



# Input by civil society to the 2025 Asylum Report

The production of the Asylum Report 2025 is currently underway. The annual Asylum Report series presents a comprehensive overview of developments in the field of asylum at the regional and national levels.

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 with us 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. These may be reports, articles, recommendations to national authorities or EU institutions, open letters and analytical outputs ('Part B' of the form).

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. For reference, contributions to the 2025 Asylum Report by civil society organisations can be accessed here, under 'Acknowledgements'. All contributions should be appropriately referenced. You may include links to supporting material, such as analytical studies, articles, reports, websites, press releases or position papers. If your organisation does not produce any publications, please make reference to other published materials, such as joint statements issued with other organisations. 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.

Your input matters to us and will be much appreciated!





## Instructions

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Before completing the survey, please review the list of topics and types of information that should be included in your submission.

For each response, only include the following type of information:

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

Please ensure that your responses remain within the scope of each section. Do not include information that goes beyond the thematic focus of each section or is not related to recent developments

## Contributions by topic

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- 1. Access to territory and access to asylum procedures (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)**

### Access to the territory

**Bulgaria:** Measures of intensified external control were applied by the Turkish authorities on their side of the border, following extensive bilateral meetings that took place between the end of 2023 and the beginning of 2024. Between December 2023 and April 2024, Turkish border guards were deployed along the entire border with Bulgaria, utilizing surveillance equipment and conducting physical checks on vehicles and travellers along both main and secondary roads leading to Bulgaria. Cross-border cooperation with the border agencies of Türkiye and Greece was also visibly intensified, particularly through the operation of the tri-partite contact center - established in 2016 on Bulgarian territory at the Kapitan Andreevo border crossing point (BCP) — and through weekly meetings at regional directorates' level.

Against this backdrop, in 2024 the overall number of the so-called prevented entries, reported by the authorities, dropped significantly. For seven years since 1 January 2017 the Ministry of Interior stopped to disclose their number in its publicly available statistics. However, starting from January 2024, the Ministry of Interior resumed to publicly report these numbers and did so for the entirety of the year, thus making data available for both 2023 and 2024. In 2024 the authorities reported to have prevented the entry of 52,534 persons. It represented a 70% decrease in comparison with the 178,698 prevented entries registered in 2023. Although officially referred to as irregular migrants, who before entering the border with Bulgaria independently decided to return to the territory of neighbouring countries (i.e. Türkiye), monitoring shows that these numbers represent to a great extent those who attempted to enter the country, but were pushed back either at the border or apprehended while already on Bulgarian territory after an irregular border crossing. At the same time, the percentage of irregular migrants officially apprehended at the border with Türkiye increased by 41%. Since 2014, for ten consecutive years, the percentage of irregular migrants





successfully entering from Türkiye has remained notoriously low compared to those apprehended at exit borders or within the territory. This is largely due to the widespread practice of pushbacks at this border. This increase is seen as a result of the involvement of Frontex staff in mixed border patrols along the land border with Türkiye. Once officially arrested, irregular migrants are provided with information on available legal procedures and can apply for international protection either at 24-hour border detention facilities or after their transfer to pre-removal (detention) centres inland. The overall decline in new arrivals from Türkiye has also led to a significant 45% drop in registered asylum applications, with just 12,250 applicants in 2024 compared to 22,518 in the previous year.

In 2024, the mechanism established through the Tripartite Memorandum of Understanding (MoU) among the Border Police, UNHCR and the Bulgarian Helsinki Committee, registered 3,548 alleged pushbacks affecting 43,282 persons, i.e. 75% decrease in comparison with the previous year.

On 12 December 2024, the EU Council endorsed the full Schengen accession of Bulgaria and Romania from 1 January 2025. Prior to it, the government announced more measures for tightened control at the Bulgarian-Turkish border after the accession. The measures included the deployment of 1,200 national border police officers, along with 240 Frontex officials and international teams. Initially, these teams comprised a total of 100 officers from various countries, including 40 Romanian, 15 Austrian, 20 Hungarian, and 25 Bulgarian border guards. Additionally, new echolocation equipment and high passable vehicles were introduced to enhance border surveillance. The international teams began to operate on 3 February 2025.

The absconding rate decreased in 2024. 39% (7,299 persons) out of 18,301 asylum seekers with pending cases abandoned their asylum procedure in Bulgaria. This represented a decrease of nearly 10% compared to 48% of the total registered in 2023, on the background of 46% in 2022, 26% in 2021, 39% in 2020, and 83% in 2019. The main reasons motivating asylum seekers to abandon their asylum procedures in Bulgaria and abscond were the poor reception conditions, low recognition rates for some nationalities, as well as the lack of any integration support or programs provided by the State.

At the end of 2024, the widely publicized deaths by frostbite of three allegedly Egyptian adolescents, aged between 17 and 25, sparked outrage. Non-governmental organizations and international volunteer groups accused the local Border police precinct of passivity, intentional obstruction to search and rescue operations and harassment of their team members. The MOI's internal investigation found no wrongdoing on behalf of their staff, and the Prosecutor's office did not raise any formal charges. The MOI also claimed to have provided medical assistance to 515 migrants in distress at the Bulgarian-Turkish border during 2024, and to 53 migrants in January 2025 alone. In 2024, 16 out of a total of reported 17 people who died trying to cross the border found their death in Strandzha and Sakar mountains at the border with Türkiye. According to the medical examiners, the main causes of death identified were frostbite in winter months, as well as exhaustion, dehydration and malnutrition, at many instances in combination with energy drink or opioid use or overdose, the latter also forced by smugglers and traffickers to accelerate the walking pace of smuggled groups and individuals. In January 2025, civil society organizations re-iterated their plea for the establishment of safe and legal entry channels for those who seek asylum and international protection, including by the creation of a special humanitarian visa for this purpose alone.

**Croatia:** Pushback practices persisted throughout 2024, as reported by organisations such as the No Name Kitchen. The organisation No Name Kitchen (NNK) accused the Croatian border police of burning the personal belongings of people who tried to enter the country irregularly from Bosnia and Herzegovina (BiH). The report is based on NNK field research conducted between October 2023 and August 2024. The NNK shared a report with photographs of burnt belongings, along with testimonies of sexual assault and beatings meted out by the Croatian border police, with the Guardian. Guardian wrote that Croatian border police is burning clothes, mobile phones and passports seized from persons trying to cross into the European Union before returning them to Bosnia and Herzegovina. The Ministry of Interior denied the accusations, stating that the Croatian





police never carried out pushbacks, but only legal procedures and obligations in accordance with the Schengen Code. The Ministry also stated that the Croatian police provides access to the system of international protection to all persons who wish to do so, and have entered the Republic of Croatia, or express such an intention at the border crossing. In its reaction, the Ministry of Interior mentioned several previous accusations that turned out to be untrue.

On 18 July 2024, Human Rights Committee adopted Concluding observations on the fourth periodic report of Croatia. In its observations the Committee noted that it is concerned by reports of the denial of access to the territory and to asylum procedures for persons entering irregularly from Bosnia and Herzegovina and Serbia and their forced return without any individual screening of their claims or needs. The Committee also highlighted that it is concerned by reports of the excessive use of force, inhuman and degrading treatment, extortion and theft of property by Croatian border control personnel, notably in the context of the pushbacks of migrants and asylum-seekers into the territory of Serbia and Bosnia and Herzegovina, and the very limited efforts to hold those responsible to account. The Committee stressed that Croatia should ensure effective access to a fair and efficient asylum procedure for all persons in need of international protection and should also ensure that all relevant officials, including border control personnel, receive adequate training on international standards, including on the principle of non-refoulement and the human rights of migrants, in particular children, and that all allegations of pushbacks and ill treatment at borders are promptly, thoroughly and independently investigated and the perpetrators, if found guilty, are punished with sanctions commensurate with the seriousness of the offence.

In January 2024, the Border Violence Monitoring Network submitted the Third Party Intervention in the case U.F. v Croatia and Slovenia to the UN Committee on the Rights of the Child to the UN Committee on the Rights of the Child.

In 2024, NGO No Name Kitchen submitted request for response regarding torture, inhuman, and degrading treatment by the Croatian border authorities to the UN special rapporteur on torture.

**Cyprus:** In 2024, there were multiple reports of pushbacks at sea and land. Specifically, the interception and subsequent pushback of boats carrying asylum-seekers attempting to reach Cypriot shores with the risk of returnees being forcibly returned to Syria from Lebanon. Furthermore, two port police boats were sent from Cyprus to patrol off the coast of Lebanon for migrant boats. From May to November 2024, in an attempt to stem arrivals coming from the areas in the north, a certain number of persons crossing the green line were not permitted to enter the areas under the effective control of the RoC and were forced to remain in the buffer zone in extremely harsh conditions. In October 2024, the European Court of Human Right, in the case of M.A. and Z.R. v. Cyprus, found that Cyprus violated the European Convention on Human Rights when it returned to Lebanon two Syrian citizens who wanted to apply for asylum.

