpol, body search, other type of investigations and interviews, cooperation with third countries, etc.). While cooperation with liaison officers and/or missions in the country of origin was reported as a standard practice by **Cyprus, France** and **Slovakia**, this is an optional practice in **Austria, Lithuania, Norway** and the **UK**. Estonian authorities might submit an enquiry to Interpol to establish identity of applicants for international protection.

¹¹⁰ However this method has not been used so far.

¹¹¹ [If the applicant him/herself submits such documents, they serve as supporting documents for assessing reliability of his/her claims.](#)

¹¹² HR DE EE HU IE LT MT NO SE SK UK

Methods for establishing identity in return procedure

In general, a similar range of methods is used for establishing identity in return procedures as for international protection procedures.

With the exception of **Cyprus**¹¹³ and **Sweden**, which establish the identity of rejected applicants for international protection during the asylum procedure, all (Member) States may conduct interviews with the rejected asylum applicants for the purpose of establishing their identity or nationality; most (Member) States take fingerprints for comparison with national and/or European databases, while a fewer (Member) States take photographs for comparison with national and/or European databases, as in most cases these methods are already used in the context of the asylum procedures; the majority of (Member) States use language analysis and age assessment (with **Germany** only assessing age for rejected asylum seekers of 14 years old or over).

As for return procedures, since 2013 (Member) States have started to use new methods to establish the identity of rejected applicants for international protection. For instance, CZ¹¹⁴, DE, EE, IE, NO, and the UK may use identity related papers and e-transactions with the authorities (e.g. tax, social benefits). As regards social media analysis, fewer (Member) States¹¹⁵ use this method to establish the identity of rejected asylum seekers, compared to those using it in the context of international protection application procedures.

Whether (Member) States apply such methods as a standard, obligatory or optional practice to establish the identity of rejected applicants is similar to how they are applied in respect to asylum applicants. For instance, in most (Member) States, it is obligatory or a standard practice to conduct interviews and to carry out age assessments when doubt arises about the age of a rejected applicant who claims to be a minor. Of the thirteen (Member) States¹¹⁶ that take fingerprints for comparison of national databases, nine¹¹⁷ have this as a standard or obligatory practice and of the thirteen (Member) States who compare fingerprints with a European database, only five¹¹⁸ apply it as an optional method.

Language analysis is likewise an optional method for nearly half of the (Member) States, a standard practice in **Hungary, Luxembourg, the Netherlands** and **Slovenia** and obligatory in **Croatia**. In **Luxembourg**, language analysis methods are used if necessary when the identity of the applicant could not be established otherwise, or if doubts on the statements of the applicant prevail.

Methods for establishing identity in legal migration procedures

As regards the methods used for establishing identity in legal migration procedures, these were not included in the 2013 study.

With a few exceptions¹¹⁹, most (Member) States take fingerprints for comparison with European databases for short-stay visa applications, while only some (Member) States¹²⁰ compare these data with national databases.

Whether (Member) States apply such methods as a standard, obligatory or optional practice to establish the identity of visa or residence permit applicants is similar to how they are applied in respect to asylum applicants. Generally fingerprints are not taken for comparison with national and/or European databases in the context of residence permit applications.

¹¹³ The identity, the age or other personal data of rejected applicants should be already examined and determined by the Cypriot Asylum Service since it is the responsible authority for the cases of international protection.

¹¹⁴ If such documents are at disposal, they are sent to the relevant Embassy as supporting documents to an application for identity verification. This is valid generally for returns of foreigners, not only to returns of rejected applicants for international protection.

¹¹⁵ EE, HU, IE (only if the individual volunteers to provide this information), NO, SE

¹¹⁶ AT, BE, CZ, DE, EE, EL, FR, LT, LV, LU, NL, SI, SK, UK

¹¹⁷ BE, CZ, EE, EL, FR, LT, LV, SI, SK, UK

¹¹⁸ DE, FI, LU, LV, NL

¹¹⁹ CY, LV, MT, PT, UK

¹²⁰ DE, EL, IE, LT, LU, LV, NL, NO, SK, UK

As regards residence permits for family reasons, most (Member) States¹²¹ take photographs for comparison with national databases and eleven (Member) States¹²² (may) perform DNA analysis for comparison with national databases. In **Germany**, DNA analyses may be used to establish the family relationship in the case of family reunification.

However, this happens on voluntary basis and the results are not crosschecked against databases. Similarly, in **Norway** and **Finland** DNA-tests are only made to verify a claimed family relationship and the results are not compared with national or European databases.

Whether (Member) States apply such methods as a standard, obligatory or optional practice to establish the identity in the context of legal migration and visa procedures, varies significantly. Of the 13 (Member) States¹²³ that take fingerprints for comparison with national databases in the context of residence permit applications for the purpose of remunerated activities, **Austria** and **Belgium** have this as an optional practice and of the 14 (Member) States¹²⁴ who take photographs for comparison with national databases for the same applications, **Belgium** and **Czech Republic** have this as an optional practice.

¹²¹ With the exception of HR IE LT MT SE, SI

¹²² BE, DE, EE, FI, EL, IE, LT, NL, NO (only made to verify a claimed family relationship), SE, UK

¹²³ BE, DE, FI, FR, EL, IE, IT, LU, LV, NL, PT, SK, UK

¹²⁴ BE, CZ, DE, FI, FR, EL, LU, LV, PT, SK, NL, UK

3 Decision-making process

3.1 STATUS AND WEIGHT OF DIFFERENT METHODS AND DOCUMENTS TO DETERMINE IDENTITY

The use of methods to verify identity and the weight given to the different methods vary widely across the (Member) States. Ten Member States¹²⁵ and Norway reported to be giving more weight to some methods of identity establishment than others, while ten declared not to be doing so.¹²⁶ **Austria, the Netherlands** and **Slovenia** explained that the circumstances of the individual case determine the way in which a person's identity is established.

International protection procedure

Some Member States¹²⁷ rely first and foremost on documentary evidence to establish an asylum seekers' identity and subsequently use interviews (BE, DE, EL, FI, and MT) and/or fingerprint scans (BE, DE, IT, and PT) for verification. The **Czech Republic, Hungary, Norway** and **Sweden** give most weight to the results of fingerprint scans as a means of identity verification.

DNA analysis is used by **Ireland** for establishing family connections with reference to the Dublin Regulation or sometimes in the case of family reunification and in **Lithuania** when there was legitimate doubt regarding the person's age or in cases where an alien is not able to prove kinship otherwise.

Return procedure

With regard to return, (Member) States generally stressed the importance of identifying the returnee as a national of the country of origin in question in order to be able to obtain the required travel documents. **Belgium** and **France** highlighted the increased importance of fingerprints to do so (using VIS and country of origin databases), while at the same time conceding that a match in these databases is not accepted by all countries of origin as sufficient to establish identity.

Legal Migration procedures

In the case of legal migration procedures, a valid travel document is considered the most decisive means to verify an applicant's identity and issue a residence permit or visa. While some Member States unequivocally require the presentation of a travel document (e.g. BE, IE, LT, LU, MT, SK, and UK) others accept other means of identity verification in exceptional circumstances (e.g. AT, NO).

In **Belgium**, in the framework of family reunification, a DNA test can be proposed by the Immigration Office and a positive DNA result can lead to a positive decision on the family reunification permit, even if there is doubt as to the personal documents submitted. In **Slovenia**, during the process of issuing a visa, taking fingerprints is considered the most reliable method. Generally, (Member) States encourage applicant family members and sponsors to supply passports or similar identification documents.

The need for consistency between the results obtained from the various methods

Despite the differences in national practices with regard to the use of methods to establish identity, the majority of (Member) States agreed that there needs to be consistency between the results obtained from the various methods.¹²⁸ However, **Finland** and **Belgium** noted that in the case of return procedures, a mismatch in the personal data of the returnee is not necessarily a problem as long as the document establishing identity is approved by the receiving third country.

Germany and **Luxembourg** also reported different national practices depending on the procedure; while in legal migration procedures, inconsistencies invariably lead to a rejection of the residence permit or visa application, in the case of international protection, it is the credibility of the facts advanced by the applicant in conjunction with the elements collected through the procedure that determine the outcome of the application.

¹²⁵ BE, CZ, DE, EE, FR, HR, IT, MT, PL, SE, UK

¹²⁶ CY, FI, HU, LT, LU, LV, NL, PT and SI

¹²⁷ BE, DE, EL, FI, HR, LU, MT, SK, and UK

¹²⁸ BE, DE, FI, FR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK, and UK)

Six (Member) States make use of a grading structure or spectrum to denote the degree of identity determination.¹²⁹ In **Poland**, priority is given to those documents most difficult to fake. In the case of **Latvia** and **Lithuania**, a grading structure is only used in international protection procedures. While in **Norway**, such a grading structure merely consists of two levels and is used for all types of procedures (“Probable ID” and “Not probable ID”), other Member States employ more elaborate ones and use different grading systems for each procedure. **Sweden**, for example, introduced in 2016 a grading structure comprising four categories, ranging from “Passport or ‘hit’ in VIS” (Category 1) to “no identity documents, further efforts to establish identity needed” (Category 4). While **Germany** does not use a grading system to denote the degree of identity determination, it does scale the authenticity of identity documents.

3.2 THE ROLE OF IDENTITY ESTABLISHMENT

3.2.1 INTERNATIONAL PROTECTION PROCEDURE

Member States place varying degrees of significance on the outcome of the identity establishment procedure of an applicant for international protection. Four Member States (CY, MT, PL, and SK) and Norway reported that the failure to establish identity leads to a negative asylum decision, while **15** may grant protection without a proven identity.¹³⁰ In the latter cases, the establishment of identity is not regarded as the only, decisive factor to decide on the merits of the application for international protection. For example, as **Ireland** reported, credibility as opposed to identity is examined in the context of the wider protection case. However, three Member States explicitly stated that in case an applicant misrepresents or refuses to state his/her identity, the asylum application is invariably rejected (DE, LV, and NL). In **Estonia**, the use of false identity is not a basis for denying protection. **Lithuania** places substantial importance on the country of origin of the applicant; if this cannot be determined, asylum is denied as it is not possible to assess whether the applicant had been persecuted in his/her country of origin.

Only a small number of Member States noted an impact on the decision-making process as a consequence of an increase in the number of asylum applicants in recent years).¹³¹ **Belgium** and **Finland** reported the difficulty of increasing the output and sustaining the quality of asylum procedures at the same time, but did not consider this to have had a negative impact on the quality of methods or the reliability of decisions. **Ireland** explained that the decision-making process had become more difficult as a result of various jurisprudence at both European and national level. **Lithuania** saw an increase of workload due to the commitments made in the framework of the two Council relocation decisions,¹³² and **Italy**, **Luxembourg** and **Sweden** mentioned a substantial increase in the number of applicants for whom it is difficult to establish identity. **France** noted that the quality of methods to establish identity in fact increased as a result of the augmented number of asylum applications.

3.2.2 RETURN PROCEDURE

In (forced) return procedures, the establishment of identity (which is needed to prove nationality) is a decisive factor in all (Member States), in particular as this is necessary to draw up the required travel documents with the country of origin. **Luxembourg** recently implemented a video conference pilot project in cooperation with **Belgium** and **Poland** in order to make the interviews between the third-country nationals and the diplomatic mission of the presumed country of origin easier. With a view to assisting the authorities preparing forced return, most national immigration and/or asylum authorities make the results of their work to establish identity available to them; only **Cyprus** and **Portugal** reportedly refrain from doing so. In June 2017, **Greece** introduced the new e-application ‘Mapping the Movement of Third-Country Nationals’ with a view to improving cooperation between the Hellenic Police and the Asylum service in matters of forced return. Since the beginning of 2017, the **Slovak Republic** does not only match fingerprints collected from migrants awaiting return against Eurodac and Interpol databases, but also against VIS.

¹²⁹ LT, LV, MT, NL, NO, PL, and SE

¹³⁰ BE, CZ, DE, EE, EL, FI, HU, IE, LT, LU, NL, NO, SE, SI and UK

¹³¹ DE, FI, IE, IT, LT, LU and SE

¹³² [Council Decision \(EU\) 2015/1601](#) of 22 September 2015 and [Council Decision \(EU\) 2015/1523](#) of 14 September 2015

The extent to which receiving countries are involved in identity establishment depends both on the national practices of the Member State and those of the third country, as different countries require different levels of certainty as to what is considered a sufficiently established identity.

Germany and the **Netherlands** reported that in case the third-country national does not possess a passport and the identity cannot be (fully) established, a third-country national can still be presented to diplomatic representatives of the presumed country of origin for the purpose of the establishment of identity and/or nationality. In **Germany**, interviews in the presence of delegation from the presumed country of origin can also take place. Similar practices were reported by **Finland** and **Hungary**, where the authorities of some third countries conduct personal hearings/interviews with the migrant to be returned to establish identity.

The **Czech Republic** stressed the need to examine the individual circumstances of the returnee. In case the third-country national demonstrates sincere efforts to obtain the required travel documents but the Embassy responsible for verifying the identity is not cooperating, then the issuance of a visa for tolerated stay of more than 90 days may be considered.

Whilst establishing identity in return procedures remains critical, **Belgium** noted that successful identification by the Immigration Office does not automatically imply that the country of origin will issue a laissez-passer for return.

Legal migration procedures

In the procedure for third-country applicants for visas and residence permits, the outcome of identity establishment plays a key role in determining whether the decision is positive or negative. All (Member) States uphold a practice preventing the issuance of a permit/visa in case the identity of the individual concerned cannot be established with sufficient certainty. However, a number of national authorities make exceptions to this rule with regard to residence permits.¹³³ For example, **Austria, Finland** and **Sweden** provide an exception to this in particular when a residence permit is applied for on the basis of family ties and the applicant originated from a country where a travel document cannot be obtained. **Italy, Norway** and **Luxembourg**¹³⁴ also make an exception on strong humanitarian grounds.

¹³³ AT, HR, FI, EL, IT, LU, NL, NO, SE, SI

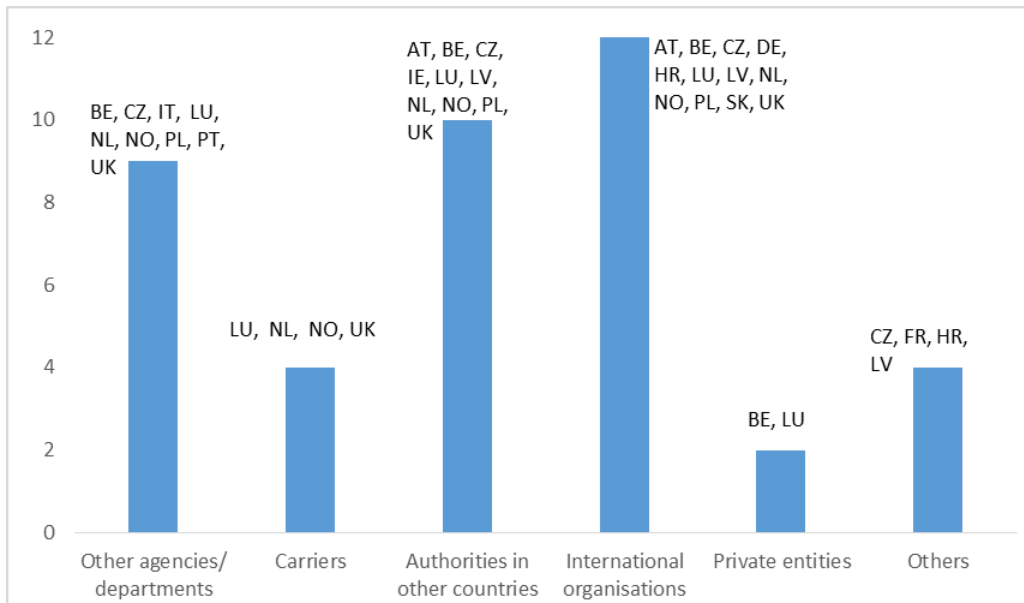
¹³⁴ In the case of an authorisation of humanitarian reasons of exceptional gravity (i.e. serious health issues), the establishing of identity will not be a de facto element for the refusal of granting an authorisation of stay on humanitarian grounds.

