

## Fees or other charges for applications for international protection in EU+countries

### Background

The recast Asylum Procedures Directive (APD) establishes a common policy on and procedures for granting and withdrawing international protection. The directive includes the establishment of a Common European Asylum System (CEAS), a constituent part of the European Union's (EU) objective for an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the EU. In the recast APD, there is no provision on charges for asylum applications.

Situational Update No 6 explores whether fees or other costs are charged when an applicant submits an application for international protection. The information was provided by the EASO Information and Documentation System (IDS) Advisory Group.

### Key findings

In total, 30 EU+ countries<sup>1</sup> responded to a flash question on applicable fees for asylum applications, namely AT, BE, BG, CY, CZ, DE, DK, EE, EL, ES, FI, FR, HR, HU, IE, IS, IT, LT, LU, LV, MT, NL, NO, PL, PT, RO, SE, SI, SK and CH.

#### 1. Fees on asylum applications

None of the EU+ countries envisages fees or other charges for a first application for international protection.

In some cases, legislative provisions define explicitly the exception from payment of fees for procedural acts in the asylum procedure, for example in Austria<sup>2</sup>, Croatia<sup>3</sup>, Hungary<sup>4</sup>, Poland<sup>5</sup>, Portugal<sup>6</sup> and Sweden<sup>7</sup>.

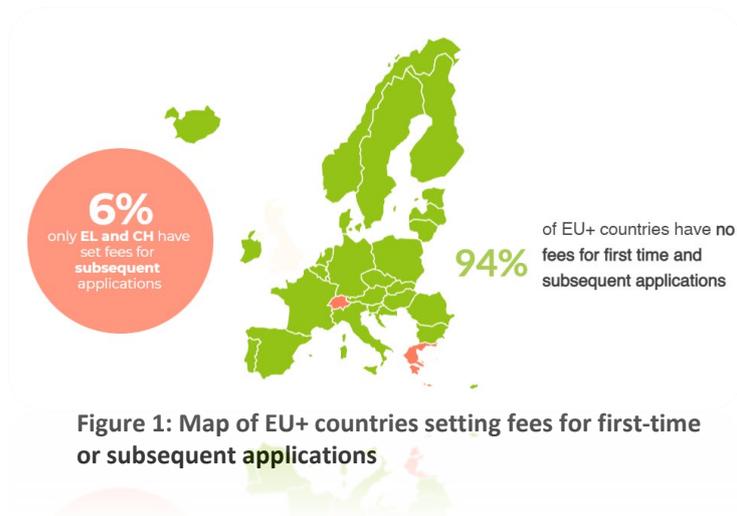


Figure 1: Map of EU+ countries setting fees for first-time or subsequent applications

<sup>1</sup> EU+ countries includes EU Member States, Iceland, Norway and Switzerland.

<sup>2</sup> [Asylum Act \(AsylG\)](#), para 70.

<sup>3</sup> [Law on Administrative Fees](#), Article 8.

<sup>4</sup> Act on Asylum LXXX 2007, Section 34.

<sup>5</sup> Act of 16 November 2006 on stamp duty, Article 2, Clause 1(1k) (Ustawa z dnia 16 listopada 2006 r. o opłacie skarbowej art.2 ust. 1 pkt 1k).

<sup>6</sup> [Act No 27/2008](#) and [Act No 23/2007](#).

<sup>7</sup> Aliens Ordinance (SFS 2006:97), Chapter 8, Section 5; Swedish Fees Ordinance (SFS 1992:191).

Greece and Switzerland are the only countries which distinguish between first-time and subsequent applications for international protection, setting a fee for the latter. Specifically, Law No 4825/2021 (A' 157/4-9-2021) introduced a EUR 100 fee for subsequent applications in Greece.<sup>8</sup> Similarly, in Switzerland, the fee is set to CHF 600 (approximately EUR 549) for subsequent applications.<sup>9</sup> The fee can be reduced when the application is partially admitted, waived when the application is not unfounded or when it is submitted by an unaccompanied minor.

## 2. Other charges during the asylum procedure

15 EU+ countries, namely AT, BE, HR, DK, EL, FI, FR, IS, LV, LU, MT, NO, PL, PT, RO, SK and SI, reported that there is no provision on other fees or charges during the asylum procedure.

Figure 2: Main procedural steps of the asylum procedure



## 3. Legal aid

On the provision of legal aid, different approaches apply. For instance, although there is a fee for public legal aid attorneys (EUR 110/hour) in Finland, in practice all applicants benefit from free legal aid through the public legal aid offices under the condition that the applicants have insufficient means.<sup>10</sup> Following recent legislative amendments<sup>11</sup> in Slovenia, the Ministry may request reimbursement of costs or a proportionate part of the costs for legal aid in case the appellant has sufficient own means of subsistence. In France, when a claim is lodged with the National Court of Asylum (Cour nationale du droit d’asile), the benefit of legal aid is *ipso jure* (by virtue of law itself), unless the claim is manifestly inadmissible (appeal deadline exceeded). When an appeal is lodged with

<sup>8</sup> Article 23 on “Fee for the submission of a subsequent application” introduces para 10 to Article 89 of Law No 4636/2019. The addition reads: “10. For the submission of any subsequent application the applicant submits a fee, the amount of which is set at a EUR 100 per application. The fees of the first subparagraph are revenues of the state budget that are collected according to the Code of Public Revenue Collection. By joint decision of the Ministers of Migration and Asylum and Finance, the amount of the fee may be adjusted, the procedure for recording the respective appropriations in the budget of the Ministry, the manner of their allocation, as well as any specific issues related to its application”.

<sup>9</sup> [Asylum Act](#), Article 111(d) and [Asylum Ordinance No 1 on procedural aspects](#), Article 7c.

<sup>10</sup> <https://oikeus.fi/oikeusapu/en>

<sup>11</sup> Article 11, Act ZMZ-1A Amending the International Protection Act, Official Gazette of the Republic of Slovenia No. 54/21, 9 April 2021. The relevant provisions will apply from November 2021 onwards.

the Council of State (Conseil d'État), legal aid may be granted, totally or partially, subject to income conditions. Partial legal aid only covers part of the lawyers' fees but covers all other procedural costs.

#### 4. Fees for beneficiaries of international procedure

Practices vary for fees charged for the issuance of residence permits or relevant documents for beneficiaries of international protection. In Germany<sup>12</sup> and Norway beneficiaries of international protection are exempted from such provisions, but in some countries relevant charges may apply.

For instance, in Belgium, beneficiaries pay EUR 16.80 to the Immigration Office and municipality tax which varies depending on the municipality. Similarly, in Poland, beneficiaries of international protection pay PLN 50 (EUR 11), with a 50% discount for individuals in a difficult financial situation and minors up to 16 years old for the second residence card. In Italy, a stamp of EUR 16 applies to all residence permits as per Legislative Decree 286/1998, while in Malta this fee is set to EUR 82.50 for a 3-year residence permit (€27.50 per year of validity). In France, beneficiaries of international protection are exempt from the taxes but not from the stamp duty (€25).

#### Methodological note

The information in this situational update was collected through an exchange with the EASO IDS Advisory Group.

EASO expresses its gratitude to asylum and reception authorities in EU+ countries for the continued cooperation and information exchange. The contributions of national asylum experts are invaluable in helping EASO to maintain an accurate and up-to-date overview of asylum-related developments in Europe and beyond.

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<sup>12</sup> Beneficiaries of international protection and those resettled are exempted from fees charged for the issuance of residence permits or documents in accordance with the Ordinance on Residence (Aufenthaltsverordnung), Section 52(3).