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In September 2024, Human Rights Watch published an extensive report on pushbacks and pull backs of Syrian refugees in Lebanon and Cyprus, which stated that 'Cypriot authorities have collectively expelled hundreds of Syrian asylum seekers without allowing them access to asylum procedures, forcing them onto vessels that travelled directly back to Lebanon. People expelled said that Lebanese army officers handed them directly to Syrian soldiers and unidentified armed men inside Syria.' The Deputy Minister of Migration and international Protection responded to HRW Report by stating '... accusations that Lebanon and Cyprus are "working in collaboration" to prevent Syrian refugees from reaching Europe and forcibly sending them back to Syria are





allegations. [...] Human Rights Watch is a respected NGO of international scope, but what is included in its report is nothing more than allegations. So it is a tradition of some claims, we have repeatedly stated that as the member state that accepts the largest percentage of asylum applications in proportion to the population, we have taken some legal measures in order to protect the state's ability to meet its international obligations.'

Boat arrivals have always constituted a small percentage of the total number of arrivals. However, in early 2024, for the first time, the arrivals by sea directly to the areas under the control of the RoC were significantly higher than arrivals crossing the green line, i.e., than from the areas not controlled by the Republic of Cyprus. From April 2024 onwards, following the measures taken to deter arrivals the number of boats fell significantly.

With the change of government in 2023, it was announced that the effectiveness of the razor wire as the measure was under discussion, and the decision to finally remove the razor wire was announced in October 2024.

Pushbacks have also taken place at land and specifically at the Green Line with a small number of incidents in 2022, 2023 and 2024, as third country nationals are denied access to territories under the effective control of the Republic and to the asylum procedure when they try to cross from the official checkpoints.

In May 2024, in an attempt to stem arrivals coming from the areas in the north, a certain number of persons crossing the green line were not permitted to enter the areas under the effective control of the RoC and were forced to remain in the buffer zone. Furthermore, there were reports of persons entering the areas under the control of the RoC and reaching the First Reception Center, Pournara in an attempt to access asylum procedures and forcefully being returned to the Buffer Zone. From May to November, the number of persons in total trapped in the Buffer Zone were 147, among them children and vulnerable persons with physical and mental health concerns. Furthermore, the majority of persons were from countries with protection needs such as Syria, Afghanistan, Sudan and Palestinians from Gaza. They were living in tents provided by UNHCR in extremely harsh conditions due to high temperatures during the summer months, on land infested with mosquitoes, rats and snakes. Food, water, clothing and basic facilities were provided through the United Nations Peacekeeping Force in Cyprus (UNFICYP) with UNHCR's support and the RoC offering emergency medical care in the state hospital, but the persons were returned by the police back to the BZ following discharge. The option of returning to the areas in the north is challenged by the fact that there is no asylum system and persons would be prosecuted for illegal entry, most possibly leading to prison sentences.

Over the period from May to November 2024, persons remained trapped in the Buffer Zone, whereas in some cases they were permitted to access the areas under the control of the ROC. In October 2024, Council of Europe Commissioner for Human Rights O'Flaherty expressed concern about the situation of migrant and asylum-seeking people stranded in the buffer zone and allegations of summary returns at sea. Legal action was taken before the International Protection Administrative Court (IPAC) and an application for interim measures was submitted with the European Court of Human Rights (ECHR) under Rule 39. The ECHR requested the Cypriot government to provide information on whether the asylum seekers had access to asylum procedures in Cyprus and whether they are at risk of indirect refoulement to the Dead Zone.

In November 2024, the last remaining persons were given access to the areas under the control of the RoC. In an announcement, the Deputy Minister of Migration and International Protection stated that 'All the people who were there have now been transferred temporarily and exceptionally to the reception center in Kofinou, so that the procedures for their transfer to third countries or their deportation can be carried out'. The Deputy Minister also stated that these persons had not been given access to asylum procedures and would not be given such access. In view of the above statement, the ECHR annulled the extension given to the government of the RoC and demanded immediate response to the questions it raised. It was confirmed that all persons had been given access to asylum procedures upon arrival to the areas under the control of the RoC.





In October 2024, the current Council of Europe Commissioner for Human Rights, Michael O’Flaherty, expressed concerns regarding the situation of some 35 individuals who have been stranded in the buffer zone for several months. “Prolonged stays in poor conditions expose them to significant risks of violation of the human rights enshrined in the European Convention on Human Rights (ECHR), including the prohibition of inhuman and degrading treatment and the right to private and family life”, he said. The Commissioner also expressed concern over reports of boats carrying migrants, including persons who may need international protection, being prevented from disembarking in Cyprus and returned, sometimes violently, without access to asylum procedures. “These actions could lead to violations of the ECHR and the UN Refugee Convention, which prohibit the return of individuals to countries where they may face human rights abuses,” the Commissioner added. The President of the Republic of Cyprus in his response stated ‘The Government of the Republic of Cyprus will make every possible effort to prevent the normalization of irregular crossings through the "Green Line", always in accordance with its obligations under international and European law... The commitment of the Government of the Republic of Cyprus to provide adequate international protection to asylum seekers and to comply with the EU acquis is demonstrated by a series of events’.

Other measures taken in 2024 in an attempt to stem arrivals included the government calling on the European Union to consider declaring parts of Syria safe to repatriate Syrians, revocation of international protection status of Syrian beneficiaries of international protection who travelled back to Syria in the last year through the northern part of Cyprus and Türkiye, and the suspension of the examination of asylum applications of Syrian nationals, regardless of the date the application was made, a measure which is still in place as of early 2025.

Furthermore, from April 2024 onwards, Syrian nationals who applied for asylum were not permitted to exit the Pournara First Reception Center into the community. Instead, they are transferred directly from Pournara to the Reception Center in Kofinou where they are issued a residence order. From then on, they are allowed to leave Kofinou and reside in the community. However, if they opt to do so, access to material reception conditions is reduced, specifically they do not have access to the financial allowance.

**France:** French-Italian border: despite the change in the legislative framework mentioned in the previous AIDA report, the practice of sending people back without considering their asylum applications seems to persist, according to observations of Médecins du Monde published in December 2024.

**Germany:** Germany has regularly re-introduced border controls at its borders with Austria since 2015. On 16 October 2023, controls were also introduced at the border with Poland, the Czech Republic and Switzerland and were extended again in December 2023 and March 2024. In September 2024, Germany expanded its temporary internal border controls to all land borders, including France, Luxembourg, the Netherlands, Belgium, and Denmark, in addition to existing controls with Austria, Switzerland, Czech Republic, and Poland. The temporary imposition of border controls at the internal Schengen borders must follow the requirements of Articles 25 et seq. of the Schengen Borders Code. These European legal provisions always require a serious threat to public order or internal security to allow the use of temporary internal border controls, which can in any case only be for a limited period and as a measure of last resort. Effective from 16 September 2024, according to the Federal Ministry of the Interior and Community, these measures, approved for six months, aim to bolster internal security and reduce irregular migration, allowing German authorities to conduct checks and return individuals as per European and national law. Federal Minister Nancy Faeser emphasised the controls as essential to safeguarding against threats from Islamist terrorism and serious cross-border crime, noting the over 30,000 rejections at the eastern and southern borders since October 2023. The Federal Police, supported by increased staffing and resources, has been managing both fixed and mobile checks, adapting locations and timing to counter smuggling routes. The expanded internal border controls to all land borders have received extensive criticism by NGOs and academics. Pro Asyl, for example, has criticised Germany’s expanded border controls, arguing they risk violating existing laws and could lead to frequent rejections of







asylum seekers who need protection. Legal scholars contend the measures are not only legally questionable but also ineffective, suggesting they serve more as a blanket approach to migration rather than a targeted security response as allowed under the Schengen Borders Code. Concerns are growing that Germany's actions could undermine the European integration project by prompting other countries to reinstate internal borders, which could weaken mutual trust within the EU. In 2023, German authorities recorded a total of 35,618 rejections of unauthorised entries at the border, with numbers rising each quarter. The last quarter saw the highest count at 12,629 rejections. In the first half of 2024, the trend continued with 10,173 rejections in the first quarter and 11,488 in the second, totaling 21,661 rejections by mid-year. Within less than one month after the increased border controls in September 2024, the Federal Police reported about 1,000 rejections of unauthorised entries. The numbers also reveal that the increase in rejections at the border has coincided with a drop in registered asylum applications for people intercepted at the border: in 2023, 45% of attempted entries included an asylum application, but in the first half of 2024, this figure fell to just 23%. Among those affected are many individuals from countries with high asylum recognition rates due to the risk of persecution. For instance, between August 2023 and June 2024, only 55% of Afghans attempting to enter had an asylum application registered, and 47% were turned back.