4 Data sharing and data collection

4.1 DATA-SHARING MECHANISMS

As regards data-sharing mechanisms within the framework of migration procedures, the identity determination/verification authorities of eleven Member States and Norway have Memoranda of Understanding and/or other agreements in place.¹³⁵ This is particularly the case with international organisations such as the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR), as well as other agencies and departments within the Member State, such as the police and municipalities. However, it has to be noted that a lack of formal agreements or Memoranda of Understanding does not necessarily mean that no cooperation is taking place. For instance, in the case of **Austria, Finland, Germany** and **Ireland**, the sharing of personal data among individual authorities and with private entities is regulated primarily through legislation. Figure 1 below provides an overview of the type of entities or organisations with which Member States and Norway have signed an agreement/Memorandum of Understanding regarding the sharing of personal data.¹³⁶

Figure 1: Type of agreement / Memorandum of Understanding



4.2 TYPES OF DATA COLLECTED

With the exception of **Croatia**, which only collects biographic data, all (Member) States store biographic and biometric information of the applicants for each of the migration procedures. These always include the full name, nationality, date and place of birth, passport number and may include the personal details of family members, in addition to various other details depending on the Member State. With regard to

¹³⁵ AT, BE, CZ, DE, HR, LU, LV, NL, NO, PL, PT, and UK

¹³⁶ BE, DE, FI, IE and LV reported that next to agreements/Memorandum of Understanding, the sharing of personal data with different organisations and entities is also regulated through legislation.

biometric data, usually facial images and fingerprints are stored. The databases in which the biographic and biometric data are stored are usually managed by the Immigration authorities and/or the police.

For example, the Eurodac National Access Point is managed by the immigration authority in BE, HR, FI, EL, HU, IT, NO, PT, SE and SK and by the police in CY, CZ, DE,¹³⁷ LU and SI. In the **Netherlands**, the ICT Service of the police is responsible for the technological management of Eurodac, however, the functional management is divided between the Immigration and Naturalisation Service and the Department of Immigration Coordination.

Suggestions for improvements

Eleven Member States and Norway pointed out improvements that could be made to the type of data currently collected.¹³⁸ For instance, Member States suggested the collection of the following types of data:

- ★ a digital copy of the travel document in VIS (BE);
- ★ information concerning forged documents for the purpose of international protection proceeding (CZ);
- ★ the name of the father and mother of applicants for Schengen visas (EL);
- ★ more data on the genuine stamps of the authorities of various third countries and on stolen travel documents (FI);
- ★ National identification/citizenship number from country of origin (IE).

With regard to the interoperability of the European databases, **Belgium** maintained that this could generally be improved, while **Sweden** suggested a more extensive use of the Interpol database. Table A.3.8 in Annex 3 provides an overview of the type of databases used in the various migration procedures by (Member) States.

4.3 RECENT CHANGES IN DATA PROCESSING

A number of Member States and Norway reported on recent changes in relation to the processing of personal data within the framework of migration-related procedures and databases. Such changes mainly related to (re-)allocating responsibilities among relevant authorities and included the following:

- ★ In **Austria**, a legal provision was put forward on 1 June 2016 for automated photograph comparisons using the Central Aliens Register. The measure has yet to be implemented;
- ★ Since 2014, residence cards for foreigners in **Belgium** contain a chip with biometric data. In the framework of Eurodac, a system of so-called pre-registration of the asylum application was introduced in March 2016;
- ★ In 2016, **Germany** introduced the “proof of arrival” document for asylum seekers who have not yet filed their application. This came in parallel to the nationwide introduction of the standardised “PIK” registration stations in the reception centres of the Länder and the arrival centres of the Federal Office for Migration and Refugees, which enable the authorities to store biometric data even before the asylum application as such is filed. Registration authorities were also provided with fast fingerprint crosscheck facilities and the application “PassTA” (Passport tracking application) was developed to make it easier to track the status and storage location of passports. The “Act to Improve the Enforcement of the Obligation to Leave the Country” from July 2017 has entitled the Federal Office for Migration and Refugees to analyse data carriers in order to establish the identity and nationality of an asylum applicant.
- ★ As of December 2014, foreign nationals applying for their first residence permit in **Finland** have the possibility to request registration into the Finnish Population Information System and to receive a Finnish personal identity number when they are issued the permit.;
- ★ From autumn 2017, the **Irish** immigration authorities will begin to automatically collect and analyse Advanced Passenger Information (API) data from carriers on inbound flights from outside the EU. In

¹³⁷ Eurodac National Access Point in Germany is the Federal Criminal Police Office.

¹³⁸ BE, CY, CZ, EE, FI, EL, LU, MT, NO, SE, SK, UK

addition, the European Uniform Format Residence Permit (EURP), in accordance with Council Regulation (EC) No 1030/2002 will be rolled out;

- ★ As of November 2015, **Italy** has extended the use of biometric data to take and process facial images and fingerprints of all third-country nationals older than sixteen years, for the issuance of the new electronic residence permits; since 2016, **Latvia** is issuing visas with biometric identifiers. In the same year, a new Asylum Seekers Fingerprint Information System was set up on the platform of the Biometric Data Processing System. By the end of 2017, it will be possible to add two sets of photos and fingerprints.

Latvia also planned to expand the amount of data information entered into the Asylum Seekers Register, adding identity documents, and establishing a link with the Register of Returned Foreigners and Entry Bans. Lastly, a Register of Returned Foreigners and Entry Bans was established in 2015;

- ★ In the **Netherlands**, on 1 March 2014, the Dutch Aliens Act was amended to facilitate and extend the use of biometric data by the organisation concerned, for example making it possible to take and process a facial image and fingerprints of all third-country nationals in all immigration law processes. Furthermore, in April 2017, the 'ID Kiosk' facility was launched, integrating identification and registration processes for immigration law, criminal law and third-country nationals in criminal law into one system;
- ★ In 2016, the **Slovak Republic** gained access to Interpol's Automated Fingerprint Identification System database (AFIS), which is relevant for returns.

4.4 RECENT AND PLANNED PILOT PROJECTS

(Member) States reported on a number of recent and planned pilots in the field of identity management and data sharing, mainly with a view to increasingly automating the collection and analysis of data and improving the interoperability of different national and European databases. Such pilots include the following:

- ★ In **Belgium**, the electronic gateway between the Immigration Office and the Federal Police for the transfer of biometric data will be completed in the near future. In addition, the central database of the Immigration Office is currently rebuilt and modernised, with the aim of automating processes as much as possible. Similarly, in the course of 2018, it was foreseen to begin with the collection and storage of biometric in the SIS;
- ★ **Cyprus** is planning to introduce a new national Visa Information System;
- ★ **Germany** was testing several projects, for example concerning the analysis of data carriers held by asylum applicants, the automated crosscheck of newly taken and stored photographs, as well as the automatic transliteration of names from the Arabic to the Latin alphabet;
- ★ The Asylum Unit of the Immigration Service in **Finland** will soon launch the 'Flow 2 project', which aims at developing a method for searching and using identity-related information on social media. The overall aim of the Flow project is to develop methods for establishing identity. In **Lithuania**, a Migration Information System (MIGRIS) was under development to allow the virtual migration processes to move to the virtual space, automate the management, provision and control of documents and data as well as ensure connection with other national registries and information systems;
- ★ In **Latvia**, the project "The State Border Guard Automated Fingerprint Identification System integration with the Biometric Data Processing System" was undergoing pilot testing. The aim was to automatically compare the fingerprints in Eurodac with the Central Visa Information System;
- ★ **Luxembourg** has recently introduced a pilot project entitled Video Conferencing for Identification (VCI) (together with **Belgium** and **Poland**), thereby allowing the diplomatic representatives in Brussels to identify their nationals via video conference without having to travel to **Luxembourg**.
- ★ In the **Netherlands**, as of 1 July 2017, not only residence permit holders, but all asylum seekers are registered in the Municipal Personal Records Database;¹³⁹

¹³⁹ There are three groups to which this does not apply: (a) third-country nationals from a safe country of origin;

- ★ In 2018, **Norway** will begin to enrol facial photos suitable for facial recognition and fingerprint identification in the Automated Biometric Information System (ABIS), with the goal of ensuring that third-country nationals are registered with one identity in **Norway**;
- ★ In **Sweden**, the Migration Agency is planning a pilot study in cooperation with Swedish missions abroad related to document verification. The aim is to establish a common standard for examining and authenticating documents at missions abroad;
- ★ In the **Slovak Republic**, several changes are underway to improve the functioning and interoperability of migration-related information systems.

(b) third-country nationals who applied for asylum elsewhere in Europe before; (c) third-country nationals who are still undergoing a security screening or enforcement investigation

5 Debate and evaluation

A majority of Member States (**CY, CZ, EE, EL, HR, HU, LT, LU, LV, MT, NL, PL, PT, SE, SI and UK**) have reported no major debates in relation to processing of personal data within the framework of migration-related procedures and databases used to establish identity. Nevertheless, in the process of establishing the identity of third-country nationals within the migration process several (Member) States (**AT, BE, DE, FI, FR, IE, IT, NO and SK**) have highlighted a number of key issues that have generated debates at national level among relevant stakeholders.¹⁴⁰ For example in **Germany** the intensification of asylum-related immigration since 2014 has pushed authorities to develop new methods to establish identity (e.g. language-biometrics) which did not receive wide political or societal consensus. At the same time, more stringent quality-control measures were implemented to avoid errors in establishing the identity of asylum seekers.

The main topics of debate in the aforementioned (Member) States are presented below:

- ★ Analysing data carriers (i.e. mobiles, tablets or laptops) owned by asylum seekers to establish identity and associated data protection concerns (**DE**);

In **Germany** the Act to Improve the Enforcement of the Obligation to Leave the Country has entitled the Federal Office for Migration and Refugees to analyse data carriers from asylum applicants, even without their consent. The German Federal Commissioner for Data Protection and Freedom of Information criticised this provision as an infringement of basic rights (the core area of private life was not sufficiently protected) and as not necessarily justified considering that the information could be an indication of nationality or identity at best. On the other hand, proponents of this provision argued that this measure facilitated a better quality of decisions about whether a return was admissible and also that the measure was one of last resort, it was not taken in secrecy and the person concerned had the opportunity to provide information before the measure was enacted.

- ★ Using language-biometrics software to analyse audio records of asylum seekers to give indication of geographical origin (**DE**);

Germany tested a new language-biometrics software that analysed audio records of asylum applicants in order to match them with a language and dialect which helped decision-makers identify their origin. Local media was critical of this programme due to shortcomings in the software (e.g. lack of precision due to possible variations within a specific dialect) which made it difficult to match a language to a region of origin also because dialects are often used cross-border. The German Federal Office for Migration and Refugees considers the tool as an assistant which helps its employees to establish the identity of asylum applicants.

- ★ Taking fingerprints and facial images of asylum seekers for identity verification (**DE, FR, IE**);

In 2016, **Germany** decided that for the purpose of identity verification of asylum seekers facial images may be taken of children aged 6 to 14. This decision to decrease the age to 6 was criticised by NGOs. The NGOs argued that facial images would soon become out of date with no informative biometric data. In 2017 NGOs criticized a bill for an Updated Data Exchange Improvement Act containing provisions to lower the age for taking fingerprints from 14 to 6 years. The rationale behind this decision was to make it easier to establish and verify the identity of children, particularly for their own protection. NGOs, on the other hand, argued that children aged less than 14 lacked the legal capacity to participate in proceedings and complain about the procedure.

In **France**, the French data protection authority has assessed the act of processing third-country nationals' biometric data and acknowledged that such processing was expressly authorised by national legislation. However, these actions have to follow strict personal data protection guarantees. Given the specificity of fingerprints it was important to carefully consider the proportionality of resorting to biometric measures compared to the stated objectives. The French data protection authority called for the adoption of failsafe guarantees to protect undue access to biometric data and noted that legislative provisions did not describe the exact process of data capture and storage.

¹⁴⁰ These may include: national media, parliamentary debates and statements of NGOs or INGOs.

The authority concluded that processing data such as fingerprints was only permitted if this was required by strong public order or security requirements.

In **Ireland**, the Department of Justice and Equality described fingerprinting as an essential and reliable method to verify identity which was recognised internationally. This was considered as one of the key technologies to combat identity fraud which enhanced the security and integrity of documents issued to non-nationals.¹⁴¹ At the same time in cases of family reunification where documentary proof was not available (or incomplete) DNA testing provided a greater degree of certainty of a family link.

★ Expanding the Eurodac database and its implications on fundamental rights;

The proposed recast Eurodac Regulation would expand the existing database which according to the European Council on Refugees and Exiles (ECRE) would violate Articles 7 and 8 of the EU Charter of Fundamental Rights.¹⁴² ECRE questioned the premise that collecting and storing fingerprints and facial images of migrants in an irregular situation in the Eurodac would help control irregular migration and identify migrants. The proposal would allow (Member) States to store and search data belonging to third-country nationals or stateless persons who are not applicants for international protection and found to be irregularly staying in the EU in order to be identified for return purposes.

★ Challenges in establishing identity due to insufficient, wrong or no documentation. (**IE, NO**);

In **Ireland**, *Nasc*, the Irish Immigrant Support Centre (an NGO) observed that quite often official documents from countries of origin included inaccurate personal data (e.g. incorrect dates of birth) which took time to verify against the data in their possession and then correct, making the process very time consuming. The Immigrant Council of Ireland (an NGO) observed that establishing identity was particularly challenging for stateless persons and obtaining a valid passport in some cases was difficult due to war or political instability.

To improve the registration process, **Norway** was reported to explore the possibility to cross-search between the immigration and national passport registry databases in order to establish that any new ID was unique. The information would be marked on a person's registration in the National Registry.

★ Standardising procedures for age assessment and using the least invasive methods to determine age (**IT, SK**);

According to the recent **Italian** law no. 47 of 2017, age is established through the available documents and an interview with qualified staff of the host structure. If the case is doubtful, the prosecutor's office at the Tribunal for minors (*Procuratore della Repubblica presso il Tribunale dei minori*) may order social-health examinations. Such examinations must be carried out by specialised personnel with the least invasive methods.¹⁴³

In **Slovak Republic**, NGOs considered the X-ray examination as being too invasive to determine the age of asylum seekers and proposed less invasive methods such as psychological examination.¹⁴⁴

★ Keeping a balance between security and right to privacy and data protection in light of the recent terrorist attacks in Europe (**AT, BE, FI, IE**);

In **Belgium**, the Belgian Privacy Commission indicated that the security issues after the terrorist attacks in Europe (e.g. Brussels or Paris) have had an impact on the opinions of the Privacy Commission and a new balance must be found between security and rights to privacy and data protection.¹⁴⁵

Similarly, in **Ireland** concerns about national security have been raised in parliament following the terror attacks in Europe which also touched upon the challenges and practices to establish immigrant identity.¹⁴⁶

¹⁴¹ IE National Report

¹⁴² BE National Report

¹⁴³ The person must be informed beforehand of the type of examination and of the result. If the case remains questionable, it is assumed that the person is underage. The person may appeal to the court against the decision denying the status of minor.

¹⁴⁴ SK National Report

¹⁴⁵ BE National Report

¹⁴⁶ IE National Report

The increased number of asylum seekers has also generated debates in **Finland** among the general public and authorities. The debates concerned the identity of asylum seekers and possible abuse of the Finnish asylum system by asylum applicants who have themselves participated in combat operations or terrorist groups.

★ Targeted surveillance of dangerous persons instead of mass data collection (**BE**).

Before the Passenger Name Record (PNR) was transposed into **Belgian** national law in late 2016 some NGOs (e.g. *La Ligue des droits de l'Homme*) criticized the mass collection of data.¹⁴⁷ It argued that critical information about genuinely dangerous people could be lost amongst information collected unnecessarily and favoured instead a targeted surveillance of persons who posed a threat. When establishing the identity of persons found in the migration process the PNR data allows authorities to check conformity between the travel forms and the identity of the passenger to guarantee that the data meets the legal standards. As a result, the effective use of PNR data can detect and identify persons by comparing it with other relevant databases.

