

Input by civil society organisations to the Asylum Report 2025

Fields marked with * are mandatory.

Dear Colleagues,

The production of the Asylum Report 2025 is currently underway. The annual [Asylum Report](#) presents an overview of developments in the field of international protection in Europe.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, researchers and UNHCR. To this end, we invite you, our partners from civil society, academia and research institutions, to share your reporting on developments in asylum law, policies or practices in 2024 by topic as presented in the online survey (**'Part A' of the form**).

We also invite you to share with us any publications your organisation has produced throughout 2024 on issues related to asylum in EU+ countries (**'Part B' of the form**).

These may be reports, articles, recommendations to national authorities or EU institutions, open letters and analytical outputs.

Your input can cover information for a specific EU+ country or the EU as a whole. You can complete all or only some of the sections.

Please note that the Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain.

All submissions are publicly accessible. For transparency, contributions will be published on the EUAA webpage and contributing organisations will be listed under the Acknowledgements of the report.

All contributions should be appropriately referenced. You may include links to supporting material, such as analytical studies, articles, reports, websites, press releases, position papers.

Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

The content of the Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA's work in multiple ways and inform reports and analyses beyond the Asylum Report.

NB: This year's edition of the Asylum Report will be significantly revamped to achieve a leaner, more analytical report with streamlined thematic sections. The focus will be on key trends in the field of asylum rather than on individual developments. For this reason, information shared by

respondents to this call may be incorporated in the Asylum Report in a format different than in the past years.

Your input matters to us and will be much appreciated!

Please submit your contribution to the Asylum Report 2025 by Friday, 10 January 2025.

Contact details

* Name of Organisation

Council of Bars and Law Societies of Europe (CCBE)

Name and title of contact person

Anna Smolinska

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I accept the provisions of the EUAA [Legal and Privacy Statements](#)

General observations

Before sharing information by thematic area, please provide your general observations on asylum developments as indicated in the following three fields:

What areas would you highlight where important developments took place in the country/countries you cover?

What are the areas, where only few or no developments took place?

Would you have any observations to share specifically about the implementation of the Pact on Migration and Asylum in the national context of the country/ countries you cover?

In its statement of November 2024, the CCBE expressed concern about declarations contesting the duty of Member States to apply international and European law in force (e.g. New Pact) and the case law of the Court of Justice. In addition:

- The CCBE urges the next Commission and Commissioner for Migration and Home Affairs to make sure that Member States implement the New Pact while putting in place all the safeguards that it contains, including effective access to high-quality legal counselling and legal assistance and representation provided by lawyers. The European Commission should put pressure on the Member States and use the leverage it has, for example as a guardian of the treaties, to take measures to incentivise the Member States to comply with their obligations in EU and international law. The rule of law in the EU, including at EU borders, must be preserved and respected.

- The CCBE encourages Member States to consult Bars in the preparation of the implementation plans, notably with regard to legal counselling and legal assistance and representation and, due to the fact that the concept of legal counselling is new, urges the adoption of a cautious approach and that the approach should be adopted in close coordination and consultation with the legal professions. The term “counselling” must not serve as an excuse for providing asylum seekers with advice of lower quality by persons or bodies who are not independent, not qualified lawyers, and who do not have the experience or qualification necessary for the task.

- The CCBE urges the EU authorities as well as the national authorities of the Member States to ensure the adequate provision of material and effective human resources so as to duly guarantee the effective application of procedural safeguards and the effective application in practice of fundamental rights which all persons arriving at the borders are entitled to, including the right to access a lawyer and legal aid if required.

Please see further and more detailed considerations in CCBE Statement on recent developments and upcoming EU actions in the field of asylum:

https://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/MIGRATION/MIG_Statement/EN_MIG_20241121_CCBE-Statement-on-recent-developments-and-upcoming-EU-actions-in-the-field-of-asylum.pdf

PART A: Contributions by topic

Please share your reporting on developments in asylum law, policies or practices in 2024 by topic. Kindly make sure that you provide information on:

- New developments and improvements in 2024 and new or remaining challenges;
- Changes in legislation, policies or practices, or institutional changes during 2024.

1. Access to territory and access to the asylum procedure (including first arrival to territory and registration, arrival at the border, application of the non-refoulement principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

2. Access to information and legal assistance (including counselling and representation)

Having observed the recent developments in the European Union (EU) in relation to asylum, the CCBE fears a general backsliding with regard to a fundamental rights compliant asylum policy. The CCBE is notably concerned about the envisaged “new ways” or “innovative solutions” (such as “return hubs”) in the field of asylum that have been subject of recent discussions and announcements at EU level and wishes to express its doubts about their conformity with the EU Charter of Fundamental Rights (EUCFR), the European Convention on Human Rights (ECHR), and international laws and principles regarding international protection. At this juncture, the CCBE expresses its strong concerns as a matter of principle if closed centres were to be opened outside the territory of EU Member States. These centres would raise serious questions regarding the fundamental role of and ensuring respect for the Common European Asylum System in terms of jurisdiction, applicable law and access to justice. Consideration must therefore be given to the effective feasibility of guaranteeing the right to legal counselling, assistance and representation, as part of a broader principle of access to justice, and the right to effective remedy, anchored in EU and international law obligations for Member States, in such circumstances.