The humanitarian crisis at the Polish-Belarusian border had effects on border-crossing into Germany in 2021, with border crossings decreasing significantly since the start of 2022. In 2021, the Federal Police registered 11,228 border crossings 'with a connection to Belarus', with the highest number of crossings reported between September and November 2021. According to the Federal Police, the main nationalities of persons crossing into Germany were from Iraq, Syria, Yemen and Afghanistan. Over the course of 2022, the number of unauthorised border crossings from Poland into Germany decreased, with 8,760 detected crossings, but rose again at the beginning of 2023 until the end of June to 12,331 unauthorised crossings. In the first six months of 2024 year, the German Federal Police registered 3,117 unauthorised entries via the "Belarus route," compared to a total of 11,932 entries in all of 2023, according to government data. The primary nationalities recorded in the first half of 2024 were Afghan (1,140 cases), Syrian (725 cases), and Somali (243 cases), as stated in the government's response (20/12457) to a parliamentary inquiry from the AfD (20/12297). For 2023, the main nationalities were Afghan (3,725 cases), Syrian (3,382 cases), and Indian (973 cases). Migration routes leading to Germany primarily affect its eastern and southern borders, with irregular migration focusing on internal borders with Poland, the Czech Republic, Austria, and Switzerland.

The checks occur at the border, using the fiction of non-entry, or at airports. Germany applies systematic border checks at both land borders and airports. Effective September 16, 2024, border checks were implemented at all land borders. They extend to countries including France, Luxembourg, the Netherlands, Belgium, and Denmark. This expansion builds upon existing controls at borders with Austria, Switzerland, the Czech Republic, and Poland. The policy may be extended beyond March 2025, depending on developments.

**Greece:** A total of 62,119 refugees and migrants arrived in Greece during 2024, as reported by UNHCR, marking a 14.15% increase compared to 2023 (54,416). Of this total, 54,417 persons arrived in Greece by sea in 2024 compared to 41,561 persons in 2023. The majority originated from Syria (13,762) Afghanistan (7,650), Egypt (4,396), Eritrea (1,508) State of Palestine (1,408) Yemen (1,408), Sudan (949) and Somalia (909). Nearly half of this population (41%) were children (25,6%), women (15,4%) and 58.1% were adult men. The number of sea arrivals in 2023 has increased by 226% compared to 2022, according to UNHCR.

Moreover, according to UNHCR, 7,702 persons arrived in Greece through the Greek-Turkish land border of Evros in 2024, compared to a total of 7,160 persons in 2023. According to police statistics provided to GCR on 16 January 2025, 7,574 arrests for irregular entry at the Evros land borders were carried out throughout 2024, compared to 7,066 arrests in 2023.

In parallel, the figures on the number of entries of each year, including 2024, may under-represent the number of people attempting to enter Greece or that found themselves on Greek territory, given that cases





of alleged pushbacks have been reported as a systematic practice in recent years. The persisting practice of alleged pushbacks has been reported inter alia by UNHCR, IOM, the UN Special Rapporteur on the human rights of migrants the Council of Europe Commissioner and civil society organisations. It also was recently confirmed by the ECtHR in its decision concerning a pushback at the Evros border.

Lastly, as reported by UNHCR, 125 persons were reported as dead or missing during the year. These numbers, proportionately to the number of arrivals, highlights an ongoing trend, observed since 2021, with more than 1 in a 100 persons trying to reach safety in Greece and the EU dying and missing.

Finally, and regarding the crossing and arrivals in the Mediterranean, and as transpires from the preliminary data issued by the European Border and Coast Guard Agency (FRONTEX) on 14 January 2025, there has been a major decrease in the number of recorded irregular crossings in the Mediterranean. In particular, there was a 59% decrease in the number of recorded crossings on the Central Mediterranean route in 2024 compared to the previous year. According to data published by the International Organization for Migration's (IOM) Missing Migrants Project, 2,333 people on the move were recorded as dead or missing in the Mediterranean in 2024 compared to 3,155 in the previous year (26% decrease). Of the 2,333 people included in the IOM statistics in 2024, 1,699 (73%) died or went missing on the Central Mediterranean route (33% decrease compared to 2023). The three main causes that lead to those deaths, according to the statistics provided by IOM, are linked to hazardous transport, drowning and harsh environmental conditions and lack of adequate shelter, food and water.

On 26 February 2024, the European Ombudsman released her conclusions on EU search and rescue and, in particular, regarding whether FRONTEX complies with its fundamental rights obligation, notably in the context of the Pylos shipwreck. In her report, the European Ombudsman inter alia underlines that there are growing concerns about persistent violations of fundamental rights in Greece's border control operations, and that the investigation of the shipwreck and any assessment of the facts is severely compromised by the absence of video or other recording of the shipwreck and the following events, which raises again a pattern of inadequate handling and subsequent investigation of such incidents from the Greek authorities. Concluding, the Ombudsman notes that "[t]he European Union projects its identity through the prism of its commitment to the rule of law and to fundamental rights. In the aftermath of the Adriana tragedy, it should take the opportunity to reinforce that identity through reflection and through actions that would, to the greatest extent possible, prevent such a tragedy from happening again".

The European Committee for the Prevention of Torture (CPT) noted, in its recent 2024 Report on Greece, that "[t]he Greek authorities have continued to maintain that violent forcible informal removals from Greece to Türkiye do not occur". This is also one of the challenges identified by the FRONTEX Fundamental Rights Officer (FRO), who underlined "[n]ational authorities denying by default in any involvement in fundamental rights violations and being reluctant to investigate or follow up on cases".

In 2024, the Greek delegation to the Human Rights Committee further held that "[p]ushbacks were not the policy of the Greek Government in any way, shape, or form; the Government policy was clear. Actions taken by Hellenic authorities at the sea borders were carried out in full compliance with international obligations. Allegations on so-called pushbacks were not compatible with the well-established operations of the Hellenic authorities. However, any allegations of pushbacks or mistreatment of third country nationals were thoroughly investigated. From 2015 to the present, the Hellenic coast guards had rescued more than 254,000 people. Several mechanisms allowed complaints against pushbacks to be submitted to the Hellenic authorities, and the coast guards had a robust disciplinary mechanism, The State had made all the progress it could considering the difficult region. Legislation protected everyone, including human rights defenders. Alleged "smear campaigns" needed to be examined by the courts; they could not always be presumed".







In 2024, the GNCHR published a new report covering the period from January to December 2023. In this period, the Recording Mechanism recorded testimonies related to approximately 45 informal forced return incidents (IFR), which had reportedly occurred between January 2022 and December 2023, through personal interviews with 37 alleged victims. According to the testimonies, the 45 IFR incidents involved a minimum of 1.438 persons, including at least 158 women, 190 children and 41 persons having special needs, such as persons with medical conditions, elderly people and people with disabilities. The countries of origin of the alleged victims are countries whose nationals are granted international protection status in Greece and the rest of the EU at significant rates (Syria, Palestine, Türkiye, Iraq, Iran, Somalia, Cameroon, Mali and Democratic Republic of Congo). Upon an invitation to that end by the ECtHR, the GNCHR submitted a third-party intervention in the cases of G.R.J v. Greece and A.E. v. Greece, in which the Commission referred to the abovementioned findings. Throughout 2024, the Mechanism received 61 testimonies of alleged victims of pushback operations at land and sea borders and the Full Report is expected to be published later in 2025.

The Greek Ombudsman, after taking under consideration the number of reported pushback incidents between 2017 and March 2024, the relevant complaints submitted to its own office and the findings of its own investigations in his capacity as National Mechanism for the Investigation of Arbitrary Incidents regarding law enforcement officers, concluded that “the persistent reluctance on the part of the disciplinary bodies of the enforcement agencies to investigate such incidents” and “the recurrent shortcomings impeding the effectiveness and diligence of the few investigations launched”, suggest that [...] “unlawful pushbacks at land and sea borders present features that do not correspond or correlate to an isolated phenomenon”.

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of the Council of Europe has repeatedly underlined over the previous years that it receives “consistent and credible allegations” of pushbacks. In the recent CPT Report on its ad hoc visit to Greece, which took place from 21 November to 1 December 2023, published on 12 July 2024, the CPT underlines that “[...] there is sufficient evidence to conclude that pushbacks to Türkiye have taken place and continue to take place [...]”. “During the 2023 visit, the CPT delegation again received many consistent and credible allegations of informal, often violent, forcible removals of foreign nationals across the Evros river or at sea to Türkiye. Such removals occurred without consideration of their individual circumstances, vulnerabilities, protection needs or risk of ill-treatment when returned (“pushbacks”)”.

In September 2024, GCR submitted its written contribution to the UN Human Rights Committee, in which it provided the main points and reports concerning pushback practices, practices at the borders and ineffective investigations in pushback complaints. In November 2024, GCR submitted a third-party intervention to the ECtHR in the case of Muhammad v. Greece, in which it pointed to the credible, consistent and numerous allegations of pushback practices at the Greek-Turkish land and sea borders and that all related domestic criminal cases “shelved”/closed at the pre-trial stage.