Belgium carriers (e.g. air, train, road or maritime transport) are obliged to send their passenger data to a special passenger database which can analyse the data in the fight against terrorism. PNR data can serve as a prevention tool as well as enhance security and help the investigation and prosecution of terrorist offences or serious crimes.

The effective use of PNR data can detect and identify persons by comparing it with various databases on persons. It can serve as a prevention tool as well as enhance security and help the investigation and prosecution of terrorist offences or serious crimes. **Belgium** carriers (e.g. air, train, road or maritime transport) are obliged to send their passenger data to a special passenger database which can analyse the data in the fight against terrorism.

¹⁴⁷ BE National Report

6 Conclusions

This Study presents the main findings of the EMN Focussed Study on *Challenges and practices for establishing the identity of third-country nationals in migration procedures* based on National Reports from twenty-five Member States. It aims to provide an overview of the challenges faced by national authorities in their efforts to reliably establish and verify the identity of third-country nationals within the context of various migration procedures -namely those related to asylum, return and legal migration channels (including both short-stay and long-stay visas and residence permits). In addition, this study reports on national practices to address those challenges.

6.1 MAIN FINDINGS

The establishment of identity is a crucial factor in determining the legitimacy of applications in all migration processes. However, (Member) States face a two-fold challenge in establishing and verifying identity, mainly as a result of missing or false/invalid identity documents. This challenge became particularly evident in international protection procedures in past years, as the number of applications increased from 287,000 in 2009 to 1.26 million in 2016. Most (Member) States reported that the number of applicants for international protection not able to provide either an official travel-or identity document has increased since 2013, and has caused national authorities to turn to other means of identity establishment, such as comparison of fingerprints and DNA analysis.

Along with the number of applicants for international protection, the number of return decisions also increased in past years, bringing to the fore specific challenges related to a lack of (valid) identity documents in return procedures and the refusal of countries of origin to accept returnees as a result. (Member) States reported such challenges to relate to both a lack of cooperation from third-country nationals, as well as the degree of cooperation from authorities in the presumed country of origin. Although the responsibility of providing credible and verifiable documentation for long-stay visa and/or residence permits generally lies with the applicant, the need to verify this documentation also creates challenges for the responsible authorities in legal migration procedures. These mainly relate to forged or counterfeit documents, while six (Member) States also highlighted specific challenges in family reunification procedures.

Since 2013, some (Member) States reported changes in the legislative and institutional framework for identity establishment, which can mainly be attributed to the need of transposing relevant EU Directives and the need for more efficient procedures as a result of the significant rise in applications for international protection in recent years. Such changes included strengthening the obligation of third-country nationals to cooperate in the identity establishment process, as well as a more extensive use of biometric data, particularly in return procedures. In order to strengthen and support national authorities in establishing identity, so-called central competence centres or equivalent centres have been established in ten (Member) States, which generally make use of their own database for genuine documents and false documents. As regards EU-wide information management systems, authorities responsible for determining the identity of third-country nationals in international protection and migration procedures have access to databases such as Eurodac, VIS and SIS II in most (Member) States.

METHODS FOR ESTABLISHING IDENTITY

Although the majority of (Member) States do not define the term “identity” in the framework of the different migration procedures and the return process, the competent authorities in nine (Member) States do use operational definitions which usually refer to biographical or biometric features of a person. All (Member) States accept valid/official travel documents to establish identity in all migration procedures covered by this Study, and most also make use of other types of documents (e.g. birth certificates, marriage licences) in international protection and return procedures. Next to this, (Member) States reported on a wide range of methods in the context of the different migration procedures, such as language analysis and interviews to determine the country or origin, the comparison of fingerprints and photographs for comparison with national and European databases, as well as confiscation of digital devices and social media analysis. The latter two are used particularly in international protection- and return procedures and are relatively new methods introduced since 2013.

DECISION-MAKING PROCESS

The weight given to the various methods of identity establishment varies across (Member) States, with ten countries placing more weight on some methods than others, and nine treating each method as equally important. In international protection and return procedures, (Member) States generally use a combination of documentary evidence, interviews, fingerprint scans and DNA analysis for identity establishment. In the case of legal migration procedures, many Member States verify an applicant's identity merely through travel documents, although **Austria** and **Norway** also accept other means in exceptional circumstances. Overall, Member States agreed that the results obtained from the various methods need to be consistent, whereby seven (Member) States make use of a grading structure to denote the degree of identity determination.

In case the identity of an international protection applicant cannot be determined, fifteen (Member) States may grant protection nevertheless, while this leads to a negative asylum decision in five (Member) States. (Member) States did not observe a negative impact on the quality of methods or reliability of decisions as a result of the increased number of asylum applicants in recent years, although **Belgium** and **Finland** reported the difficulty of increasing the output and sustaining the quality of decision at the same time.

In return procedures, the establishment of identity is a decisive factor in all (Member) States, as it is crucial in order to be able to draw up the required travel documents with the country of origin and carry out the return. Several (Member) States reported on recently introduced measures and pilot projects to improve cooperation between authorities in this field, both among authorities on a national and European level and with diplomatic missions of third countries.

DATABASES AND DATA PROCEDURES

With a view to fostering the sharing of identity-related data in migration procedures, eleven (Member) States have signed Memoranda of Understanding and/or other agreements in place, mostly with international organisations and authorities in other countries. With the exception of Croatia, all (Member) States collect and store both biographic and biometric data of applicants for each of the migration procedures, and several (Member) States pointed to recent changes and pilot projects in relation to the processing of such personal data. These generally relate to increasingly automating the collection and analysis of data and improving the interoperability of different national and European databases.

DEBATE AND EVALUATION

Although the majority of (Member) States reported no major debates in relation to processing personal data for the purpose of identity establishment, eight (Member) States have noted a number of key issues debated at national level. In **Germany**, for example, these related particularly to the extent to which authorities should have access to data carriers for identity establishment purposes, and whether fingerprints and facial images should be taken of minors. Four Member States reported on debates about the balance between security and the right to privacy in light of the recent terrorist attacks in Europe.

Annex 1 Overview of national authorities/institutions involved in identity establishment

Table A1.1: National authorities/ institutions involved in identity establishment in various migration procedures

| | International protection | Return | Short stay visas | Long stay visas/ permits for family reasons | Long stay visas/ permits for study reasons | Long stay visas/ permits for the purposes of remunerated activities |
|---|--|---|--|---|---|---|
| Consulates/Embassies | EE, PL, SE | *DE, EE, EL, FR, HR, IE, LT, MT, NO, PT, SE, SK | AT, BE, CY, CZ, DE, EE, EL, FI, FR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK | AT, BE, CY, CZ, *DE, EE, EL, FI, FR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK | AT, BE, CY, CZ, *DE, EE, EL, FI, FR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK | AT, BE, CY, CZ, *DE, EE, EL, FI, FR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK |
| Immigration authorities | AT, BE, EE, FR, LT, LU, LV, MT, NL, NO, PL, PT, SE, UK | AT, BE, DE, EE, FR, HR, HU, LT, LU, MT, PT, SE, UK | BE, *DE, EE, IE, LT, LV, MT, NL, NO, PT, SE, UK | AT, BE, CY, *DE, EE, EL, FI, FR, HR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, UK | AT, BE, CY, *DE, EE, EL, FI, FR, HR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, UK | AT, BE, CY, *DE, EE, EL, FI, FR, HR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, UK |
| Asylum authorities | AT, BE, CY, CZ, DE, EL, EE, FI, FR, HR, IE, LT, LU, LV, MT, NO, PL, PT, SE, SK, UK | AT, *DE, EE, FI, HR, MT, SE, SK | | | | |
| Police | BE, CZ, *DE, EE, FI, HR, LT, LU, LV, MT, NL, NO, PT, SE, SI, SK, UK | BE, CY, CZ, *DE, EE, EL, FI, FR, HR, HU, LT, LU, MT, NO, PT, SE, SI, SK | AT, EE, LT, LU, SI, SK | *DE, EE, EL, HR, LT, LU, NO, SK | *DE, EE, EL, HR, LT, LU, NO, SK | *DE, EE, EL, HR, LT, LU, NO, SK |
| Border guard | BE, *DE, EE, FI, HR, IE, LT, LU, LV, NL, PL, PT, SE, SI, UK | BE, CY, EE, FR, HR, IE, LT, LV, PL, PT, SE, SI | BE, CZ, *DE, EE, FI, IE, LU, LV, NL, PT, SI, UK | BE, *DE, EE, FI, IE, LU, PT, UK | BE, *DE, EE, FI, IE, LU, PT, UK | BE, *DE, EE, FI, IE, LU, PT, UK |
| Security services | BE, *DE, EE, HR, HU, LT, LU, LV, MT, NO, PT, SE, SK | EE, FR, HR, LT, LU, MT, SE, SK | DE, LU, MT, SK | *DE, LU, MT, SK | *DE, LU, MT, SK | *DE, LU, MT, SK |
| Identification centre | CY, EE, IE, NO, PT, SE, UK | CY, EE, IE, NO, SE | IE, UK | IE, NO, UK | IE, NO, UK | IE, NO, UK |
| Central Squad against Forgery of the Federal Police (CDBV-D/OCRF-D) | BE | BE | | BE | BE | BE |
| Homeland security attaché and network of immigration liaison officers in the embassies | | FR | | | | |

| | International protection | Return | Short stay visas | Long stay visas/ permits for family reasons | Long stay visas/ permits for study reasons | Long stay visas/ permits for the purposes of remunerated activities |
|--|--------------------------|--------|------------------|---|--|---|
| State Forensic Science Bureau, National Forensic Centre | LV | | | | | |
| The Office for Foreigners | PL | | | PL, SI | PL, SI | PL, SI |

Notes:

*DE: The foreigner's authorities.

Table A1.2: National authorities granted access to European databases

| | Eurodac | SIS II | VIS |
|-----------|---|---|---|
| AT | Federal Office for Immigration and Asylum (international protection) | Federal Office for Immigration and Asylum (in international protection and return procedures); authorities issuing visas; authorities implementing the Settlement and Residence Act | Federal Office for Immigration and Asylum (in international protection procedures, authorities issuing national and short-stay visas); |
| BE | Immigration Office CGRS via the Immigration Office (in international protection procedures) | Federal Police (return, entry at the border); Diplomatic posts; Immigration Office | Immigration Office; diplomatic posts and FPS Foreign Affairs (visas) |
| CY | Asylum service | Police | Consular services |
| CZ | Ministry of Interior; Police; | Police | Police, Ministry of Interior, Embassies |
| DE | Federal Criminal Police Office (national access point); authorities responsible for asylum procedures, for return procedures and the issuance of residence permits via the Federal Criminal Police Office | Authorities responsible for return procedures and the granting of residence permits as well as visa authorities via the Federal Office for Administration | Authorities responsible for asylum procedures, return procedures, for the issuance of residence permits and visas via the Federal Office for Administration |
| EE | Police and border guards officials | Police and border guards officials; authorities issuing long-term visas | Police and border guards officials |
| EL | Asylum service via Police | N/A | N/A |
| FI | Asylum Unit of the Finnish Immigration Service; Police and Finnish Border Guard | Immigration Service; Finnish diplomatic missions under the Ministry of Foreign Affairs; Police and Finnish Border Guard | Finnish diplomatic missions under the Ministry of Foreign Affairs; Police and the Border Guard; Finnish Immigration Service |

| | Eurodac | SIS II | VIS |
|-----------|--|--|--|
| FR | Prefecture (international protection); national authorities responsible for establishing identity during expulsion procedures | National authorities responsible for establishing identity during return procedures (access to the SIS II national file); authorities processing visa applications (consulates, Ministry of the Interior officials and prefectural officers; authorities issuing residence permits (consulates, Ministry of the Interior officials and prefectural officers) | consulates and the central administration (Sub-directorate for Visas); Prefecture officers (visas issuance); Prefecture officers (residence permits) |
| HR | Asylum authorities; Authorised officers of the border police | Authorised officers of the border police | Authorised officers of the border police |
| HU | Asylum authorities; immigration services | Consular services and Immigration services | Consular services and Immigration services |
| IE | International Protection Office, through An Garda Síochána (Police), exchanges information with EURODAC | N/A | N/A |
| IT | Police | Police | Police and consular and diplomatic authorities |
| LV | State Border Guard officials | State Border Guard officials; Office of Citizenship and Migration Affairs; diplomatic missions; | State Border Guard officials; Office of Citizenship and Migration Affairs; diplomatic missions |
| LT | Asylum services via the Police Forensic Science Centre | Asylum service, Ministry of the Interior, consular posts, the SBGS and the migration divisions of the police | Asylum service, Ministry of the Interior, consular posts, the SBGS and the migration divisions of the police |
| LU | Directorate of Immigration, Refugees and Returns Department; Grand-Ducal Police | Directorate of Immigration, Foreigners Department, Directorate of Immigration, Refugees and Returns Department; Grand-Ducal Police | Directorate of Immigration, Foreigners Department; Directorate of Immigration, Refugees and Returns Department |
| MT | asylum authorities via Immigration Police | relevant authorities via Immigration Police | Relevant authorities via Immigration Police; Central Visa Unit as well as Consulates |
| NL | Kmar (law enforcement authority); AVIM (police); IND (Immigration and naturalisation service) | Kmar (law enforcement authority); AVIM (police); IND (Immigration and naturalisation service); Ministry of Foreign Affairs | Kmar (law enforcement authority); AVIM (police); IND (Immigration and naturalisation service); Ministry of Foreign Affairs |
| PL | Officers of the Office for Foreigners via Border Guard Officers | Border Guard Officers | Border Guard Officers |
| PT | Immigration and Borders Service | Immigration and Borders Service | Immigration and Borders Service |
| SK | Dublin Centre of the Migration Office (MO) MoI; Police officers working for the Bureau of the Border and Alien Police of the Police Force Presidium (BBAP PFP) have access to all EU databases; Consulates via requests to Central Visa Authority of the Alien Police Department of the BBAP PFP | Dublin Centre of the MO MoI; Police officers working for the BBAP PFP have access to all EU databases; Consulates via requests to Central Visa Authority of the Alien Police Department of the BBAP PFP | Police officers working for the Border Police (BBAP PFP) have access to all EU databases; Consular officers of the Ministry of Foreign Affairs |

| | Eurodac | SIS II | VIS |
|-----------|---|--|--|
| SE | Swedish Migration Agency | Swedish Migration Agency | Swedish Migration Agency |
| SI | Ministry of the Interior; Police, authorised asylum officers responsible for Dublin | Authorised officers of the border police | Ministry of Interior; Police, Ministry of Foreign Affairs, consular services |
| UK | Home Office officials | N/A | N/A |
| NO | Asylum authorities | Asylum authorities; Immigration authorities; Visa authorities; | Asylum authorities; Immigration authorities; Visa authorities; |