In its statement of November 2024, the CCBE wished to recall that in the landmark ruling in *M.S.S. v Belgium and Greece*, the ECtHR considered that the lack of information concerning access to organisations which offer legal advice and guidance combined with the shortage of lawyers on the list drawn up for the legal aid system may also be an obstacle hindering access to a remedy and falls within the scope of Article 13 ECHR, particularly where asylum seekers are concerned. Taking note of the above, the CCBE fears that organising closed centres outside the borders of the Member States (as announced in 2024 by the EU representatives) would, in effect, deprive applicants of access to effective information, advice, and legal representation.

Moreover, referring to recent reports, the CCBE finds it unacceptable that lawyers assisting migrants and refugees in compliance with the law are under increased pressure and receive threats mostly from far-right groups. The CCBE recalls that in a society governed by the rule of law, everyone’s rights need to be protected and lawyers must be able to freely and independently protect those rights. According to the UN basic principles on the role of lawyers: “16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.”

Please see further and more detailed considerations and relevant references in the CCBE Statement on recent developments and upcoming EU actions in the field of asylum:

https://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/MIGRATION/MIG_Statement/EN_MIG_20241121_CCBE-Statement-on-recent-developments-and-upcoming-EU-actions-in-the-field-of-asylum.pdf

Finally, the CCBE expressed concerns about the proposal for a new so-called Anti-Smuggling Directive and called on the Commission, the European Parliament and the Council, when working on this legislation, to include a mandatory, explicit, unambiguous and broad-in-scope solidarity clause covering lawyers to prevent this law being used as an instrument of pressure against them and to avoid legal advice being criminalised and the directive having a chilling effect with regard to access to justice.

See the CCBE position paper on the proposal for a Directive laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit and stay in the Union: https://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/MIGRATION/MIG_Position_papers/EN_MIG_20240517_CCBE-position-paper-on-the-proposal-for-a-directive-laying-down-minimum-rules-to-prevent-and-counter-the-facilitation-of-unauthorised-entry-transit-and-stay-in-the-Union.pdf

3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)

4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)

5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)

6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions - housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

7. Detention of applicants for international protection (including detention capacity – increase /decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)

8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decisionmaking, timeframes, case management - including backlog management)

9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management -including backlog management)

10. Issues of statelessness in the context of asylum (including identification and registration)

11. Children and applicants with special needs (special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)

12. Content of protection (including access to social security, social assistance, healthcare, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)

13. Return of former applicants for international protection

14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)

15. National jurisprudence on international protection in 2024 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))

16. Other important developments in 2024

PART B: Publications

1. If available online, please provide links to relevant publications produced by your organisation in 2024



2. If not available online, please share your publications with us at: Asylum.Report@euaa.europa.eu or upload your file using the functionality below (max. file size 1MB).

Please upload your file

The maximum file size is 1 MB

d43d5921-d0f1-4f79-9d37-522e6484bd3b/CCBE-position-paper-on-the-proposal-for-a-directive-laying-down-minimum-rules-to-prevent-and-counter-the-facilitation-of-unauthorised-entry-transit-and-stay-in-the-Union_-_May_2024.pdf

3ab63aff-ef44-42f4-9030-4bcb6afd764b/CCBE-Statement-on-recent-developments-and-upcoming-EU-actions-in-the-field-of-asylum_-_November_2024.pdf

3. For publications that due to copyright issues cannot be easily shared, please provide references using the table below.

	Title of publication	Name of author	Publisher/Organisation	Date
1				
2				
3				
4				
5				

Useful links

[EUAA Asylum Report 2024 \(https://euaa.europa.eu/asylum-report-2024\)](https://euaa.europa.eu/asylum-report-2024)

[Executive Summary -Asylum Report 2024 \(https://euaa.europa.eu/asylum-report-2024/executive-summary\)](https://euaa.europa.eu/asylum-report-2024/executive-summary)

[Sources on Asylum 2024 \(https://euaa.europa.eu/publications/sources-asylum-2024\)](https://euaa.europa.eu/publications/sources-asylum-2024)

[National asylum developments database \(https://euaa.europa.eu/national-asylum-developments-database\)](https://euaa.europa.eu/national-asylum-developments-database)

[International Protection in Europe: 2023 in Review \(https://euaa.europa.eu/international-protection-europe-2023-review\)](https://euaa.europa.eu/international-protection-europe-2023-review)

Background Documents

[Word template to submit input](#)

Contact

[Contact Form](#)