In 2024, according to several stakeholders, the practice of refoulements continued to be used as a “front-line” tool of Greece’s migration policy, which has been described as a “de facto general policy” of “pushbacks at land and sea border” by the UN Special Rapporteur on the Rights of Migrants, as previously noted in a 2022 report, to halt the flow of refugees and to deter others from attempting to irregularly cross the borders into the country. The practice is a permanent eventuality for people crossing the borders according to testimonies, media coverage and reports. Serious incidents of alleged refoulements have been reported in which arbitrary removal of people residing on the mainland or on the islands were carried out, even of a number of asylum applicants that have been already registered in the country.

In relation to pushbacks at land borders, the UN Special Rapporteur on the human rights of migrants already noted in 2021 that, in addition to ‘increased militarisation of the Evros land border ... which has effectively resulted in preventing entry and in the summary and collective expulsion of tens of thousands of migrants and asylum seekers’, there have been allegations that ‘pushbacks are also reportedly carried out from urban





areas, including reception and detention centres'. In a report issued in April 2022, the Special Rapporteur on the human rights of migrants stated that '[i]n Greece, pushbacks at land and sea borders have become de facto general policy.' According to the abovementioned ECtHR's findings in its January 2025 *A.R.E. v. Greece* judgement as well as numerous credible reports, this "systematic practice" continued in 2024.

In its annual review of Greece for of the events of 2024, Human Rights Watch stated that "violations of asylum seekers and migrants' rights persisted in 2024, with reports of pushbacks".

**Hungary:** Since 15 September 2015, Serbia generally does not take back third-country nationals under the readmission agreement except for those who hold valid travel/identity documents and are exempted from Serbian visa requirements. However, in 2024, Serbia took back 17 persons (3 Chinese, 13 Serbians and 1 Turkish citizen). The Hungarian authorities only requested the application of readmission agreement for these three nationalities.

In 2024, there were 5,713 push backs carried out, amongst them the top three nationalities were Syrian, Turkish and Afghan. The 2024 pushback numbers show a significant decrease compared with previous years. This decline is due to a police operation in Serbia that took place in the end of 2023 during which migrants were forcibly evacuated from the entire northern border area with Hungary and Romania. 7,000 people were relocated to different camps in southern areas without being informed of their destination. Due to the continued police presence in the North of Serbia, migrants cannot access the Serbian-Hungarian border and are compelled to choose a different migratory route. As a result, the number of migrants attempting to cross the Serbian-Hungarian border decreased in 2024.

In 2023, the CPT conducted another visit in Hungary and published their report in 2024, finding it regrettable that there is still no legal procedure offering effective protection against informal forcible removals of foreign nationals (pushbacks) and refoulement, including chain refoulement.

The 2024 FRA Guidance on investigating alleged ill-treatment at borders singled out Hungary, together with Croatia and Greece, as countries which 'did not effectively investigate incidents of ill treatment and loss of life during border management'. The FRA also noted that, despite 'credible allegations' of mistreatment, the three countries made insufficient efforts to locate and hear victims and witnesses, hindered lawyers in their work and did not have access to key evidence (e.g. footage from border surveillance).

At their latest meeting from on 19 September 2024, the Committee of Ministers of the Council of Europe again called on the authorities to ensure that, before the removal of any asylum-seeker from Hungary to Serbia, a thorough and up-to-date assessment is carried out in every case of whether they would have access to an adequate asylum procedure in Serbia and if the principle of non-refoulement is respected.

**Ireland:** In January 2023, it was reported that the Irish Government were considering the introduction of 'stronger border control measures' in order to facilitate stricter immigration checks with regard to arriving passengers. Throughout 2024, it was evident that these practices had been implemented, with an increase in reports of arrests and subsequent convictions for failure to produce a valid travel document upon request. In response to a Parliamentary Question in November 2024, the Department of Justice stated that as of the 30th of September 2024, there had been 132 charges made in respect of s.11 of the Immigration Act 2001 and 141 charges in respect of s.12 of the Immigration Act 2004. There were also increased immigration checks at the border with Northern Ireland. In May 2024, it was announced that during a garda operation spanning a four-day period, 50 persons attempting to enter Ireland from the UK without the requisite visa or travel documentation. While the Irish Refugee Council has not received any direct reports of persons being refused access to the international protection process on arrival in the State, it is nevertheless of significant concern that individuals may be refused leave to land or remanded in custody before any opportunity to seek protection arises.





Throughout 2024, it was evident that these practices had expanded considerably, with an increase in reports of arrests and subsequent convictions for failure to produce a valid travel document upon request. In response to a Parliamentary Question in November 2024, the Department of Justice stated that as of the 30th of September 2024, there had been 132 charges made in respect of s.11 of the Immigration Act 2001 and 141 charges in respect of s.12 of the Immigration Act 2004. There were also increased immigration checks at the border with Northern Ireland. In May 2024, it was announced that during a garda operation spanning a four-day period, 50 persons attempting to enter Ireland from the UK without the requisite visa or travel documentation.

As of 30 September 2024, 3,843 individuals had been refused leave to land at Dublin Airport, while 614 individuals had been refused leave to land at other ports of entry.

**Italy:** In 2023, according to MOI data, 66,317 people disembarked in Italy, 91,334 less than the previous year, marking a 57.93% decrease in the number of disembarkations. Throughout 2024, Libya returned to being consistently the main departure point for migrants and refugees reaching Italy by sea. Data analysis shows that approximately 62.4% of all sea arrivals departed from Libyan shores, while Tunisia accounted for about 27% of departures. Libya's role as the primary departure point became particularly significant in the second half of the year, with peaks reaching 74% of total departures in November. Tunisia, which had started the year with a significant share of departures in January (52%), showed a gradual decrease in the following months, stabilizing at lower percentages. The remaining departures were mainly recorded from Turkey and Algeria, though these represented a much smaller proportion of the total flows. Based on the 2024 UNHCR fact sheets, approximately 6,800 people were detected entering Italy irregularly by land, primarily across the Italian-Slovenian border. The monthly data shows a relatively consistent pattern throughout the year, ranging from about 500 to 800 people per month, with a slight increase noted during the late summer and early autumn period. The main nationalities of those arriving through the land route were from Bangladesh, Syria, Türkiye, Pakistan, Morocco, and Afghanistan. These arrivals were part of the broader Western Balkan route, with most people entering through Slovenia after traveling through various Balkan countries.

In 2024, 66,317 persons disembarked in Italy, a substantial decrease compared to 2023 (157,652) and to 2022 (105,131). The highest number of monthly sea arrivals was recorded in August, when 8,526 persons reached the Italian coasts.

The number of unaccompanied minors (Minori Stranieri Non Accompagnati - MSNA) reached 8,043, compared to 18,820 in 2023.

The main nationality of people disembarked was Bangladesh (13,779 in total), which represented a change compared to 2023, when most of the people disembarked were Guinean. The number of Bangladeshi nationals registered as asylum applicants in 2024 was 3,385. The other most represented nationalities in terms of arrivals by sea in Italy were Syria (12,504), Tunisia (7,677) and Egypt (4,296). It is worth noting that, except for Syria (for which through a circular dated 10 December 2024, the National Asylum Commission, after an official declaration of the Italian Government, requested the suspension of international protection recognition procedures pending verification of developments regarding the geopolitical situation developments), the other three nationalities are included in the list of safe countries of origin.

A non-exhaustive list of cases of administrative detention that occurred after the approval of the decree and the legal disputes that arose from it is reported:

- Geo Barents (23 February 2023): The vessel operated by Doctors Without Borders (MSF) received a custody administrative order lasting 20 days and a €10,000 fine after concluding a rescue operation on 17 February. The official reason provided was "not having shared some information not strictly related to the rescue activity." MSF filed an appeal against the administrative order, which is still pending in front of the Court of Appeal of Rome.