Source: National reports

Annex 2 Identity establishment procedures

Table A2.1: Procedural steps taken to establish identity of third-country nationals in various migration procedures

| Migration procedure | Steps in the procedure to establish identity |
|---------------------------------|--|
| International protection | <ul style="list-style-type: none"> • Submission of identification documents such as passport, ID, family book, driving licence, birth certificate, etc. The submitted documents are then checked for authenticity and data is registered. (AT, BE, CY, CZ, DE, EE, FI, FR, HR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK and UK) • Fingerprints and facial images of asylum seekers are taken (if applicable) which are then cross-checked with national and international databases such as Eurodac, VIS, SIS II, Europol or Printrak to verify identity. (AT, BE, CZ, DE, EE, FI, FR, HU, IE, LT, LU, LV, NL, NO, PL, PT, SE, SI, SK and UK) • A personal interview is carried out to clarify the individual situation, motivation and circumstances which led to a request for international protection. The interview is essential in the absence of any documents proving identity. (AT, BE, CY, CZ, DE, EE, FI, FR, HR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI and SK) • The statements and documents of the asylum applicant are assessed to verify identity (credibility assessment) using interviews, the submitted evidence, data carriers information, COI information, social media, etc. (AT, BE, CY, CZ, DE, EE, FR, IE, MT, NL, NO, PL, SE, SI, SK and UK) • An age assessment may be performed in cases of doubts regarding the age of the asylum seeker or to identify the actual age. (AT, CZ, EE, FI, IE, LT, LV, NO, SE and SK). In other MS this step takes place at a different point in the overall procedure (e.g. DE). • Baggage and body search may also take place (NL). |
| Forced return | <ul style="list-style-type: none"> • Identity is verified based on travel documents which are checked for authenticity. If all identification documents are missing the claimed identity is verified and real identity is established and data is registered. The country of origin has to issue a travel document (laissez-passer) in case no valid travel document exists. (AT, BE, CY, CZ, DE, EE, FI, FR, HR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK and UK) • Fingerprints and facial images are taken (if applicable) which are then cross-checked with national and international databases such as Eurodac, VIS, SIS II, Printrak or Interpol to verify identity. (AT, BE, CZ, DE, FR, HR, HU, IE, LU, LV, NL¹⁴⁸, PL, PT, SE, SI and SK) • Returnees are heard prior to the start of return procedures explaining the decision and protocol and they may also be involved in a personal interview to establish identity. (AT, BE, CZ, DE, EE, FI, FR, HR, HU, IE, LV, NL, NO, PL, PT, SE, SI, SK and UK) • An age assessment is performed in cases of doubts regarding the age of the individual or to identify the actual age. (AT, CZ, DE, EE, LU, SE and |

¹⁴⁸ Has been done within the asylum procedure. The Repatriation and Departure Service (DT&V) will receive a transfer file from the IND in which all information on the establishment of identity has been recorded

| Migration procedure | Steps in the procedure to establish identity |
|---|--|
| | <p>SK)</p> <ul style="list-style-type: none"> Information may be exchanged between EU Member States and third countries (not necessarily the country of citizenship of the returnee) to identify a third-country national. (BE, CZ, DE, EE, FI, LU, LV, NL and NO) |
| Short stay visas | <ul style="list-style-type: none"> Identity is verified based on travel documents and other documents which are checked for authenticity and data is registered. (AT, BE, CY, CZ, DE, EE, EL, FI, FR, HR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK and UK) Fingerprints and facial images are taken (if applicable) which are then cross-checked with national and international databases such as VIS, SIS II, Interpol or Europol to verify identity. (AT, BE, CY, CZ, DE, EE, EL, FR, HR, HU, LU, IE, LV, MT, NL, NO, PL, PT, SE, SI, SK and UK) A personal interview may be carried out to clarify the individual motivation or ask for additional documents to prove identity (e.g. birth certificate or national identity cards). (CZ, DE, FI, FR, HR, IE, NO, SE and SK) |
| Long stay visas/ permits for family reasons | <ul style="list-style-type: none"> Identity is verified based on travel documents and other documents which are checked for authenticity and data is registered. (AT, BE, CY, CZ, DE, EE, EL, FI, FR, HR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK and UK) Fingerprints and facial images are taken (if applicable) which are then cross-checked with national and international databases such as VIS, SIS II, Interpol or Europol to verify identity. (AT, BE, CY, DE, EE, EL, FI, FR, HR, IE, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK and UK) A personal interview may be carried out to clarify the individual motivation or ask for additional documents to prove identity (e.g. birth certificate or national identity cards). (AT, BE, CZ, DE, EE, FI, FR, IE, NO, SK and UK) An age assessment is performed in cases of doubts regarding the age of the individual or to identify the actual age. (AT, IE) DNA tests may be performed in some cases to confirm a family link. (AT, DE, FI, IE, LV, NO, SE and UK) |
| Long stay visas/ permits for study reasons | <ul style="list-style-type: none"> Identity is verified based on travel documents and other documents which are checked for authenticity and data is registered. (AT, BE, CY, CZ, DE, EE, EL, FI, FR, HR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK and UK) Fingerprints and facial images are taken (if applicable) which are then cross-checked with national and international databases such as VIS, SIS II, Interpol or Europol to verify identity. (AT, BE, CY, DE, EE, EL, FI, FR, HR, IE, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK and UK) A personal interview may be carried out to clarify the individual motivation or ask for additional documents to prove identity (e.g. birth certificate or national identity cards). (AT, CZ, DE, EE, FI, FR, IE and SK) An age assessment is performed in cases of doubts regarding the age of the individual or to identify the actual age. (AT and IE) |
| Long stay visas/ permits for the purposes of | <ul style="list-style-type: none"> Identity is verified based on travel documents and other documents which are checked for authenticity and data is registered. (AT, BE, CY, CZ, DE, EL, EE, FI, FR, HR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK and UK) Fingerprints and facial images are taken (if applicable) which are then cross-checked with national and international databases such as VIS, SIS II, |

| Migration procedure | Steps in the procedure to establish identity |
|-------------------------------|--|
| remunerated activities | <p>Interpol or Europol to verify identity. (AT, BE, CY, DE, EE, EL, FI, FR, HR, IE, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK and UK)</p> <ul style="list-style-type: none"> • A personal interview may be carried out to clarify the individual motivation or ask for additional documents to prove identity (e.g. birth certificate or national identity cards). (AT, CZ, DE, EE, FI, FR and SK) |

Notes:

CZ: Information from Czech Republic regards the returns in general, it does not necessarily concern former applicants for international protection. The conditions for return of former applicants for international protection are the same as for returns of other migrants.

Annex 3 Documents accepted by (Member) States

Table A3.1: Documents accepted as (contributing to) establishing the identity

| Type of document | (a) applicants for international protection | | (b) for the return process | | (c) third country applicants for visitors visa and permits for the purposes of study, family reunification and remunerated activities | |
|--|--|-----------|--|-----------|--|-----------|
| | Yes | No | Yes | No | Yes | No |
| Valid/Official travel documents: Passports, ID cards | AT, BE, CZ, HR, CY, DE, ¹⁴⁹ EE, EL, FI, ¹⁵⁰ FR, HU, IE, IT, LT, LU, LV, MT, NL, NO, PT, SE, SI, SK, UK | | AT, BE, ¹⁵¹ CZ, ¹⁵² CY, DE, EE, EL, FI ¹⁵³ , FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, NO ¹⁵⁴ , PT, SE, SI, SK, UK | | AT, BE, ¹⁵⁵ CZ, CY, DE, ¹⁵⁶ EE, ¹⁵⁷ EL, FI, ¹⁵⁸ FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, NO, PT, SE, SI, SK, UK | |
| Other documents: birth certificates, driving licence, | Yes | No | Yes | No | Yes | No |

¹⁴⁹ All documents which serve to illustrate a history of persecution can be used during the asylum procedure. All original documents are subject to a physical and technical examination.

¹⁵⁰ An identity card is approved if it contains the required information (or together with another document if these two documents provide together the required information).

¹⁵¹ Passport or other valid travel document (e.g. laissez-passer)

¹⁵² This concerns return procedures in general. The conditions for the return of former applicants for international protection are the same as for the return of other migrants.

¹⁵³ A temporary travel document issued by a diplomatic mission of the applicant's country of origin may also be used to confirm identity.

¹⁵⁴ Type of documents accepted will vary between different countries, and vary over time. Each and every document in this table could "contribute to establishing" or "establish" identification of a person in the country of origin, depending on the country in question

¹⁵⁵ Passport or other valid travel document (e.g. laissez-passer)

¹⁵⁶ Residence permit: a passport or passport substitute are regarded as sufficient.

¹⁵⁷ Travel documents only (No ID card).

¹⁵⁸ A valid national passport (also a refugee travel document issued by another country) can be used for Visa applicants. Depending on the applicant's country of origin, an identity card of the country in question is also required. As for residence permit applicants, a valid national passport or a national identity card/certificate of nationality; a travel document issued by another state can be used to establish identity.

| Type of document | (a) applicants for international protection | (b) for the return process | (c) third country applicants for visitors visa and permits for the purposes of study, family reunification and remunerated activities | | | |
|--|---|----------------------------|---|----------------------------|---|--|
| divorce certificates, marriage licences, qualification certificates, house books etc. | AT, BE, CZ, ¹⁵⁹ DE, ¹⁶⁰ HR, CY, DE, EE, FI ¹⁶¹ , FR ¹⁶² , HU, IE, IT, LT, LU, LV, MT, NL, NO, PT, SE, SI, ¹⁶³ SK, UK | EL | AT, BE, CZ, ¹⁶⁴ CY, DE, EE, FI ¹⁶⁵ , HR, HU, IE, LT, LU, LV, MT, NL, NO, SE, SI, ¹⁶⁶ UK | FR ¹⁶⁷ , PT, SK | AT, BE, ¹⁶⁸ CY, ¹⁶⁹ CZ, DE, ¹⁷⁰ EE, HU, IE, LT, LU, PT, SK | EL, ¹⁷¹ FI, ¹⁷² FR, HR, LV, MT, ¹⁷³ NL, NO, ¹⁷⁴ SE, SI, ¹⁷⁵ UK ¹⁷⁶ |
| Informal (residence) | Yes | No | Yes | No | Yes | No |

¹⁵⁹ All presented documents (passport, national ID card, driving license, military identity card) are accepted, while documents which do not contain a photograph (marriage certificate, birth certificate, divorce certificate, etc.) are treated as supporting documents in establishing identity and assessing the reliability of the applicant's statements.

¹⁶⁰ All documents which serve to illustrate a history of persecution can be used during the asylum procedure. All original documents are subject to a physical and technical examination.

¹⁶¹ On a case-by-case basis, the Finnish Immigration Service may also approve a driving licence, a certificate of nationality, or marriage and birth certificates as documents proving identity, depending on the applicant's country of origin and the information the document contains. If a document is issued by an authority, deemed to be reliable and has the required personal data and identifying characteristics, the person's identity can be considered as having been verified.

¹⁶² OFPRA does not accept any other documents. The one-stop-shop services at the Prefectures (cf. Q7) also accept birth certificates, marriage licences and driving licences; some Prefectures also accept the other documents mentioned.

¹⁶³ In practice, Slovenian authorities accept all documents and other information that may contribute to the confirmation of a person's identity. However, such documents cannot prove the individuals identity beyond doubt.

¹⁶⁴ If such documents are at available, they are sent to the relevant Embassy as supporting documents to an application for identity verification. However, CZ does not have information about whether the assumed country of origin accepts documents other than those which suffice for Czech authorities.

¹⁶⁵ Civil status documents (including a military passport) are used on a case-by-case basis, provided that they contain a name as well as a date and place of birth.

¹⁶⁶ In practice, SI authorities accept all documents and other information that may contribute to the confirmation of a person's identity. However, such documents cannot prove the individuals identity beyond doubt.

¹⁶⁷ Passports and ID cards are deemed more reliable for establishing the identity of a third-country national. Other documents are merely prima facie evidence. Exceptionally, for certain countries, other types of document may be considered as evidence of nationality. This depends on the agreements or protocols signed with the country of origin.

¹⁶⁸ All civil status certificates can be used to establish the family relationship in case of family reunification.

¹⁶⁹ Only in limited cases, where no valid passport is available.

¹⁷⁰ Residence permit: If no passport can be presented, official documents with a photograph may be used instead of a passport under exceptional circumstances.

¹⁷¹ Birth certificate (it is not provided by law but it is accepted in the case where the passport is missing, as proof of identity) (Law 4332/2015)

¹⁷² Documents can substantiate identity of Visa applicants but which documents must be checked, depend on the country of origin and the applicant's situation. As for residence permit applicants, other type of documents may be considered, on a case-by-case basis.

¹⁷³ Only for Family reunification

¹⁷⁴ These documents do not contribute to establish identity for visa application or for Remunerated activities

Study purposes: Birth certificate for applicants under the age of 18

¹⁷⁵ In practice, SI authorities accept all documents and other information that may contribute to the confirmation of a person's identity. However, such documents cannot prove the individuals identity beyond doubt.

¹⁷⁶ For applicants for work/visit, student and family visas – official documents are required as proof of identity. Marriage/birth certificates can be used to prove family link for people who want to join their spouse, but not as proof of identity.

| Type of document | (a) applicants for international protection | (b) for the return process | (c) third country applicants for visitors visa and permits for the purposes of study, family reunification and remunerated activities |
|--|---|--|--|
| documents, such as UNHCR registration documents | AT, BE, ¹⁷⁷ CZ, DE, ¹⁷⁸ CY, EE ¹⁸³ , FR DE, EL, ¹⁷⁹ FI, ¹⁸⁰ HU, HR, IE, LT, LU, MT, NL, NO, PT, SE, SK, ¹⁸¹ SI, UK, ¹⁸² | AT, BE, ¹⁸⁴ CY, DE, EL, FI, ¹⁸⁵ HR, IE, LT, LU, MT, NL, NO, SE, UK CZ, EE, ¹⁸⁶ FR, ¹⁸⁷ HU, PT, SI, SK | AT, BE, ¹⁸⁸ DE, ¹⁸⁹ FI, ¹⁹⁰ FR, ¹⁹¹ HU, MT, NL, NO, ¹⁹² SE, UK ¹⁹³ CY, CZ, EE, EL, HR, HU, IE, LT, LU, PT, SI, SK |

¹⁷⁷ Copies of ID-documents and civil status certificates, etc.; UNHCR/UNRWA registration documents, diplomas and qualification certificates, etc....

¹⁷⁸ All documents which serve to illustrate a history of persecution can be used during the asylum procedure. All original documents are subject to a physical and technical examination.

¹⁷⁹ The documents used for the registration to the UNHCR, are also taken into account to identify the applicant without being a certificate of identity.

¹⁸⁰ The documents can substantiate identity, but they cannot usually be used to verify identity.

¹⁸¹ Only supporting documents

¹⁸² Only as a possible indicator

¹⁸³ Informal documents are used as additional evidence along with the statements given during an interview.

¹⁸⁴ All documents (original or copies)

¹⁸⁵ The documents can substantiate identity, but they cannot usually be used to verify identity.

¹⁸⁶ Other documents are used as additional evidence along with the statements given during an interview.

¹⁸⁷ Prima facie evidence unless covered by an exemption.

¹⁸⁸ UNHCR registration documents could contribute to establish the identity when no official ID/travel document could be submitted (generally in case of family reunification involving a beneficiary of international protection).

¹⁸⁹ Informal documents are regarded as supporting the claim of a Visa applicant (Schengen and national visa); informal documents are not sufficient to establish identity for residence permit applicants.

¹⁹⁰ Documents that prove identity issued by international organisations are used with limitations.

¹⁹¹ UNHCR documents are accepted by consular services so as to assist in establishing identity during visa applications.

¹⁹² Yes, but limited value as evidence.

¹⁹³ Only for family reunification

Table A3.2: Methods **used** for establishing identity in the asylum/ return procedure (I) (These tables include data from all (Member) States except for: BG, AT, IT, ES, SI)

| Method | Applicants for international protection | | | | Return of rejected applicants for international protection | | | |
|--|--|---|---|---|--|---|--|--|
| Language analysis to determine probable country and/or region of origin | Yes: obligatory | Yes: standard practice FR, HU, NL, ¹⁹⁴ NO, SI ¹⁹⁵ | Yes: optional AT, BE, ¹⁹⁶ DE, EE, FI, HR, IE, IT, LT, LU, ¹⁹⁷ LV, SE, UK | No CY, ¹⁹⁸ CZ, EL, FR, MT, PT, SK ¹⁹⁹ | Yes: obligatory HR | Yes standard practice HU, LU, SI ²⁰⁰ | Yes optional AT, BE ²⁰¹ DE, FI, FR, ²⁰² IE, IT, LT, LU, LV, NL, NO, UK | No CZ, EE, MT, PT, SE, ²⁰³ SK |
| Age assessment to determine probable age | Yes: obligatory CY, CZ, ²⁰⁴ EL, HR, ²⁰⁵ LT, ²⁰⁶ MT, NO, ²⁰⁷ PT | Yes: standard practice BE, DE | Yes: optional AT, CY, ²⁰⁸ EE, FI, HU, IE, LU, LV, NL, SE, SI ²⁰⁹ , SK, UK | No FR, ²¹⁰ | Yes: obligatory LT, MT, SI, ²¹¹ SK | Yes: standard practice BE, CZ | Yes: optional AT, DE, ²¹² EE, HU, LU, LV, NL, UK | No FI, FR, NO, PT, SE |

¹⁹⁴ Standard with some particular nationalities like Syrian otherwise its optional

¹⁹⁵ Special language analysis is not enshrined in law. In practice, the official who administers the procedure asks questions aimed to clear up these circumstances during the course of the personal interview. The interpreter in the procedure also gives his/her opinion about the probable country/region of origin based on the language of the individual.

¹⁹⁶ Language analysis can be performed in very exceptional cases.

¹⁹⁷ If necessary when the identity of the applicant could not be established otherwise, or if doubts on the statements of the applicants prevail

¹⁹⁸ The country of origin should be determined by the Asylum Service

¹⁹⁹ It was used in the past, but not currently. However, it is planned to be used in the asylum procedure

²⁰⁰ Special language analysis is not enshrined in law and has not been used. Implementation of this method would not be possible because of the lack of qualified staff. However, the official who administers the procedure may in the course of the personal interview ask particular questions with the aim to clear up these circumstances.

²⁰¹ A rudimentary form of language analysis can be performed. The embassy or consulate of the country of origin may also perform a language analysis

²⁰² Such analysis has already been carried out during the asylum procedure, so there is no need to undertake a new analysis for the return procedure.

²⁰³ If necessary it is done earlier in the application process. The same also for the method of age assessment

²⁰⁴ In the case of persons claiming to be minors, where doubts exist

²⁰⁵ Age assessment of the unaccompanied minor is carried out if there is a doubt in the age of the minor

²⁰⁶ When there is legitimate doubt regarding the person's age

²⁰⁷ In case of unaccompanied minors only

²⁰⁸ Only obligatory in some cases

²⁰⁹ According to the International Protection Act, the age assessment can be made on the basis of the opinion of the officers or persons involved in the work with the unaccompanied minor if there is doubt in his/her age during the procedure. However the age assessment is currently not used in practice.

²¹⁰ Realised for assessing the age and family isolation so that the minor falls in the national care system.

²¹¹ According to the Aliens Act, the age assessment can be made when the identity of a minor has not been confirmed and there is doubt that he/she is actually a minor, in practice this procedure is not used.

²¹² Only permissible on persons aged 14 or over

| Method | Applicants for international protection | | | | Return of rejected applicants for international protection | | | |
|--|--|---|--|--|--|--|---|---|
| Interviews to determine probable country and or region of origin (or other elements of identity, such as faith and ethnicity)²¹³ | Yes: obligatory AT, BE, CZ, DE, FI, FR, HR, IT, LT, LU, LV, MT, NO, PT, SE, UK | Yes: standard practice CY, ²¹⁴ EE, EL, HU, NL, SE, ²¹⁵ SK | Yes: optional | No CY ²¹⁶ | Yes: obligatory DE, IE, LT, PT | Yes: standard practice CY, CZ, DE, ²¹⁷ FI, FR ²¹⁸ , HU, MT, NO, SK, SI, UK | Yes: optional AT, BE, EE, LU, LV, NL ²¹⁹ | No SE |
| Identity related paper and e-transactions with the authorities (e.g. tax, social benefits) | Yes: obligatory | Yes: standard practice CZ, ²²⁰ EL | Yes: optional AT, DE, EE, FR, HR, HU, IE, LT, MT, NO, SE, SK, UK | No BE, CY, FI, LU, LV, NL, PT, SI | Yes: obligatory IT | Yes: standard practice CZ, ²²¹ NO | Yes: optional AT, DE, EE, IE, LV, UK, | No BE, CY, FI, FR, HR, LT, LU, MT, NL, PT, SE, SI, SK |
| Identity related paper and e-transactions with the private sector (e.g. bank) | Yes: obligatory | Yes: standard practice CZ ²²² | Yes: optional AT, DE, EE, FR, HR, IE, IT, LT, MT, NO, SK, UK | No BE, CY, DE, EL, FI, HU, LU, LV, NL, PT, SE, | Yes: obligatory | Yes: standard practice CZ ²²³ | Yes: optional AT, EE, IE, IT, NO, UK | No BE, DE, CY, FI, FR, HR, HU, LT, LU, LV, MT, NL, PT, SE, SK |
| Identity related e-transactions in connection with social media | Yes: obligatory | Yes: standard practice BE, CZ, ²²⁴ EL, NO | Yes: optional AT, DE, EE, FR, HR, HU, IE, IT, LT, MT, SE, SI, SK, UK | No CY, DE, FI, LU, LV, NL, PT | Yes: obligatory | Yes: standard practice CZ, ²²⁵ HU, NO | Yes: optional AT, EE, FI, IE, IT, SE | No BE, DE, HR, CY, FR, LT, LU, LV, MT, NL, PT, SI, SK, UK |

²¹³ This would depend on the elements included in your national definition of “identity” used within the procedures covered by this Study. See Section 2.1

²¹⁴ The Asylum Service has already examined the country of origin or rejected applicants

²¹⁵ The interview deals with the entirety of the claim for international protection.

²¹⁶ The Asylum Service has already examined the country of origin or rejected applicants

²¹⁷ If the documents in the file of the applicant are not sufficient to obtain a passport substitute

²¹⁸ Such interviews are held during the asylum application and the results of it are used as such for the return procedure

²¹⁹ Presentations (interviews) can take place at the diplomatic representation for the purpose of establishing the identity and/or nationality

²²⁰ [If the applicant him/herself submits such documents, they serve as supporting documents for assessing reliability.](#)

²²¹ [If such documents are at disposal, they are sent to the relevant Embassy as supporting documents to an application for identity verification.](#)

²²² If the applicant him/herself submits such documents, they serve as supporting documents for assessing reliability.

²²³ If such documents are at disposal, they are sent to the relevant Embassy as supporting documents to an application for identity verification.

²²⁴ If the applicant him/herself submits such documents, they serve as supporting documents for assessing reliability.

²²⁵ [If such documents are at disposal, they are sent to the relevant Embassy as supporting documents to an application for identity verification.](#)

| Method | Applicants for international protection | | | | Return of rejected applicants for international protection | | | |
|--|---|---|---|---|--|---|--|---|
| | Yes: obligatory LV ²²⁶ | Yes: standard practice DE, EE, NL | Yes: optional HR, IT, LT, NO | No AT, BE, CY, CZ, FI, FR, IE, LU, ²²⁷ MT, NO, PT, SE, SI, SK ²²⁸ | Yes: obligatory | Yes: standard practice | Yes: optional DE, EE, FI, IT, LT, LV, NL, NO, SE | No AT, BE, CY, CZ, FR, HR, IE, LU, MT, PT, SI, SK |
| Smartphones and other digital devices: May your law enforcement/immigration authorities confiscate (temporarily or permanently) such devices and access their content in their efforts to establish or verify an identity? | | | | | | | | |
| Other (e.g. personal belongings search, other type of electronic data carriers, inquiries to Interpol, body search, social media analysis, other type of investigations and interviews, cooperation with third countries, etc.) | Yes: obligatory NL ²²⁹ | Yes: standard practice CY, ²³⁰ FR, ²³¹ NL, ²³² SK ²³³ | Yes: optional AT, ²³⁴ EE, ²³⁵ DE, ²³⁶ FI, ²³⁷ LT, ²³⁸ NO, ²³⁹ SI, UK ²⁴⁰ | | Yes: obligatory | Yes: standard practice BE, CZ, ²⁴¹ DE, ²⁴² EE, ²⁴³ LU ²⁴⁴ | Yes: optional AT, ²⁴⁵ FI, ²⁴⁶ LT, ²⁴⁷ LV, ²⁴⁸ NL, ²⁴⁹ NO, ²⁵⁰ SI, ²⁵¹ UK ²⁵² | |

²²⁶ Only within the framework of the Criminal Procedure Law.

²²⁷ In the context of a criminal procedure and the public prosecutor requests the investigating judge for an order even if the investigation is not open. The judicial police will seize the smartphone and other digital devices and draw up a report.

²²⁸ This option adopted for the international protection procedure is not currently used. However, it is planned to incorporate checking of technical and recording devices in the legislation and start using it in practice.

²²⁹ baggage search, pat-down search

²³⁰ Cooperation with Cyprus consulates abroad

²³¹ OFPRA regularly conducts fact-finding missions in the countries of origin. These missions afford the Office the opportunity to gather information for subsequent comparison with accounts given by asylum applicants.

²³² body search / on social media open sources are searched for indications of the identity of third-country nationals

²³³ Cooperates with institutions based in the third countries. Depending upon the particular case, it is possible to request information or verification from the contacts in the country of origin in the international protection procedure

²³⁴ See chapter 8 of the Austrian national contribution.

²³⁵ Regarding applicants for international protection, an inquiry to Interpol may be initiated by PBGB

²³⁶ It is possible to have a trusted lawyer conduct investigations into the identity of the person concerned in the country of origin

²³⁷ The Finnish Immigration Service's Country Information Service supports decision-making and the establishment of identity. Photographic evidence and other materials found through electronic sources, for example, may be used in the process of verifying an applicant's identity.

²³⁸ Migration/asylum institutions can send inquiries to institutions in third countries, Lithuanian institutions, international organisations and other institutions and experts, with the exception of institutions of the asylum seeker's country of origin.

²³⁹ Contact Norwegian Foreign Service Missions and / or cooperating countries within the Schengen framework

²⁴⁰ Contact may be made with UK diplomatic missions to check visa details if not electronically stored and other enquiries on a case by case basis.

²⁴¹ If necessary for establishment of the identity of a foreign national, cooperation involves actual verification of identity. If the Embassy requires an interview, such interview may be held with the foreign national

²⁴² Two procedures are used to establish nationality in cooperation with the putative countries of origin:

(a) interview in the presence of representatives of the diplomatic or consular mission of the putative country of origin and (b) interview in the presence of delegations from the putative country of origin

²⁴³ Estonia has posted a liaison officer to India in connection with Eurlo

²⁴⁴ Cooperation with the diplomatic missions of presumed third-countries of origin in order to identify their nationals, in case that the rejected international protection applicant does not have any documents. The use of video conference in order to execute this identification is also used.

²⁴⁵ See chapter 8 of the Austrian national contribution.

²⁴⁶ The Police cooperates with Interpol, if necessary. The police may search a returnee's personal belongings when necessary.

²⁴⁷ When necessary, information is shared via immigration contact officers and contact points.

²⁴⁸ Cooperate with consulates, embassies, missions of third countries to check the information provided by the third-country national on his/her identity as well as to obtain more information about the third-country national; cooperate with the competent authorities of third countries to verify the information obtained

²⁴⁹ Presentation of the third-country national to the foreign representatives of the presumed country of origin of that third-country national, in order to be certain that a foreign national comes from that country. If this is established, the country concerned can issue a replacement travel document. It is possible to share photographs or fingerprints with the presumed country of origin of the third-country national, in order to find out in this way whether the third-country national comes from that country.

²⁵⁰ The National Police Immigration Service has different types of contact with third countries and carries out both diplomatic missions to relevant third countries and also receives visits from third countries to Norway

²⁵¹ On the grounds of a completed form or conducted interview with the foreigner which is made by the consular representatives, the authority of the country of origin checks the data in its national records. If the identity is confirmed, the authority of the country of origin issued the required travel document for return. This method is optional and depends on the cooperation of the foreigner. The practice differs from country to country, however, countries normally refuse cooperation in such procedures unless an express consent of the foreigner for cooperation in the procedure is given.

²⁵² Returns Logistics in the Home Office make use of interview missions from a number of countries on a bi-lateral basis or organised through EURINT.

Table A3.3: Methods used for establishing identity in the asylum/return procedure (II)

| Method | Applicants for international protection | | Return of rejected applicants for international protection | |
|---|--|--|--|--|
| | National database | European database | National database | European database |
| Fingerprints for comparison with National and European databases | Yes, obligatory CY, CZ, EE, FI, FR, EL, HR, IE, IT, LT, LV, NL, NO, SK, UK | Yes, obligatory AT, CZ, EE, EL, FI, FR, HR, HU, IE, IT, LT, LU, LV, NL, NO, PT, SK, SI, UK | Yes, obligatory CZ, EE, EL, IT, LT, SK, UK | Yes, obligatory EE, EL, FR, IT, LT, SK |
| | Yes, part of standard practice BE, DE, SE | Yes, part of standard practice BE, DE, SE | Yes, part of standard practice BE, FR, LV | Yes, part of standard practice BE, CZ, PT |
| | Yes, optional AT | Yes, optional | Yes, optional AT, DE, LU, NL | Yes, optional AT, DE, FI, LU, LV, NL |
| | No HU, LU, MT, PT, SI | No MT | No CY, HU, IE, MT, NO, PT, SE, SI | No HU, IE, MT, NO, SE, SI, ²⁵³ UK |
| Photograph for comparison with National and European databases | Yes, obligatory CZ, EL, FI, FR, HR, IT, NL, UK | Yes, obligatory EL, FI, HR, IT, LU, NL, SI, UK | Yes, obligatory UK | Yes, obligatory EL |
| | Yes, part of standard practice BE, DE ²⁵⁴ | Yes, part of standard practice DE ²⁵⁵ | Yes, part of standard practice BE, EL, HR, SK | Yes, part of standard practice SK |
| | Yes, optional LV, SE, SK | Yes, optional | Yes, optional DE, LU, LV, SE, | Yes, optional DE, LU, LV, SE |
| | No AT, CY, EE, ²⁵⁶ HU, IE, LU, LT, MT, NO, PT, SI | No AT, BE, CZ, EE, HU, IE, LT, LV, MT, NO, PT, SE, SK | No AT, CZ, EE, HU, IE, LT, MT, NL, NO, PT, SI | No AT, CZ, EE, HR, HU, IE, LT, MT, NL, NO, PT, SI, ²⁵⁷ UK |
| Iris scans for comparison with National databases | Yes, obligatory | NA | Yes, obligatory | NA |
| | Yes, part of standard practice | | Yes, part of standard practice | |
| | Yes, optional | | Yes, optional | |

²⁵³ Because the fingerprints are already taken in the international protection procedure a new procedure is not necessary.

²⁵⁴ Photographs are taken and stored but are currently not compared with databases.

²⁵⁵ Photographs are taken and stored but are currently not compared with databases.

²⁵⁶ Although the applicant's photo is taken, there is no database to compare the photo

²⁵⁷ Because the photograph is already taken in the international protection procedure, a new procedure is not necessary.

| Method | Applicants for international protection | | Return of rejected applicants for international protection | |
|---|--|---|---|--|
| | National database | European database | National database | European database |
| | No AT, BE, CY, CZ, DE, EL, FI, HU IE, IT, LT, LU, LV, MT, NL, NO, PT, SE, SI, SK, UK | | No AT, BE, CZ, DE, EL, FI, FR, HR, HU, IE, IT, LT, LU, MT, NL, NO, PT, SE, SI, SK, UK | |
| DNA analysis (If Yes to National databases), briefly describe what for and under what conditions). | Yes, obligatory IE, ²⁵⁸ LT, ²⁵⁹ NO ²⁶⁰ | NA | Yes, obligatory | NA |
| | Yes, part of standard practice | | Yes, part of standard practice | |
| | Yes, optional AT, EE, ²⁶¹ EL, FI, HR, LV, NL, UK | | Yes, optional AT, BE, EE, LV | |
| | No BE, CY, CZ, DE, FR, HU, IT, LU, MT, PT, SE, SI, SK | | No CZ, DE, EL, FI, FR, HR, HU, IE,IT, LT, LU, MT, NL, PT, SE, SI, SK, UK | |
| Other (please describe e.g. type of co-operation with or contacts in third countries, such as diplomatic missions) | Yes, obligatory LU ²⁶² | Yes, obligatory LU ²⁶³ | Yes, obligatory | Yes, optional LU, ²⁶⁴ NO ²⁶⁵ |
| | Yes, part of standard practice EE ²⁶⁶ | | Yes, part of standard practice CZ, ²⁶⁷ EE ²⁶⁸ | |

²⁵⁸ For establishing family connections with reference to the Dublin Regulation or in the case of family reunification

²⁵⁹ Obligatory when there is legitimate doubt regarding the person's age

²⁶⁰ Only to control claimed family ties.