- Louise Michel (25 March 2023): The vessel was seized after the accusation of obstructing search and rescue operations. Having been ordered to reach Trapani port after a first rescue operation, the boat instead conducted three further rescues, leading the Italian Coast Guard to accuse it of "obstruction to search and rescue activities." Legal proceedings followed, with the vessel's detention being upheld.
- Mare-Go and Sea-Eye 4 (2 June 2023): Italian authorities ordered the administrative detention of both vessels. Mare-Go, after completing multiple rescues, headed to Lampedusa instead of the assigned port of Trapani, contravening the Coordination Centre's instructions. This resulted in a 20-day detention and fine. Sea-Eye 4 received the same measures after arriving at Ortona having conducted a double rescue, despite instructions to return to port after the first operation. Sea-Eye appealed the provision and the case is still pending in front of the Court of Appeal.
- Aurora SAR (14 June and 21 August): Twice affected by similar detention provisions for non-compliance with disembarkation orders (disembarking in Lampedusa while the assigned port was Trapani). Two appeals were filed before the Civil Court of Palermo but the court declared its lack of jurisdiction to decide on the case and transferred the proceedings to the Court of Cassation.
- Open Arms and Sea-Eye 4 (22 August): Both vessels received detention orders – Open Arms for delays in reaching Marina di Carrara, and Sea-Eye 4 for delays in requesting a port in Salerno. Both organizations filed complaints against these measures, and both procedures are still pending, one in front of The Court of Cassation.
- Mare Jonio and Sea-Eye 4 (October): Both received detention measures – Mare Jonio for delay in requesting a port of disembarkation, and Sea-Eye 4 for "having contributed to create a dangerous situation on board or preventing the ship from promptly reaching the port of disembarkation". The Sea-Eye 4's disembarkation took place in Vibo Valentia on October 30 after a "complicated and tragic SAR operation." The NGO's lawyers filed an appeal against the administrative detention and the resulting sanction. On 6 December 2024, the Civil Court of Vibo Valentia ruled, declaring the administrative measures imposed against the NGO to be illegitimate.
- Ocean Viking (15 November and 30 December): Detained twice on similar grounds related to dangerous situations or delayed arrivals at assigned ports. SOS Méditerranée filed appeals in both cases to challenge both the administrative detention and the fine. Both cases are still pending.
- Open Arms (21 January 2024): After concluding a SAR operation in Crotona, received administrative measures based on alleged non-compliance with instructions from the Libyan Coastguard. Legal challenges followed, but the case is still pending.
- Ocean Viking (9 February 2024): Received a 20-day detention order and fine for allegedly contributing "to creating any dangerous situation on board or preventing the ship from promptly reaching the port of disembarkation." SOS Méditerranée appealed this decision. On 20 February 2024, the Civil Court of Brindisi suspended the detention order, citing "the lack of competence of the head of the Italian administrative authority" and "the non-existence on the merits of the prerequisites for the application of Art. 1, paragraph 2 sexies, of d.l. 21 October 2022, no. 130." The court also recognized that the detention infringed on SOS Méditerranée's constitutional rights to freedom of expression and association. The Court of Brindisi has referred the case to the Constitutional Court, questioning the constitutional legitimacy of Article 1, paragraph 2-sexies of Decree Law 130/2020 (as modified by Decree Law 1/2023), which imposes an automatic 20-day detention of vessels that do not follow instructions from maritime rescue authorities. The judge argues this provision violates several constitutional principles: the automatic nature of the sanction prevents judicial discretion (violating Article 3); the law's vague reference to Libyan authorities' orders lacks determinacy (violating Article 25); and enforcing Libyan instructions may violate international obligations as Libya is not considered a "safe port" (violating Articles 10 and 117).
- Sea-Eye 4: (7 March 2024); Administrative detention of SEA-EYE 4 for 60 days imposed by Italian authorities in Reggio Calabria based on the contested Decree Law No. 1/2023 and, in particular, because the related operations were allegedly carried out without the authorization and in disregard





of the instructions of the Libyan Authority. The NGO filed an appeal against the decision and on 5 June 2024. The Court of Reggio Calabria, annulled the order.

- **Humanity 1 (4 March 2024);** The humanitarian vessel Humanity 1 conducted a rescue operation at sea during which the Libyan Coast Guard intervened. The ship continued with rescue operations despite the Libyan intervention, whose personnel were armed and even fired intimidating shots. Following this operation, Italian authorities imposed a twenty-day administrative detention on the vessel, claiming it had violated the instructions of the Libyan Coast Guard. The NGO filed an appeal in front of the Civil Court in Crotona. The Tribunal ruled on 26 June 2024 that the administrative detention of the Humanity 1 vessel was illegitimate, finding that the NGO had fulfilled its duty to rescue under international maritime law and that orders from the Libyan Coast Guard to cease rescue operations could not be considered legally binding, especially given Libya cannot be considered a "place of safety" under the Hamburg Convention.
- **Geo Barents (26 August 2024);** The Geo Barents rescue vessel operated by Médecins Sans Frontières (MSF) has been issued a 60-day detention order and a €3,330 fine after docking in Salerno with 191 migrants rescued in Libyan waters through five separate operations. Italian authorities implemented the measure, accusing the ship of violating the "Cutro Decree" by failing to properly communicate with maritime safety authorities during rescue operations. Among the rescued migrants were three women and 23 unaccompanied minors. On 11 September 2024, the Civil Court of Salerno issued an interim order suspending the 60-day administrative detention of the Geo Barents rescue vessel. The judge found the appeal had merit based on evidence suggesting the ship did not create any dangerous situations during rescue operations and had properly informed the Libyan Coast Guard, which merely asked the vessel to leave the area without providing specific instructions. The court also cited "imminent danger of serious and irreparable harm," as the detention would irreversibly prejudice the vessel's humanitarian mission.
- **Geo Barents (23 September 2024):** The Geo Barents vessel docked in Genoa carrying onboard 205 migrants rescued in two separate operations off the Libyan coast. The Italian Authorities contested the NGO did not comply with orders and issue a 60-days detention order for the vessel. The NGO appealed against the provision and received a positive interim decision.
- **Mare Ionio (15 October 2024):** The NGO vessel Mare Jonio docked at Porto Empedocle after the Italian Immigration Department assigned it as a safe port. The ship carried 58 migrants rescued in the Sicilian Channel. Initially, authorities had ordered the vessel to disembark the migrants in Naples, but the organisation Mediterranea Saving Humans contested this decision, arguing the route was too distant from their position. After requesting a closer port, they were redirected to Porto Empedocle. Before this approval, Italian authorities had sent two patrol boats to escort the Mare Jonio to Naples. The 58 rescued individuals were found in international waters within the Tunisian SAR zone following an alert from Alarm Phone. The NGO has received a 20-day administrative detention order, which has been appealed by the organization's legal team. The case is still pending.

(...)

Regarding Italian funding to the Tunisian Coast Guard within the framework provided by the memorandum, in March 2024, several Italian associations, including ASGI, filed an appeal before the Administrative Court of Rome, asking the judge to assess the legitimacy of the acts by which the Ministry of the Interior ordered the transfer of new patrol boats to Tunisia. In May, there was an initial rejection decision by the Administrative Court of Rome, against which an appeal was made to the Council of State. After an initial precautionary decision through which the Council of State had suspended the delivery of some patrol boats. In July, the Council of State rejected the precautionary request with which civil society organizations asked for the suspension of the transfer of the patrol boats to the Tunisian National Guard, postponing - for the final decision on the merits - to 21 November.

(...)

On 3 June 2024 a report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) was published. Covering the period from April 2023 to March 2024, the report sheds light on the dire situation





faced by migrants, refugees, and asylum-seekers in Libya. The report documents gross and widespread human rights violations and abuses perpetrated by both State and non-State actors, particularly at borders and in arbitrary detention. In 2024, two significant events showcased the ongoing challenges and human rights concerns surrounding the treatment of migrants in Libya. In March 2024, a mass grave containing at least 65 bodies, presumed to be migrants, was discovered in South-Western Libya. This disturbing finding underscores the grave dangers and human rights abuses faced by migrants in the region. Furthermore, on 18 February 2024, the Italian Court of Cassation ruled that the facilitation of migrant and refugee interceptions by the Libyan Coast Guard was unlawful and might constitute collective refoulement, violating the European Convention on Human Rights. The court recognized that Libya is not a safe port of return for migrants and refugees. Throughout the reporting period, OHCHR, in cooperation with the United Nations Support Mission in Libya (UNSMIL), documented a consistent pattern of armed interceptions, forced returns without due process, and transfers to detention facilities where torture, ill-treatment, extrajudicial killings, trafficking, forced labour, and extortion were verified.

The discovery of two additional mass graves (nineteen bodies were discovered in Jakharrah, while at least 30 more were found in a mass grave in the Alkufra desert in the southeast) reported on 10 February 2025 has further confirmed the dramatic condition of the migrant population in Libya.

In relation to funding granted by the Italian government to Libya, in December 2024, following a FOIA request submitted by ASGI, data was made public regarding the Assisted Voluntary Return projects funded by the Italian Ministry of Foreign Affairs and implemented by IOM between 2017 and 2025. ASGI is closely monitoring the issue of Italian government involvement in "voluntary" return programs from Libya and Tunisia as part of the opposition to externalization policies that lead to severe restriction of the fundamental rights of people in transit.

#### *The Italy-Albania protocol*

The first transfer procedure to Albania began on 14 October 2024. Immediately, a series of logistical complexities became evident, including the duration of transfer operations, the number of transfers required, and the screening procedures, both health-related and for determining the nationalities of the individuals involved. On 16 October, four migrants had already been released after being brought to the port of Shengjin in Albania. Upon more thorough screening, two were found to be minors and two had health problems. These four were boarded onto the Italian navy ship *Libra* and sent back to Italy, to Brindisi, where they were transferred to a reception centre. On 18 October, the Court of Rome did not validate the detention orders issued to twelve migrants of both Egyptian and Bangladeshi nationalities. The court's decision was based on a European Court of Justice ruling, which determined that the migrants' countries of origin could not be considered safe. The European Court of Justice had explained that only countries without territorial safety exceptions could be included in the list of safe countries of origin, and according to the Court of Rome, this is not the case for neither Egypt nor Bangladesh. The twelve migrants were brought to Italy, specifically to Brindisi to be transferred into the regular reception system.