²⁶¹ The legislation gives the opportunity to conduct DNA analysis, however it is not part of a standard procedure and it had not occurred in practice.

²⁶² Article 6 (3) paragraph 2 of the Law of 18 December 2015 on international protection and temporary protection

²⁶³ Article 6 (3) paragraph 2 of the Law of 18 December 2015 on international protection and temporary protection

²⁶⁴ Article 120 (4) of the amended Law of 29 August 2008

²⁶⁵ The National Police Immigration Service has different types of contact with third countries and carries out both diplomatic missions to relevant third countries and also receives visits from third countries to Norway

²⁶⁶ There is close cooperation with LT; LV; FI and SE. In case of suspicion if an applicant uses false identity, other member states can be consulted

²⁶⁷ Cooperation with third countries, with Embassies of the CR, with FRONTEX, with INTERPOL NCB and SIRENE NB

²⁶⁸ By using SIRENE it is possible to make queries to other member states where the alien has a living permit.

| Method | Applicants for international protection | | Return of rejected applicants for international protection | |
|--------|--|-------------------|---|-------------------|
| | National database | European database | National database | European database |
| | Yes, optional AT, FR, ²⁶⁹ IE, ²⁷⁰ LT, ²⁷¹ SE ²⁷² | | Yes, optional AT, FI, ²⁷³ FR, ²⁷⁴ LT, ²⁷⁵ LU, ²⁷⁶ SE ²⁷⁷ | |
| | No CY, CZ, DE, EL, NL, NO, PT, SI | | No DE, EE, EL, NL, SI | |

Table A3.4: Methods national authorities **plan to use** for establishing identity in the asylum/ return procedure (I)

| Method | Applicants for international protection | Return of rejected applicants for international protection |
|--|--|--|
| Language analysis to determine probable country and/or region of origin | Yes, obligatory EE | Yes, obligatory EL |
| | Yes, part of standard practice DE, ²⁷⁸ HU | Yes, part of standard practice HU |
| | Yes, optional HR, LV ²⁷⁹ | Yes, optional |
| | No CY, CZ, IE, MT, PT, SI, SK | No CZ, IE, FR, MT, PT, SI, SK |
| Age assessment to determine probable age | Yes, obligatory CY, PT | Yes, obligatory EL |
| | Yes, part of standard practice SK | Yes, part of standard practice |

²⁶⁹ OFPRA only ever contacts the authorities in cases of statelessness, to verify that the person is not recognised by the country in question.

²⁷⁰ Co-operation through the Dublin net system e.g. in the absence of a fingerprint match on EURODAC, a visa query would be raised with other EU states.

²⁷¹ Migration/asylum institutions can send inquiries to institutions in third countries, Lithuanian institutions, international organisations and other institutions and experts, with the exception of institutions of the asylum seeker's country of origin

²⁷² The Migration Agency can as, for example, Swedish missions abroad for assistance

²⁷³ The police cooperates with the diplomatic missions of third countries and local authorities as necessary.

²⁷⁴ Identification missions undertaken by national experts may be arranged in order to conduct hearings with persons facing removal orders.

²⁷⁵ When necessary, information is shared via immigration contact officers and contact points.

²⁷⁶ Article 120 (4) of the amended Law of 29 August 2008.

²⁷⁷ The Police can ask, for example, Swedish missions abroad for assistance. At some missions specialised return liaison officers are deployed

²⁷⁸ The Federal Office for Migration and Refugees has started a project on language analysis.

²⁷⁹ Yes (if necessary) according to the law

| Method | Applicants for international protection | Return of rejected applicants for international protection |
|---|--|---|
| | Yes, optional EE, HR, HU, LV ²⁸⁰ | Yes, optional HU |
| | No IE, MT, SI ²⁸¹ | No IE, MT, PT, SE, SI, ²⁸² SK |
| Interviews to determine probable country and or region of origin (or other elements of identity, such as faith and ethnicity) ²⁸³ | Yes, obligatory EE, HR, PT | Yes, obligatory PT |
| | Yes, part of standard practice CY DE ²⁸⁴ HU LV SK | Yes, part of standard practice HU |
| | Yes, optional | Yes, optional |
| | No IE, MT, SI | No EL, IE, MT, SI, SK |
| Identity related paper and e-transactions with the authorities (e.g. tax, social benefits) | Yes, obligatory | Yes, obligatory |
| | Yes, part of standard practice | Yes, part of standard practice |
| | Yes, optional HU, LT, NO, SK | Yes, optional |
| | No CY, EE, IE, LU, LV, MT, NL, PT, SI | No EL, FR, IE, LT, LU, MT, NL, PT, SE, SI, SK |
| Identity related paper and e-transactions with the private sector (e.g. bank) | Yes, obligatory | Yes, obligatory |
| | Yes, part of standard practice | Yes, part of standard practice |
| | Yes, optional LT, SK | Yes, optional |
| | No CY, EE, IE, LU, LV, MT, NL, PT, SI | No EL, FR, IE, LT, LU, LV, MT, NL, PT, SE, SI, SK |
| Identity related e-transactions in connection with social media | Yes, obligatory | Yes, obligatory |
| | Yes, part of standard practice LT | Yes, part of standard practice HU |

²⁸⁰ Yes (if necessary) according to the law

²⁸¹ The method is already regulated in national legislation, but is currently not used in practice.

²⁸² The method is already regulated by national legislation but not used in practice. The police does not see the need to use the method in the future.

²⁸³ This would depend on the elements included in your national definition of "identity" used within the procedures covered by this Study. See Section 2.1.

²⁸⁴ The Federal Office for Migration and Refugees is currently working on a programme which will provide intelligent interview support to staff of the Federal Office for Migration and Refugees. It will offer them specific information on the region and country of origin during the interview and thus enable them to ask targeted questions concerning aspects of identity.

| Method | Applicants for international protection | Return of rejected applicants for international protection |
|---|--|--|
| | Yes, optional <i>FI, HR, SK</i> | Yes, optional |
| | No <i>CY, EE, IE, LU, LV, MT, NL, PT</i> | No <i>EL, FR, IE, LT, LU, LV, MT, NL, PT, SK</i> |
| Smartphones and other digital devices: confiscation (temporarily or permanently) by law enforcement/immigration authorities of such devices and access their content in their efforts to establish or verify an identity | Yes, obligatory <i>DE, HR, LT, LV</i> | Yes, obligatory |
| | Yes, part of standard practice | Yes, part of standard practice |
| | Yes, optional | Yes, optional <i>EL, LT</i> |
| | No <i>CY, CZ, EE, IE, LU, MT, PT, SI, SK²⁸⁵</i> | No <i>CZ, FR, IE, LU, MT, PT, SI, SK</i> |

 Table A3.5: Methods national authorities **plan to use** for establishing identity in the asylum/ return procedure (II)

| | Applicants for international protection | | Return of rejected applicants for international protection | |
|---|--|---|--|--|
| | National database | European database | National database | European database |
| Fingerprints for comparison with National and European databases | Yes, obligatory <i>CY, SK</i> | Yes, obligatory <i>LT, PT, SK</i> | Yes, obligatory <i>LT</i> | Yes, obligatory <i>CY, LT, LV, PT</i> |
| | Yes, part of standard practice | Yes, part of standard practice <i>SI</i> | Yes, part of standard practice <i>SI, SK</i> | Yes, part of standard practice <i>SK</i> |
| | Yes, optional <i>CY, CZ, LV</i> | Yes, optional | Yes, optional <i>FR²⁸⁶</i> | Yes, optional |
| | No <i>IE, MT, PT, SI</i> | No <i>EE, IE, MT</i> | No <i>CY, IE, MT, PT</i> | No <i>IE, MT, SI</i> |
| Photograph for comparison with National and European databases | Yes, obligatory <i>CY</i> | Yes, obligatory <i>EE, LT²⁸⁷</i> | Yes, obligatory | Yes, obligatory |
| | Yes, part of standard practice <i>DE²⁸⁸</i> | Yes, part of standard practice <i>SI</i> | Yes, part of standard practice <i>HU, SK</i> | Yes, part of standard practice <i>HU, SK</i> |

²⁸⁵ It is planned to start checking technical and recording devices, however, it needs to be incorporated in the legislation before it can be done in practice

²⁸⁶ Fingerprints to compare with databases in third countries through consulates, when the conditions for protecting data are fulfilled.

²⁸⁷ The functionality of EURODAC is likely to be expanded in the future by adding face visuals and other biometric data to the collected data

| | Applicants for international protection | | Return of rejected applicants for international protection | |
|--|---|--------------------------------|---|---|
| | National database | European database | National database | European database |
| | Yes, optional LT, ²⁸⁹ LV, SK | Yes, optional NO, SK | Yes, optional LV | Yes, optional LV |
| | No EE, IE, MT, PT, SI | No IE, MT, PT | No CZ, IE, LT, MT, NL, PT, SI | No CZ, IE, LT, MT, NL, PT, SI |
| Iris scans for comparison with National databases | Yes, obligatory | NA SI | Yes, obligatory | NA SI |
| | Yes, part of standard practice | | Yes, part of standard practice EE | |
| | Yes, optional | | Yes, optional SK | |
| | No CY, CZ, DE, EE, FR, HU, IE, LT, LU, LV, MT, NL, PT, SK, SI | | No CY, CZ, DE, FR, HU, LT, LU, LV, MT, NL, PT, IE, SI | |
| DNA analysis | Yes, obligatory LT | NA SI | Yes, obligatory | NA SI |
| | Yes, part of standard practice | | Yes, part of standard practice | |
| | Yes, optional SK | | Yes, optional | |
| | No CY, CZ, DE, FR, HU, IE, LU, MT, NL, PT, SI | | No CY, CZ, DE, FR, HU, IE, LU, MT, NL, PT, SI, SK | |

²⁸⁸ The Federal Office for Migration and Refugees is currently testing a biometric crosscheck of newly taken photographs with photographs already stored in the asylum database MARiS in order to prevent double registrations (image-based biometrics)

²⁸⁹ It is planned to use it in the future (to keep and check photographs in the Register of Aliens) if additional technical capabilities are developed.

Table A.3.6 Methods used for establishing identity in legal migration procedures

| Short stay visas | | |
|---|---|---|
| Method | National database | European database |
| Fingerprints for comparison with National and European databases | Yes, obligatory <i>DE,²⁹⁰ EL, FI,²⁹¹ IE,²⁹² LU, NL, UK</i> | Yes, obligatory <i>AT, BE, CZ, DE,²⁹³ EE, EL, FI, FR, HU, IE, LU, NL, SI</i> |
| | Yes, part of standard practice <i>NO, SK</i> | Yes, part of standard practice <i>, NO, SE,²⁹⁴ SK</i> |
| | Yes, optional <i>AT, LT</i> | Yes, optional <i>LT</i> |
| | No <i>BE, CY, CZ, EE, FR, HR, HU, LV, MT, PT, SE</i> | No <i>CY, LV, MT, PT, UK</i> |
| Photograph for comparison with National and European databases | Yes, obligatory <i>CY, FI,²⁹⁵ EL, LU, NL, SI, UK</i> | Yes, obligatory <i>CY, EL, FI, FR, IE,²⁹⁶ LU, NL, SI</i> |
| | Yes, part of standard practice <i>DE,²⁹⁷ NO</i> | Yes, part of standard practice <i>DE, NO</i> |
| | Yes, optional <i>BE,²⁹⁸ CZ,²⁹⁹LV³⁰⁰</i> | Yes, optional <i>CZ</i> |
| | No <i>AT, EE, FR, HR, HU, IE³⁰¹, LT³⁰², MT, PT, SE, SK</i> | No <i>AT, EE, HU, LT, LV, MT, PT, SE, SK, UK</i> |

²⁹⁰ Fingerprinting for the purpose of crosschecks with national databases is an integral part of the visa procedure. The fingerprints are compared with the databases of the Central Register of Foreigners, the visa database, the visa alert database and the protected border-crossing records.

²⁹¹ Fingerprints are not saved in the national visa register (SUVI). Fingerprints are not compared to national or international registers automatically.

²⁹² obligatory for biometric enrolment enabled countries

²⁹³ Fingerprinting for the purpose of cross-checks with European databases is an integral part of the visa procedure. The fingerprints are compared with the VIS and SIS II databases.

²⁹⁴ VIS only

²⁹⁵ The photograph is saved, but it is not compared to national or international registers automatically

²⁹⁶ for comparison with UK database only

²⁹⁷ Taking a photograph/accepting a photograph provided by the applicant is an integral part of the visa procedure.

²⁹⁸ in case the visa application is transferred to the Immigration Office for consultation by the diplomatic post and if the person is already in the database of the IO a comparison can take place

²⁹⁹ Where doubt exists, a search may be performed in the visa archiving system (component to the National Visa Database) for previous applications by the same applicant and photographs compared.

³⁰⁰The photograph can be used for comparison with visas that have been issued previously

³⁰¹ A photograph is taken, but it is only for use on the GNIB registration card.

³⁰² Photographs are kept in a database but no comparison is performed, such feature is unavailable

| | | |
|---|---|--|
| Others (e.g. use of document verification experts, etc....) | BE, ³⁰³ PT ³⁰⁴ | |
| Residence permit for study reasons | | |
| Method | National database | European database |
| Fingerprints for comparison with National and European databases | Yes, obligatory BE, ³⁰⁵ EL, ³⁰⁶ FI, ³⁰⁷ FR, IE, IT, LU, NL, UK | Yes, obligatory IE, LU, NL |
| | Yes, part of standard practice DE, ³⁰⁸ LV, ³⁰⁹ PT, SK | Yes, part of standard practice |
| | Yes, optional AT, BE ³¹⁰ | Yes, optional |
| | No CY, CZ, ³¹¹ EE, HR, HU, LT, ³¹² MT, NO, SE | No AT, BE, CY, CZ, DE, ³¹³ EE, FI, FR, EL, HR, HU, LT, LV, MT, NO, PT, SE, SK, UK |
| Photograph for comparison with National and European databases | Yes, obligatory CY, FI ³¹⁴ , FR, IT, LU, NL, UK | Yes, obligatory LU, NL |
| | Yes, part of standard practice DE, ³¹⁵ LV, ³¹⁶ PT, SK | Yes, part of standard practice SK |
| | Yes, optional BE, ³¹⁷ CZ ³¹⁸ | Yes, optional |
| | No | No |

³⁰³ A number of consulates have locally recruited document verification officers (DVO), who reinforce the visa section.

³⁰⁴ All the collected personal information (such as photos) will be available at the VIS – Visa Information System. All the information collected there migrate daily to the National Visa System and will be available to check at the National Schengen Information

³⁰⁵ In the framework of issuing the residence card (fingerprints are stored on the card but not on a central database).

³⁰⁶ But case by case by the Hellenic Police. Biometric data is collected for new permits, in general. Since February 20, 2017, fingerprints are required, which are kept in the database of the Ministry for Migration Policy (not in a central national database)

³⁰⁷ UMA, Not compared to national or international registers automatically

³⁰⁸ Fingerprints are taken at the time of the application.

³⁰⁹ Fingerprints are compared automatically when issuing new residence permit document (eID).

³¹⁰ In the framework of the visa-application

³¹¹ Fingerprints are taken, but not sent to any database for comparison

³¹² Fingerprints are taken when a person applies for a visa and are not additionally taken in cases of permits.

³¹³ Fingerprints are taken at the time of the application for a residence title, but they are not crosschecked against European databases.

³¹⁴ UMA. Not compared to national or international registers automatically.

³¹⁵ A photograph is taken and stored in the Central Register of Foreigners at the time of the application.

³¹⁶ The photograph can be used for comparison with residence permits that have been issued previously.

³¹⁷ Optional in the framework of visa applications. A residence card contains a photograph, but no automated comparison takes place when issuing or renewing the card.

³¹⁸ Where doubt exists, a search may be performed in the visa archiving system for previous applications by the same applicant and photographs compared.

| | | |
|---|---|--|
| | AT, EE, EL, HR, HU, IE, ³¹⁹ LT, ³²⁰ MT, NO, SE, SI | AT, BE, CY, CZ, DE, ³²¹ EE, EL, FI, FR, HR, HU, IE, LT, LV, MT, NO, PT, SE, SI, UK |
| Others (e.g. electronic signatures, etc.) | FI ³²² | |
| Residence permits for the purposes of remunerated activities | | |
| Method | National database | European database |
| Fingerprints for comparison with National and European databases | Yes, obligatory EL, ³²³ FI, ³²⁴ FR, IE, IT, LU, NL, UK | Yes, obligatory IE, LU, NL |
| | Yes, part of standard practice , DE, ³²⁵ LV, ³²⁶ PT, SK | Yes, part of standard practice |
| | Yes, optional AT, BE ³²⁷ | Yes, optional |
| | No CZ ³²⁸ , EE, HR, HU, LT, ³²⁹ MT, NO, SE, SI | No AT, BE, CZ, DE, ³³⁰ EE, EL, FI, FR, HR, HU, LT, LV, MT, NO, PT, SE, SI, SK, UK |
| Photograph for comparison with National and European databases | Yes, obligatory EL, FI, FR, IT, LU, NL, UK | Yes, obligatory LU, NL |
| | Yes, part of standard practice DE, ³³¹ LV, ³³² PT, SK | Yes, part of standard practice SK |
| | Yes, optional BE, ³³³ CZ ³³⁴ | Yes, optional |
| | No | No |

³¹⁹ A photograph is taken, but it is only for use on the GNIB registration card

³²⁰ Photographs are kept in a database but no comparison is performed, such feature is unavailable.

³²¹ A photograph is taken at the time of the application for a residence title, but it is not crosschecked against European databases.

³²² Electronic signature (UMA)

³²³ Since February 20, 2017, fingerprints are required, which are kept in the database of the Ministry for Migration Policy (not in a central national database)

³²⁴ UMA

³²⁵ Fingerprints are taken at the time of the application.

³²⁶ Fingerprints are compared automatically when issuing new residence permit document (eID).

³²⁷ Currently not in the framework of visa applications. Obligatory in the framework of issuing the residence card (fingerprints are stored on the card but not on a central database).

³²⁸ Fingerprints are taken, but not sent to any database for comparison.

³²⁹ Fingerprints are taken when a person applies for a visa and are not additionally taken in cases of permits.

³³⁰ Fingerprints are taken at the time of the application for a residence title, but they are not crosschecked against European databases.

³³¹ A photograph is taken and stored in the Central Register of Foreigners at the time of the application.

³³² The photograph can be used for comparison with residence permits that have been issued previously.

³³³ Optional in the framework of visa applications. A residence card contains a photograph, but no automated comparison takes place when issuing or renewing the card.

³³⁴ Where doubt exists, a search may be performed in the visa archiving system for previous applications by the same applicant and photographs compared.

| | AT, EE, HR, HU, IE, ³³⁵ LT, ³³⁶ MT, NO, SE, SI | AT, BE, CZ, DE, EE, EL, FI, FR, HR, HU, IE, LT, LV, MT, NO, PT, SE, SI, UK |
|---|--|---|
| Residence permit for family reasons | | |
| Method | National database | European database |
| Fingerprints for comparison with National and European databases | Yes, obligatory BE, ³³⁷ EL, FI, FR, IE, IT, LU, LV, NL, PT, UK | Yes, obligatory IE, LU, NL |
| | Yes, part of standard practice DE, EE, SK | Yes, part of standard practice |
| | Yes, optional AT, NO | Yes, optional |
| | No CY, CZ, ³³⁸ HR, LT, MT, SE, SI | No AT, BE, CZ, DE, FI, FR, LT, LV, MT, NO, PT, SE, SI, SK, UK |
| Photograph for comparison with National and European databases | Yes, obligatory CY, DE, EL, FI, FR, IT, LU, NL, UK | Yes, obligatory LU, NL |
| | Yes, part of standard practice DE, ³³⁹ EE, SK | Yes, part of standard practice SK |
| | Yes, optional BE, CZ, LV, NO | Yes, optional |
| | No AT, HR, IE, LT, MT, SE, SI | No AT, BE, CZ, DE, FI, FR, IE, LT, LV, MT, NO, PT, SE, SI, UK |
| DNA analysis | Yes, obligatory | Yes, obligatory |
| | Yes, part of standard practice NO ³⁴⁰ | Yes, part of standard practice |
| | Yes, optional BE, DE, ³⁴¹ EE, EL, FI, IE, IT, LT, ³⁴² NL, SE, UK | Yes, optional DE, ³⁴³ NL |
| | No AT, CY, CZ, HR, FR, LU, LV, MT, SI, SK | No AT, BE, CZ, FI, FR, IE, LT, LU, LV, MT, NO, PT, SE, SI, SK, UK |

³³⁵ A photograph is taken, but it is only for use on the GNIB registration card.

³³⁶ Photographs are kept in a database but no comparison is performed, such feature is unavailable.

³³⁷ Currently not in the framework of a visa application (but planned) and obligatory in the framework of issuing a residence card

³³⁸ Fingerprints are taken, but not sent to any database for comparison

³³⁹ A photograph is taken and stored in the Central Register of Foreigners at the time of the application.

³⁴⁰ To verify claimed family relationship.

³⁴¹ DNA analyses may be used to establish the family relationship in the case of family reunification. However, they are not crosschecked against databases.

³⁴² However, the results of such analysis are not registered or compared in any databases

³⁴³ DNA analyses may be used to establish the family relationship in the case of family reunification. However, they are not crosschecked against databases.

| | | |
|--------------------------------|-------------------|--|
| Others (please specify) | FI ³⁴⁴ | |
|--------------------------------|-------------------|--|

Table A.3.7: Methods national authorities **plan to use** for establishing identity in legal migration procedures

| Short stay visas | | |
|---|---|---|
| Method | National database | European database |
| Fingerprints for comparison with National and European databases | Yes, obligatory CY, EE, NO | Yes, obligatory CY, CZ, IE |
| | Yes, part of standard practice SK, NO | Yes, part of standard practice SI, SK |
| | Yes, optional IE ³⁴⁵ | Yes, optional |
| | No CZ, LT, LV, SI | No EE, LT, LV |
| Photograph for comparison with National and European databases | Yes, obligatory CY | Yes, obligatory CY IE |
| | Yes, part of standard practice HU, IE, NO, SI | Yes, part of standard practice SI |
| | Yes, optional | Yes, optional |
| | No CZ, EE, HU, LV, SK | No CZ, EE, HU, LV, SK |
| Others (please specify) | | |
| Residence permit for study reasons | | |
| Method | National database | European database |
| Fingerprints for comparison with National and European databases | Yes, obligatory IE, NO | Yes, obligatory IE |
| | Yes, part of standard practice IE | Yes, part of standard practice |
| | Yes, optional | Yes, optional |
| | No CY, CZ, EE, HR, HU, LV, MT, SI, SK | No CY, CZ, EE, HU, LV, MT, NO, SI, SK |

³⁴⁴ Electronic signature

³⁴⁵ Adaptation of the NS VIS system which, after adaptation, will be capable of automatic fingerprint check against CS VIS

| | | |
|---|---|---|
| Photograph for comparison with National and European databases | Yes, obligatory CY, IE, NO | Yes, obligatory IE |
| | Yes, part of standard practice | Yes, part of standard practice |
| | Yes, optional | Yes, optional |
| | No CZ, EE, HR, LV, MT, SI, SK | No CZ, CY, EE, LV, MT, NO, SI, SK |
| Others (please specify) | | |
| Residence permits for the purposes of remunerated activities | | |
| Method | National database | European database |
| Fingerprints for comparison with National and European databases | Yes, obligatory IE, NO | Yes, obligatory IE |
| | Yes, part of standard practice | Yes, part of standard practice |
| | Yes, optional | Yes, optional |
| | No CY, CZ, EE, HR, HU, LV, MT, SI, SK | No CY, CZ, EE, HU, LV, MT, NO, SI, SK |
| Photograph for comparison with National and European databases | Yes, obligatory CY, IE, NO | Yes, obligatory IE |
| | Yes, part of standard practice | Yes, part of standard practice |
| | Yes, optional | Yes, optional |
| | No CZ, EE, HR, LV, MT, SI, SK | No CY, CZ, EE, LV, MT, NO, SI, SK |
| Residence permit for family reasons | | |
| Method | National database | European database |
| Fingerprints for comparison with National and European databases | Yes, obligatory IE, NO | Yes, obligatory IE |
| | Yes, part of standard practice | Yes, part of standard practice |
| | Yes, optional BE ³⁴⁶ | Yes, optional |
| | No CY, CZ, EE, HR, HU, LV, MT, SI, SK | No CY, CZ, EE, HU, LV, MT, NO, SI, SK |
| Photograph for comparison with National and European databases | Yes, obligatory CY, IE, NO | Yes, obligatory IE |

³⁴⁶ The decision has been taken to collect fingerprints in the framework of applications for a long term visa in a more systematic manner, including in the framework of family reunification. The legal framework has been adapted to make this possible and the practical implementation is foreseen in the near future.

| | | |
|---------------------|---|---|
| | Yes, part of standard practice | Yes, part of standard practice |
| | Yes, optional | Yes, optional |
| | No CZ, HR, EE, LV, MT, SI, SK | No CY, CZ, EE, LV, MT, NO, SI, SK |
| DNA analysis | Yes, obligatory | Yes, obligatory |
| | Yes, part of standard practice | Yes, part of standard practice |
| | Yes, optional | Yes, optional |
| | No CY, EE, FR, HR, HU, IE, LU, LV, MT, SI, SK | No CY, EE, FR, HU, IE, LU, LV, MT, NO, SI, SK |

Table A3.8: The type of databases used in the various migration procedures

| Migration procedure | VIS | SIS | EURODAC | National databases and watch lists |
|---|---|--|--|--|
| International protection | AT, BE, CZ, DE, EE, FI, FR, LT, LU, LV (where applicable), MT, NL, NO, PL, PT, SE, SI, SK | AT, BE, CZ, FI, FR, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI | AT, BE, CY, CZ, DE, EE, EL, FI, FR, HR, HU, IE, LT, LU, LV (for persons over 14 years old), MT, NL, NO, PL, PT, SE, SI, SK, UK | AT, BE, CZ, DE, EE, FI, FR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK, UK |
| Return | BE, HR, DE, EE, FI, FR, HU, LT, LU, MT (as required), LV, PL, PT, SI, SK | AT, BE, CY, CZ, HR, EE, FI, FR, HU, LT, LU, MT (as required), LV, PL, PT, SE, SI, SK | BE, CZ, HR, CY, EE, FI, FR, HU, IE, ³⁴⁷ LT, LU, MT (as required), LV, PL, PT, SK | BE, CY, CZ, DE, HR, EE, FI, FR, IE, LT, LU, LV, MT (as required), NL, PL, PT, SE, SI, SK, UK |
| Short stay visas | AT, BE, CY, CZ, DE, EE, EL, FI, FR, HU, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK | AT, BE, CZ, DE, EE, EL, FI, FR, HU, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK | MT, NO | BE, CZ, DE, EE, EL, FI, FR, HU, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK, UK |
| Long stay visas and residence permit for study reasons | AT, BE, CZ, DE, EE, FI, FR, LT, LU, LV, MT, NL, PL (only for permits), PT, SI, SK | AT, BE, CZ, DE, EE, FI, EL, FR, HU, LT, LU, MT, LV, NL, NO, PL, PT, SE, SI, SK | DE (depends on case), MT | BE, CY, CZ, DE, EE, EL, FI, FR, HU, IE, LT, LU, MT, LV, NL, NO, PL, PT, SE, SI, SK, UK |
| Long stay visas and residence permits for family reasons | AT, BE, CZ, DE, EE, FI, FR, LT, LU, LV, MT, NL, PL, PT, SI, SK | AT, BE, CZ, DE, EE, EL, FI, FR, HU, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK | DE (depends on case) , MT | BE, CY, CZ, DE, EE, EL, FI, FR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK, UK |

³⁴⁷ In context of initial asylum procedure

| Migration procedure | VIS | SIS | EURODAC | National databases and watch lists |
|---|--|--|--------------------------|--|
| Long stay visas and residence permits for the purposes of remunerated activities | AT, BE, CZ, DE, EE, FI, FR, LT, LU, LV, MT, NL, PL, PT, SI, SK | AT, BE, CZ, DE, EE, EL, FI, FR, HU, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK | DE (depends on case), MT | BE, CY, CZ, DE, EE, EL, FI, FR, HU, IE, LT, LU, LV, MT, NL, NO, PL, PT, SE, SI, SK, UK |

Annex 4 Statistical information on international protection and return procedures (2012-2016)

The following tables present indicators where data was provided by two or more (Member) States, namely there is data from: DE, EE, EL, FI, IE, LT, LV, NE, NO, PL, SE, SK and UK.

Table A4.1: Number of applicants for international protection whom identity was not documented at the time when the application for international protection was lodged

| Member State | Indicator | 2012 | 2013 | 2014 | 2015 | 2016 |
|------------------------------|---|-------|-------|-------|--------|-------|
| Finland³⁴⁸ | Number of applicants for international protection whom identity was not documented at the time when the application for international protection was lodged | 2,278 | 2,295 | 2,504 | 26,286 | 2,691 |
| | Total number of asylum and first time asylum applicants | 3,095 | 3,210 | 3,620 | 32,345 | 5,605 |
| | Percentage of applicants for whom identity was not documented at time of application | 74% | 71% | 69% | 81% | 48% |
| Lithuania | Number of applicants for international protection whom identity was not documented at the time when the application for international protection was lodged | 218 | 123 | 179 | 115 | 273 |
| | Total number of asylum and first time asylum applicants | 645 | 400 | 440 | 315 | 430 |
| | Percentage of applicants for whom identity was not documented at time of application | 34% | 31% | 41% | 37% | 65% |

³⁴⁸ The statistical information is only approximate. Between the years 2012 - 2015 it was not mandatory to record in the UMA electronic case management system information on how the identity was documented.

| Member State | Indicator | 2012 | 2013 | 2014 | 2015 | 2016 |
|---------------|--|--------|--------|--------|---------|--------|
| Latvia | Number of applicants for international protection whom identity was not documented at the time when the application for international protection was lodged | 46 | 29 | 46 | 104 | 116 |
| | Total number of asylum and first time asylum applicants | 205 | 195 | 375 | 330 | 350 |
| | Percentage of applicants for whom identity was not documented at time of application | 22% | 15% | 12% | 32% | 33% |
| Norway | Number of applicants for international protection whom identity was not documented at the time when the application for international protection was lodged | 8,931 | 10,834 | 9,931 | 26,504 | 2,614 |
| | Total number of asylum and first time asylum applicants | 9,675 | 11,930 | 11,415 | 31,445 | 3,485 |
| | Percentage of applicants for whom identity was not documented at time of application | 92% | 91% | 87% | 84% | 75% |
| Sweden | Number of applicants for international protection whom identity was not documented at the time when the application for international protection was lodged ³⁴⁹ | 39,593 | 49,319 | 66,453 | 132,018 | 23,901 |
| | Total number of asylum and first time asylum applicants | 43,855 | 54,270 | 81,180 | 162,450 | 28,790 |

³⁴⁹ Refers to applicants not in the possession of a passport.

| Member State | Indicator | 2012 | 2013 | 2014 | 2015 | 2016 |
|--------------------------------|---|------|------|------|------|------|
| | Percentage of applicants for whom identity was not documented at time of application | 90% | 91% | 82% | 81% | 83% |
| Slovak Republic ³⁵⁰ | Number of applicants for international protection whom identity was not documented at the time when the application for international protection was lodged | | | | 330 | |
| | Total number of asylum and first time asylum applicants | 730 | 440 | 330 | 330 | 145 |
| | Percentage of applicants for whom identity was not documented at time of application | -- | -- | -- | 100% | -- |

Source: Eurostat migr_asyappctza (data extracted 27/09/2017) and National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States.