The government's response against the Court's decision came without delay. On 23 October, the Government approved Decree Law 158/2024, containing a new list of countries considered safe. Despite removing three countries for which the Foreign Ministry had indicated territorial safety exceptions, the list still designates countries such as Tunisia, Bangladesh, Egypt, Ivory Coast, and Peru as safe. For these countries, the Ministry's own reports had noted exceptions for certain groups highlighting systematic violations of fundamental rights. These concerns prompted the Court of Bologna to submit a preliminary question to the European Court of Justice about the correctness of the procedure used to define the safe countries list, while the Catania Tribunal disapplied Decree Law 158/2024, invalidating the detention order of a person undergoing accelerated asylum review due to coming from a "safe" country, based on the evaluation that the argument behind these decisions is that the 19 countries included in the list cannot be considered as safe, as there are exclusions for specific groups.

On 8 November 2024, following operations that had begun several days earlier and the approval of the decree law, the government transferred eight migrants to Albania, despite the pending case before the Court of





Justice. On 11 November, the Civil Court of Rome did not validate the detention of seven migrants ordering their release and return to Italy. This time, the judges also requested that the CJEU rule on the case. Initially, eight people from Egypt and Bangladesh had been selected for this transfer, but one was found to be vulnerable due to health issues and was then brought to Italy.

Through L. 187/2024, the competence to decide on administrative detentions (including those relating to the procedure in Albania) has been moved from the specialized sections on immigration of the courts of first instance to the courts of appeal.

On 31 January 2025, the Civil Court of Appeal of Rome did not validate the detention of 43 asylum applicants detained in Albania and requested a preliminary judgement to the Court of Justice of the European Union basing its decision on the same findings raised by the Court of Rome.

**Netherlands:** The Dutch government announced in November 2024 that it would reintroduce border controls at the internal borders. This measure will be, conform Article 25 of the Schengen Borders Code, introduced temporarily for six months (from 9 December 2024 until 8 June 2025). The border controls are executed by the KMar. This measure should contribute, amongst other things, to combating irregular migration. A week after the measure came into force, it appeared that the border controls did not yet achieve any results: only ten third country nationals were stopped at the border during the week.

**Poland:** On 18 December 2023 and on 9 February 2024 the Commissioner for Human Rights asked the Ministry of Internal Affairs and Administration to repeal the law allowing summary removals at the borders, thus enabling those in need to apply for international protection.

In February 2024, MSF claimed that: Between January and September 2023, almost 40% of the 187 patients treated by MSF had injuries that they had sustained while attempting to climb the wall or falling off it. Physical trauma included blunt injuries, sprains, deep cuts and suspected fractures. During this period, MSF responded to 14 cases of confirmed or suspected fractures, and almost half (46%) of the referrals to hospital were related to wounds and orthopedic injuries, requiring urgent inpatient care and/or orthopedic intervention.

In 2024 the ban on staying in specific areas in the border zone was reintroduced. The area subject to the ban on staying covers a length of 60.67 km of the border, located within the territorial reach of four Border Guard premises. Contrary to the authorities' promises, almost none of the non-governmental organisations were granted permission to enter this area, which made it difficult to provide humanitarian and medical assistance. The only organisation granted access to this zone is MSF. However, in a statement from January 2025, MSF highlighted that its access to the area remains limited, preventing the organisation from providing medical assistance to those in need. Part of the zone remains completely inaccessible to those providing humanitarian or medical assistance. MSF firmly stated that its restricted presence in the zone is insufficient to address the humanitarian and medical needs in the area.

In March 2024, the Border Guard announced the formation of intervention teams. Their task is to conduct search and rescue operations for migrants at the Polish-Belarusian border. However, there is no information indicating that these teams actually fulfilled their role. On the contrary, in 2024, there were still reports of pushbacks of individuals in poor health conditions.

In 2024, the Ombudsman initiated an investigation into the case of a Syrian citizen who was staying in a hospital and was immediately pushed back after being discharged. According to the information from the Ombudsman, he expressed a will to apply for international protection and required medical assistance.

The statements of third-country nationals indicate that the Border Guard frequently used pepper spray against them in 2024. Among the accounts of migrants gathered by the Grupa Granica and We are Monitoring in 2024, there are also numerous stories of violence by the Border Guard, such as kicking, beating, or forcefully pushing through the gate barrier.





At the end of November 2024, the body of another person was found. It is likely that the man died from hypothermia. The man was reportedly from Eritrea.

**Slovenia:** In 2024, the police detected 46,192 irregular crossings of the Slovenian border. This is a decrease in comparison to the previous year when the police detected 60,595 irregular crossings.

In 2024, Slovenia also accepted readmissions into its territory for 286 individuals under readmission agreements. This is a decrease from the 377 individuals it readmitted in 2023. 185 were readmitted through the airport, 11 from Italy, 70 from Austria, 12 from Croatia and 8 from Hungary. Out of 286 individuals, 68 were from Morocco, 30 from Algeria, 24 from Syria, 18 from Kosovo, 15 from Afghanistan, 12 from Tunisia, 10 from Türkiye, 7 from Azerbaijan, 6 from China and 6 from DR Congo.

62 were readmitted from Austria to Slovenia in 2023 and 70 in 2024.

**Spain:** In 2024, 63,970 migrants arrived to Spain by land and sea, which represents an increase of 7.1% compared to 56,852 arrivals in 2023. The vast majority of arrivals were by sea (61,323) and the main route for sea arrivals were the Canary Islands: 46,843 persons arrived by sea on the archipelago.

In 2024, El Hierro, a small island part of the Canary Islands archipelago, became one of the main migration frontlines in Europe. In addition, the Canary Islands registered the highest number of annual arrivals in history, with 41,425 arrivals between 1 of January and 30 November of 2024.

The number of persons arriving in Ceuta and Melilla by land in 2024 was 2,647, marking an increase compared to 2023, when 1,234 persons entered the enclaves. In addition, a total of 49 people arrived by sea to the enclaves, with 21 reaching Melilla (representing a 89.8% decrease compared to 2023), and 28 Ceuta (a 58.2% decrease compared to the previous year).

In August 2024, the Guardia Civil prevented the entrance to Melilla of a group of migrants who tried to enter the city with a recreational boat. Two days before, eleven migrants had reached the city through the same means.

The following list provides an overview of several incidents that were reported at the border in 2024 and at the beginning of 2025:

- In December 2022, a Sudanese young man who was pushed back to Morocco on 24 June 2022 applied for asylum at the Spanish Embassy in Rabat, with the aim of challenging the declarations of the Minister of Interior regarding the possibility to apply for asylum at the Spanish Embassies and Consulates, as well as at the Spanish land borders of Ceuta and Melilla without jumping the fences. In March 2023, his asylum interview was held at the Spanish embassy in Rabat (Morocco). In occasion of the one-year anniversary of the jump and the deaths of 24 June 2022, he wrote a letter to the President of the Spanish Government to complain about the lack of a decision on his asylum application after six months since it was lodged. In December 2023, in the absence of a decision by the Spanish Government on his asylum application after 1 year from its lodging, the asylum applicant lodged an appeal to the National Court (Audiencia Nacional) to ask for a precautionary measure urging his transfer to Spain. In December 2023, the applicant lodged a claim for precautionary measures at the National Court (Audiencia Nacional), that ruled in favour of his transfer to Spain. In April, his lawyers denounced that the administration had not yet complied with this judicial decision, and the transfer had not yet been realised. He was finally admitted to Spain in May 2024.





- At the beginning of January 2024, Morocco claimed to have intercepted around 1,100 migrants in different towns close to the Spanish borders and prevented their entrance to Ceuta and Melilla.
- At the beginning of August, around 200 persons tried to enter Ceuta by sea, reaching the shores swimming. At the end of the same month, 1,500 persons tried to do the same.
- During the same month, the Moroccan Human Rights Association (Asociación Marroquí de Derechos Humanos - AMDH) based in Nador (Morocco) denounced that the Guardia Civil had killed a migrant while trying to attempt a small boat carrying 4 people to enter Melilla.
- In September, the Moroccan authorities detained at least 60 persons for planning a group illegal entry to Spain. During the same month, an eight-months pregnant woman reached Ceuta after swimming for two hours from the Moroccan coast.
- At the end of November, 44 migrants reached Ceuta by swimming, despite the bad weather conditions. 35 of them were minors.

In October 2024, the Congress retook the debate on the reform of the Law on Citizen Security (the so-called *Ley Mordaza*), which was adopted in 2015 and provided, inter alia, for the modification of the Immigration Law, by allowing, in practice, collective expulsions at the borders of Ceuta and Melilla. The reform - agreed between PSOE, Sumar and Bildu - aims at recognising and guaranteeing the rights of migrants, at prohibiting collective expulsions, and at processing asylum applications according to human rights legal provisions and to the international protection regulations. After the agreement of all political parties – with the exclusion of the Partido Popular and Vox -, the reform underwent the urgent legislative procedure.

Throughout 2024, and at the beginning of 2025, pushback practices continued to be reported. In July 2024, a young migrant who reached Ceuta by swimming was pushed back to Morocco by the Guardia Civil.

In August 2024, the Government Delegate in Ceuta informed that, in just few days, the authorities had registered an average of 700 attempts per day to enter the enclave from Morocco, and that around 150-200 returns have had been carried out daily. Different organisations (i.e. No Name Kitchen, Solidary Wheels, Asociación Elín and EXMENAS) urged the authorities to end pushbacks and to respect the existing legislation, by making possible to obtain visas and facilitating the possibility to apply for asylum in origin and transit countries.

In February 2024, Spain and Mauritania, under the auspices of the EU, signed an agreement for 210 million Euros aimed at, among other objectives, fighting against irregular migration and smuggling.

In 2024, 61,323 persons and 1,807 boats reached Spain via sea routes. Out of the total number of persons arriving by sea, the vast majority (46,843 persons) were disembarked on the Canary Islands, which has become one of the main destinations for boats since the last months of 2019, while 14,431 persons arrived on the mainland and the Balearic Islands. Only a few migrants disembarked in Ceuta (28 persons) and Melilla (21 persons).

Regarding the number of deaths in the Mediterranean, several figures have been reported. In September 2024, the UNHCR reported that during the first seven months of 2024, at least 702 persons died in the Canary Islands migratory route, and three more than the Central Mediterranean. The NGO Caminando Fronteras (Walking Borders) estimates that 10,457 persons died while reaching Spain in 2024, including 9,557 who lost their life on the Canary route. It further reported that 421 of victims were women, 1,538 were children, and that a total of 131 vessels disappeared with those 10,457 persons on board. The persons who died belonged to 28 different nationalities. The 'Canary route' continues to be the deadliest route to reach Spain, with 9,757 out of 10,457 registered deaths of migrants trying to reach Spain in 2024 recorded on this route. During 2024, the deaths on the migration route to the Canary Islands reached up to 1,000 persons per day, and Mauritania surpassed Senegal as the main departure zone in the Atlantic route. Nevertheless, while the focus has





continuously to be on the Canary Island during the last years, the so-called 'Algerian route' has also recorded many arrivals since 2022, especially to the Balearic Islands, Murcia and Alicante. This route was the second deadliest in 2024, with 517 deaths.

In March 2024, the police dismantled a network that offered families of missing migrants' false information about their location in exchange for money.

Expansions to established community sponsorship programs were agreed in the Basque Country and Navarra. A positive evaluation of the programme in Valencia prompted interest in resuming it in 2024. Other regions expressed interest in implementing similar schemes.

In its 2024 annual report, Human Rights Watch remarked that the Government's pushback policy and failure to offer legal routes to claim asylum at its borders continued to contribute to deaths at sea.

It should also be noted that since January 2020, Spain started to require a transit visa for nationals originating from Yemen. The measure is still in place as of March 2024. In addition, Spain requires such a transit visa also for nationals from Palestine and Syria. In practice, this means that they cannot access Spain if coming by plane without a visa. For those who manage to board a Spain-bound plane in any case, their application will be processed at the airport of arrival. In June 2024, Spain introduced a transit visa requirement for Sudanese and Chadian nationals. From August 2024, the same requirement was introduced for Mauritanian nationals. Sixteen organisations called on the Government to eliminate this requirement. Similarly, CEAR criticised the fact that nationals from the Central African Republic's nationals were also subject to visa obligations starting from mid-August 2024.

**Sweden:** While Sweden has not introduced any measures directly affecting the right to seek asylum, the Swedish Parliament has passed a new law, effective from 1 March 2024, granting the Government the authority to impose temporary bans on transporting individuals without valid identification documents to Sweden via bus, train, or passenger ship. This measure aims to address situations where, due to events in the migration area, there is a serious threat to public order or internal security in the country. Additionally, the Government can establish sanction fees ranging from 30,000 to 250,000 SEK (approximately 2 500 to 21 000 €) for transport companies that violate such prohibitions.

### Border monitoring

**Bulgaria:** In 2024, the European Border and Coast Guard Agency (FRONTEX) re-instated its presence in the country by deploying 230 new members of its staff in March. The majority was deployed to participate in mixed border patrols along the main entry border with Türkiye. In contrast with previous deployments, in this case the mixed patrols were positioned not only around key roads towards Serbia (I-8) or Romania (I-9), but along the land (green) border.

In 2024, the Bulgarian Helsinki Committee under its UNHCR-funded project carried out regular border monitoring visits on a weekly (or daily, depending on the situation) basis, at the border with Greece and Türkiye, as well as Romania vis-a-vis Dunav Most BCP at Ruse Border Police Precinct as well as *ad hoc* visits at the Sofia Airport transit hall. During these visits, the Bulgarian Helsinki Committee can also obtain information from police records when needed to cross-check individual statements, but has access only to border detention facilities, not to border-crossing points *per se*.

**Romania:** In 2024, CNRR established a daily presence in BCPs with Ukraine and Republic of Moldova, namely Sighetu Marmatiei, Siret and Isaccea (with UA) and Sculeni, Albita and Galati (with MD). Alongside daily presence CNRR carried 16 independent monitoring missions at the border with Ukraine, Moldova and Bulgaria, as well as in International Airports. Border monitoring activities are carried out following detailed





assessments, based on previous reports, alleged incidents, statistical data and other information gathered directly from the Border Police and GII, FDSPs or via third parties. The visits are announced, in order to ensure availability of targeted stakeholders. There have been situations where CNRR's access has been without proper justification.

**Spain:** In January 2024, Frontex threatened to leave Spain, if the Government would not sign the agreement with the EU Agency. According to available information, it seems that Spain was resisting signing the agreement and the conditions set forth by Frontex, especially due to concerns regarding potential violations of migrants' right to privacy in terms of data that should be shared with the EU Agency. Despite these initial concerns, an agreement was signed at the end of the same month.

In October 2024, the Spanish Government asked Frontex to seek permission from West African countries for patrolling their seas, with the aim of stopping migrants wishing to reach the Canary Islands.

In March 2024, the Spanish Ombudsperson opened two investigations ex officio to investigate the situation of migrants arriving to the Canary Islands.

#### Prosecution of matters regarding access to the territory

**Greece:** In April 2024, the Court of Mitilini issued a decision to drop criminal charges against 35 international aid workers who had been prosecuted for alleged espionage and facilitating the illegal entry of migrants.<sup>1</sup> The Court dismissed the prosecutor's allegations and ruled there was insufficient proof to pursue the case against the 35 individuals, mostly German nationals, stating that "[t]here is not enough evidence to support the accusations against the defendants."<sup>2</sup>

In April 2024, as HRW notes, the Greek National Commission for Human Rights (GNCHR) "warned of a pervasive climate of fear for migrant rights defenders, driven by smear campaigns, harassment, and threats of prosecution for providing humanitarian aid".

More specifically, in a 22 April 2024 statement, the GNCHR refers to a session of its committees, during which they held a working meeting with journalists and human rights defenders covering refugee/migration issues. "The participants initially reported that in recent years, in the course of their profession and while covering refugee/migration issues, they have faced difficulties in accessing information and sources due to the refusal of ministries to provide data, often citing privacy or confidentiality reasons. Similarly, they do not have free access to the refugee population hosted in reception and accommodation facilities. The National Commission, among others, is emphasizing once again the "watchdog" role of the media and the fact that their presence is a guarantee for ensuring the accountability of authorities. Additionally, journalists covering refugee issues often face abusive lawsuits (SLAPPs) in the course of their profession, and they are frequently subjected to verbal attacks or hate speech from official state entities or private individuals, with the tolerance of state authorities. Finally, the case of a journalist who was placed under surveillance was mentioned by the National Intelligence Service, due to what is stated, as a result of his journalistic involvement with refugee issues". The GNCHR, in its statement which was also communicated for information to the Prosecutor's Office of the Supreme Court, urgently calls on the State:

- to show zero tolerance for phenomena of harassment, attacks, hate speech, and any other targeting of human rights defenders by official state authorities, adopting a coherent policy to prevent them
- Ensure a favourable environment (enabling environment) through the legal framework for the functioning of civil society organizations and other human rights defenders, taking due account of

<sup>1</sup> Reuters, *Greek court drops criminal charges against 35 international aid workers*, 30 April 2024, available [here](#).

<sup>2</sup> The Guardian, *Greek court drops espionage charges against aid workers, Accused were arrested in Lesbos and accused of facilitating illegal entry of migrants into the country*, 1 May 2024, available [here](#).





the repeated recommendations of international and European bodies.