Table A4.2: Number of applicants for international protection for whom identity was wholly or partially established during the asylum procedure thereby allowing the relevant authorities to reach a particular decision on the application for international protection (e.g. grant, refuse, defer)

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|-----------------------|-------|-------|-------|-------|--------|
| Estonia | 77 | 97 | 157 | 231 | 111 |
| Lithuania | 544 | 296 | 386 | 287 | 412 |
| Norway ³⁵¹ | 5,091 | 5,604 | 4,739 | 6,135 | 10,546 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States.

³⁵⁰ This concerns overall statistics of asylum seekers. It is not possible to provide detailed statistical data on the number of persons with established identity at the beginning of asylum procedure and at the point of issuing the decision. The only exception is, however, 2015 when applicants from Iraq were resettled into Slovakia.

³⁵¹ The NO numbers in tables A4.2 and A4.4 reflect that the Norwegian Directorate of Immigration (UDI) register the ID of an asylum seeker as being sufficiently established when the probability that it is correct to be higher than that it is incorrect.

Table A4.3: Total Number of Positive Decisions for applicants for international protection whose identity was not documented at the time of application

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|------------------|-------|-------|-------|-------|--------|
| Estonia | 4 | 3 | 11 | 16 | 18 |
| Lithuania | 23 | 14 | 7 | 7 | 179 |
| Latvia | 12 | 9 | 6 | 22 | 44 |
| Norway | 5,035 | 5,401 | 4,360 | 5,577 | 10,284 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States.

Table A4.4: Total Number of Positive Decisions for applicants for international protection whose identity was considered sufficiently established by the decision-making authorities

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|---------------------------------------|-------|-------|-------|-------|--------|
| Estonia | 23 | 10 | 23 | 100 | 81 |
| Finland | 655 | 571 | 608 | 3,985 | 947 |
| Lithuania | 54 | 61 | 80 | 83 | 195 |
| Norway ³⁵² | 5,183 | 5,648 | 4,806 | 6,146 | 12,037 |
| Slovak Republic ³⁵³ | 136 | 49 | 113 | 49 | 179 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States.

³⁵² The NO numbers in tables A4.2 and A4.4 reflect that the Norwegian Directorate of Immigration (UDI) register the ID of an asylum seeker as being sufficiently established when the probability that it is correct to be higher than that it is incorrect.

³⁵³ Identity of these persons was stable but not established at the time of issuing the decision. In the case of 149 internally displaced applicants from Iraq who were granted asylum, the identity was established at the very beginning of the proceedings as they had arrived with their travel documents in 2015.

Table A4.5: Total Number of Negative Decisions for applicants for international protection whose identity was not documented at the time of application

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|------------------|-------|-------|-------|-------|-------|
| Estonia | 23 | 25 | 15 | 46 | 23 |
| Lithuania | 32 | 38 | 56 | 54 | 31 |
| Latvia | 13 | 7 | 13 | 51 | 49 |
| Norway | 4,667 | 5,114 | 3,791 | 3,220 | 6,623 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States.

Table A4.6: Total Number of Negative Decisions for applicants for international protection whose identity was not considered to be sufficiently established by the decision-making authorities

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|--------------------------------------|-------|-------|-------|-------|------|
| Finland | 1,040 | 1,247 | 1,238 | 8,795 | 949 |
| Slovak Republic³⁵⁴ | 153 | 49 | 41 | 24 | 13 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by with two or more (Member) States.

Table A4.7: Total Number of (Forced) Returns undertaken of all rejected applicants for international protection

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|----------------------------------|--------|--------|--------|--------|--------|
| Germany³⁵⁵ | 7,651 | 10,198 | 10,884 | 20,888 | 25,375 |
| Greece | 11,557 | 16,313 | 20,293 | 17,097 | 12,998 |
| Finland | 226 | 150 | 148 | 410 | 1,244 |
| Ireland | 236 | 139 | 53 | 197 | 367 |
| Latvia | 21 | 11 | 20 | 93 | 14 |
| Netherlands³⁵⁶ | 245 | 155 | 105 | 160 | 205 |
| Norway | 2,511 | 2,875 | 3,868 | 3,334 | 3,359 |

³⁵⁴ Statistics on identity which was not established during proceedings of refused applicants is not collected.

³⁵⁵ Data shows all deportations carried out without differentiating for the reasons of the decision on terminating the stay.

³⁵⁶ Forced departure to the Country of Origin.

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|--------------------------------------|-------|-------|-------|-------|-------|
| Poland | 384 | 568 | 380 | 159 | 102 |
| Sweden | 2,774 | 3,227 | 2,617 | 2,491 | 2,498 |
| Slovak Republic³⁵⁷ | 11 | 4 | 11 | 15 | 9 |
| United Kingdom³⁵⁸ | 5,068 | 4,828 | 4,372 | 3,398 | 2,117 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States.

Table A4.8: Total Number of (Forced) Returns of rejected applicants for international protection whose identity was established at the time of return

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|----------------------------------|-------|--------|--------|--------|--------|
| Germany³⁵⁹ | 7,651 | 10,198 | 10,884 | 20,888 | 25,375 |
| Netherlands³⁶⁰ | 3,325 | 2,675 | 1,930 | 1,770 | 3,430 |
| Norway | 828 | 954 | 1,157 | 1,289 | 1,240 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States.

³⁵⁷ Low number of forced returns of rejected applicants for international protection is caused primarily by the overall low number of asylum applications in the SR and consequently in the misuse of asylum procedure by foreigners in order to avoid return for secondary migration to other MS (at the time of decision on rejecting asylum such foreigners are often no longer in the territory of the SR which prevents their return).

³⁵⁸ Data reports those who have been in the asylum procedure who have been forcibly returned. It does not specifically refer to rejected applicants, but it is safe to assume that most people in this category will have had their asylum application rejected.

³⁵⁹ In general, deportations can only be carried out, if travel documents are at hand. If the identity of the person concerned is not clarified, no travel documents can be issued and, thus, the person concerned cannot leave.

³⁶⁰ This concerns the number of notifications of travel documents or replacement travel documents per year.

Annex 5 Statistical information on other migration-related procedures (2012-2016)

Table A5.1: Total number of visas applied for in consulates in third countries

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|-----------------------|-----------|-----------|-----------|-----------|-----------|
| Austria | 304,805 | 313,579 | 266,356 | 259,167 | 268,388 |
| Belgium | 233,523 | 233,273 | 219,758 | 239,500 | 219,687 |
| Czech Republic | 603,486 | 649,470 | 519,819 | 421,355 | 489,920 |
| Denmark | 100,408 | 105,119 | 109,694 | 123,951 | 145,143 |
| Estonia | 175,368 | 201,056 | 170,731 | 130,197 | 122,872 |
| Finland | 1,392,051 | 1,569,961 | 1,205,034 | 784,286 | 550,046 |
| France | 2,324,370 | 2,551,196 | 2,894,996 | 3,356,165 | 3,265,865 |
| *Germany | 1,851,547 | 2,062,979 | 2,061,137 | 2,022,870 | 2,004,235 |
| Greece | 1,001,385 | 1,531,384 | 1,375,287 | 876,786 | 986,032 |
| Hungary | 322,647 | 356,869 | 309,894 | 290,798 | 295,226 |
| Iceland | 1,088 | 2,821 | 3,923 | 3,987 | 5,771 |
| Italy | 1,707,427 | 2,036,829 | 2,164,545 | 2,023,343 | 1,806,938 |
| Latvia | 182,496 | 205,230 | 207,185 | 164,000 | 165,814 |
| Lithuania | 416,851 | 471,838 | 463,709 | 423,189 | 421,143 |
| Luxembourg | 10,558 | 11,222 | 11,567 | 10,267 | 9,902 |
| Malta | 53,777 | 79,559 | 56,886 | 39,445 | 27,767 |
| Netherlands | 441,074 | 458,824 | 485,267 | 520,809 | 558,101 |
| Norway | 130,933 | 197,826 | 179,550 | 185,557 | 188,737 |
| Poland | 1,091,461 | 1,126,150 | 1,125,520 | 970,907 | 1,096,465 |
| Portugal | 148,721 | 159,421 | 183,216 | 192,220 | 204,596 |
| Slovakia | 75,730 | 131,194 | 104,988 | 76,491 | 62,472 |
| Slovenia | 42,127 | 38,885 | 26,492 | 26,895 | 25,876 |
| Spain | 1,838,516 | 2,080,175 | 1,923,016 | 1,629,753 | 1,583,848 |
| Sweden | 215,763 | 200,543 | 191,009 | 192,852 | 227,005 |

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|-------------------------------------|-----------|-----------|-----------|-----------|-----------|
| Switzerland | 464,596 | 475,171 | 466,329 | 481,886 | 460,653 |
| United Kingdom³⁶¹ | 2,560,594 | 2,829,327 | 2,747,958 | 2,840,027 | 2,893,053 |

Source: DG HOME statistics on short-stay visas issued by the Schengen States and National Reports 2012-2016 data

Note: All data is from DG HOME visa statistics apart from UK data which was taken from the National Reports 2012-2016

Table A5.2: Total number of visas not issued in consulates in third countries

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|-----------------------|---------|---------|---------|---------|---------|
| Austria | 10,334 | 9,651 | 7,204 | 8,564 | 8,173 |
| Belgium | 37,362 | 35,178 | 37,120 | 33,420 | 33,659 |
| Czech Republic | 17,851 | 17,976 | 11,509 | 13,263 | 19,062 |
| Denmark | 4,291 | 4,476 | 5,008 | 6,296 | 8,281 |
| Estonia | 3,379 | 3,704 | 1,777 | 2,234 | 1,745 |
| Finland | 18,203 | 15,777 | 12,262 | 9,571 | 7,984 |
| France | 217,062 | 245,540 | 277,355 | 333,657 | 363,454 |
| *Germany | 116,025 | 162,241 | 118,084 | 114,118 | 122,370 |
| Greece | 11,491 | 17,224 | 27,465 | 27,668 | 27,359 |
| Hungary | 7,157 | 7,797 | 7,359 | 8,194 | 10,325 |
| Iceland | 10 | 34 | 37 | 12 | 12 |
| Italy | 64,619 | 71,691 | 80,587 | 111,806 | 126,300 |
| Latvia | 1,515 | 1,763 | 1,396 | 1,787 | 2,262 |
| Lithuania | 3,830 | 4,262 | 4,253 | 5,757 | 4,472 |
| Luxembourg | 181 | 84 | 241 | 98 | 252 |
| Malta | 4,506 | 8,055 | 8,441 | 9,928 | 5,868 |
| Netherlands | 29,912 | 29,585 | 29,386 | 39,197 | 48,733 |
| Norway | 12,185 | 13,753 | 15,559 | 8,627 | 9,301 |
| Poland | 16,299 | 19,161 | 19,477 | 24,926 | 32,050 |

³⁶¹ Figures include all visas (work, study, family dependants joining/accompanying, other visitor and transit) for people from third countries (outside the EU).

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|-------------------------------------|---------|---------|---------|---------|---------|
| Portugal | 9,867 | 11,085 | 18,435 | 23,383 | 26,788 |
| Slovakia | 935 | 1,461 | 1,693 | 2,190 | 1,397 |
| Slovenia | 1,769 | 1,805 | 1,548 | 1,837 | 1,732 |
| Spain | 96,094 | 108,768 | 116,945 | 124,323 | 127,607 |
| Sweden | 19,639 | 17,608 | 19,764 | 19,277 | 22,176 |
| Switzerland | 17,290 | 16,815 | 28,105 | 29,517 | 32,187 |
| United Kingdom³⁶² | 325,511 | 331,591 | 308,399 | 372,139 | 402,015 |

Source: DG HOME statistics on short-stay visas issued by the Schengen States and National Reports 2012-2016 data

Note: All data is from DG HOME visa statistics apart from UK data which was taken from the National Reports 2012-2016

Table A5.3: Total Number of visas refused in consulates in third countries due to the applicant having presented a travel document which was false, counterfeit or forged

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|------------------------|------|------|------|------|------|
| Estonia | 27 | 7 | 4 | 25 | 1 |
| Sweden | 100 | 183 | 51 | 45 | 34 |
| Slovak Republic | 43 | 136 | 39 | 65 | 23 |
| Slovenia | 4 | 3 | 0 | 4 | 0 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States

³⁶² idem

Annex 6: Statistical information on methods used to establish identity (2012-2016)

Table A6.1: Total Number of Cases in which language analysis was performed to establish the identity of the third-country national

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|----------------------------------|-------|-------|-------|-------|-------|
| *Germany | 735 | 764 | 762 | 431 | 1,405 |
| Finland³⁶³ | 405 | 429 | 566 | 1,818 | 2,939 |
| Netherlands³⁶⁴ | 4,480 | 1,890 | 310 | 350 | 450 |
| Norway | 1,102 | 1,123 | 898 | 1,646 | 83 |
| Sweden | 1,891 | 2,158 | 2,466 | 2,553 | 2,111 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States.

* Germany: The data presented pertains to the speech and text analyses carried out or commissioned by the Federal Office for Migration and Refugees itself or via the Office by way of administrative assistance for other authorities.

Table A6.2: Total Number of Cases in which an age assessment was performed to determine whether the third-country national was a minor

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|-------------------------------------|------|------|------|-------|-------|
| Belgium | 953 | 536 | 537 | 1,187 | 1,296 |
| Finland³⁶⁵ | 55 | 52 | 70 | 149 | 630 |
| Malta | 350 | 555 | 203 | 53 | 23 |
| Norway | 575 | 811 | 980 | 1,512 | 1,746 |
| United Kingdom³⁶⁶ | 467 | 406 | 466 | 718 | 908 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States.

³⁶³ Total per year. Top 5 nationalities: Iraq, Somalia, Afghanistan, Eritrea, Syria

³⁶⁴ Numbers are rounded to tens. For language analysis, the amounts mentioned here are the number of cases in which language analysis is performed. Language analysis is mainly requested in order to take a decision on an asylum application, but are also performed in withdrawals, naturalization requests and return procedures.

³⁶⁵ Total per year. Top 5 nationalities: Afghanistan, Iraq, Somalia, Congo DRC, Iran.

³⁶⁶ Age disputes raised and resolved for asylum applicants, by country of nationality. This data reports all cases where an age dispute was completed.

Table A6.3: Total Number of Cases in which a DNA Analysis was used to establish the family relationship in family reunification cases

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|-------------------------------|-------|-------|-------|-------|-------|
| Belgium ³⁶⁷ | 975 | 1,036 | 1,082 | 1,219 | 1,234 |
| Finland ³⁶⁸ | 27 | 64 | 162 | 117 | 235 |
| Norway | 111 | 812 | 958 | 688 | 800 |
| Sweden | 2,135 | 2,406 | 1,498 | 1,470 | 1,187 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States.

Table A6.4: Total Number of Cases in which Interviews were used to determine probable country and/or region of origin

| Member State | 2012 | 2013 | 2014 | 2015 | 2016 |
|---------------|-------|-------|-------|-------|-------|
| Malta | 2,062 | 2,203 | 1,283 | 1,716 | 1,745 |
| Poland | 127 | 99 | 109 | 94 | 120 |

Source: National Reports 2012-2016 data

Note: The table presents indicators where data was provided by two or more (Member) States.

³⁶⁷ The number only refers to DNA analysis performed in the framework of a visa-application.

³⁶⁸ Total per year. Top 5 nationalities: Somalia, Iraq, Afghanistan, Syria, Vietnam



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