- Refrain from prosecuting organizations or other categories of human rights defenders for providing humanitarian aid to third-country nationals or for exercising their profession (e.g., lawyers, journalists). For those already facing criminal proceedings, ensure their rights and a swift trial in accordance with the guarantees of Article 6 of the ECHR. Specifically, for lawyers, harmonize their treatment by the relevant state authorities in accordance with the recommendations of the Athens Bar Association. It is noted that the abuse of criminal proceedings constitutes an impermissible measure for "limiting" the activities of civil society organizations. State sanctions of a criminal or civil nature, which have a punitive character and aim to discourage individuals from participating in associations (freedom of association), constitute reprisals and are prohibited.
- Ensure the unhindered exercise of journalistic duties and take protective and compensatory measures for victims of "strategic lawsuits against public participation" (SLAPPs), in the context of the relevant European Commission Recommendation. Public officials must refrain from initiating such lawsuits.

**Hungary:** Between 15 September 2015 and 10 July 2016, over 2,800 criminal proceedings were started before the Szeged Criminal Court under the Criminal Code for illegally crossing the border fence. Since 10 July 2016, only few cases have been tried for 'illegally crossing the border fence'. In 2022, 2 criminal procedures were started for this offence and in 2023 and 2024 one. In 2024, one person was convicted for this offence.

**Spain:** In January 2021, the Major of Barcelona expressed solidarity with NGOs involved in Search and Rescue activities. In the same month, the Municipality announced its intention to intervene as civil party in the criminal procedure in process in Palermo (Italy) against the former Italian Minister of the Interior Matteo Salvini, for impeding the disembarkation of the Open Arms boat in Italy. The Open Arms was carrying 130 migrants and refugees during the summer of 2019. The judgement started in Palermo in October 2021. The first hearings were held in 2022. In September 2024, the competent public prosecutor asked for 6 years of imprisonment for the former Italian Minister of the Interior Matteo Salvini, for committing the crimes of kidnapping and refusal of official acts. The parties – both rescued people and the NGOs - of the civil action in the context of the criminal procedures asked for a compensation of 1 million Euros. In December 2024, Matteo Salvini was acquitted by the Court of Palermo with the formula 'because the alleged fact does not exist'.

### Access to asylum procedures

**Bulgaria:** Asylum applicants continued to be deprived of direct access to the asylum procedure when apprehended at the border. Just 2% of those who were apprehended on the entry border with Türkiye and within the so called Kapikule-Ormenion-Svilengrad border triangle received direct access to registration and accommodation in a SAR reception centre without first being sent and detained in a MOI deportation centre. On the contrary, since 2022, the SAR started to grant immediate and unhindered access to the asylum procedure to 'self-reported' asylum seekers. Asylum seekers considered 'self-reported' are those who managed to enter and reach SAR registration centres independently, without being apprehended by the police and detained. In the past, the asylum agency consistently refused to register them directly, instead alerting the police, which then arrested and detained self-reported asylum seekers in deportation centres of the Ministry of the Interior. In some cases, this malpractice was affecting families with minor children and pregnant women. This trend changed from 2022, when this practice affected a total of 94 persons (0.5%) out of 20,407 asylum seekers registered in the country. In 2023, only 48 asylum seekers (0.2%) out of 22,518 suffered from this practice, where in 2024 it affected 83 asylum seekers (0.4%) out of 12,250 persons who had lodged an asylum application. No irregularities regarding access to the asylum procedures were registered in MOI deportation centres in Lyubimets or Busmantsi. Following these improvements, some smugglers adapted quickly and began to deliver smuggled persons directly to open SAR reception centers in







Harmanli, Banya and Sofia with many among them with settled representation by private practitioners and false proof of registration at an external address. In January 2025, the head of the Sofia Migration Directorate was arrested for alleged corruption and among other, for alleged registration of false addresses of third country nationals.

The overall decrease of new arrivals from Türkiye in 2024 was reflected also in terms of the number of individuals accessing the national asylum system. There was a significant decrease (- 45%) of registered asylum applicants compared to 2023, with just 12,250 registered applicants vis-à-vis the 22,518 applicants in 2023. Out of 2,543 migrants apprehended at the entry border in 2024 (2023: 1,803 migrants), 55 (2%) were able to apply for international protection at the national entry borders, but only 50% of them (i.e. 28 entry border applicants) had direct access to the asylum procedure without being detained. The remaining 50% (i.e. 27 entry border applicants) were sent to the pre-removal (detention) centres. These numbers remained similar to those registered in 2023, when 2% (i.e. 61 individuals) had direct access to the asylum procedure without being detained. Out of the total number, 57% (35 border applicants) were unaccompanied children referred to social services by the Border police. For comparison, 1% (49 out of 4,233 border applicants) in 2022 had such direct access to procedure, while in 2021 3% (34 out of 1,065 entry border applicants) enjoyed access. In total, 75 unaccompanied children avoided detention as they were referred to social services by the police under the referral arrangements introduced in 2018. Out of them, 70 unaccompanied children were apprehended and referred by the Border Police, while 5 unaccompanied children were apprehended and referred by the Migration police after being apprehended within the country's territory.

**Cyprus:** The number of submitted asylum applications in 2024 declined once again to nearly half of the applications submitted in 2023, which were also close to half in comparison to 2022. The majority still arrived by irregularly crossing the 'green line', however in early 2024, for the first-time arrivals by boat were significantly higher than arrivals by crossing the 'green line' and were predominately Syrian nationals. In April 2024, due to the increase in arrivals of Syrian nationals, the government announced that the examination of asylum applications of Syrian nationals is suspended, which continues till present.

In 2023 and in 2024, access to asylum from prison was mostly without issue. However, access to asylum while in police holding cells still varied depending on the police stations.

In 2024, overall, there were no issues related to access to the Center and registration, including for persons without passports. However, from May to November 2024, there were instances of persons reaching the Center and requesting access to asylum procedures who were taken by the AIU to the Buffer Zone.

**Hungary:** Towards the end of 2022, the HHC noticed that the Asylum authority was again refusing to even accept the asylum applications. Such practice continued in 2023. In one of such cases litigated by HHC the court issued a judgement that the NDGAP should have issued a decision on asylum application. The NDGAP appealed, but Supreme Court rejected the appeal. The NDGAP then issued a decision, rejecting the application based on Section 32/F of the Asylum Act, despite the CJEU judgement C-823/21 ruling that it is not compliant with EU law to deprive the applicants who are on the territory of Hungary or at the border from accessing asylum by referring them to the embassy procedure. Beginning of 2024, the HHC however observed that the NDGAP started to accept the asylum applications again, but immediately issues a 'refusal decision' based on Section 32/F of Asylum Act. The HHC challenged such decisions at the court and the court in all cases issued a positive decision, quashing the 'refusal decision' and ordered the NDGAP to examine asylum application according to the general provisions of the Asylum Act. NDGAP before issuing new decisions sought opinion from the Ministry of the Interior, as they were convinced that they cannot examine the asylum applications according to the Hungarian law currently in force. Finally, they issued new 'refusal decisions', completely ignoring the court's instructions, referred to political arguments and CC decision 32/2021 (CC held that where an obligation stemming from EU law cannot be effectively implemented, Hungary shall have the sovereign right to pass laws for the protection of fundamental rights - until the conditions to effectively





execute EU law are guaranteed), arguing that the need to adopt the Pact is a proof of the current shortcomings of the exercise of EU competence in the field of asylum. The HHC appealed and the court quashed the NDGAP's decision and again emphasised that a declaration of intent at the Embassy cannot be considered a prerequisite for the asylum application and that the application has to be examined on the merits and that neither the CC decision nor the Pact can be a legal obstacle to the substantive assessment.

**Spain:** Difficulties in accessing the asylum procedure remained one of the main challenges in the Spanish asylum system in 2024 and at the beginning of 2025. In March 2024, around 100 asylum seekers and 20 NGOs lodged a joint claim in front of the Spanish Ombudsperson. During the same month, around fifty persons in need of international protection started a hunger strike in Chiclana de la Frontera (Andalucía) to ask for their access to the asylum procedure. The same month, a young Moroccan asylum seeker died while in hunger strike to protest against the lack of access to asylum appointments. The Spanish Ombudsperson asked information about the incident to the Public Prosecutor and the State Secretary of Migration. The General Council of Spanish Lawyers denounced the violation of the right to asylum due to the impossibility to obtain an appointment via Internet. In April, it was reported that, in Murcia, asylum appointments were sold for up to €500. In May, 31 persons were detained in Vitoria for selling asylum appointments. In June, the Spanish Ombudsperson urged the police in Valencia to guarantee the right to access asylum, following thousands of reports made for the impossibility to book appointments to register asylum applications in the city. In July, the National Police detained seven persons in El Ejido (Almería) for forging and selling asylum documents.

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

### Legal assistance at first instance

**Bulgaria:** In February 2024, NLAB recruited 20 additional lawyers (18 in Sofia and 2 in Haskovo), vis-à-vis its planned expansion of the Article 25 selected list of representatives. In September 2023, the non-governmental organisation Bulgarian Helsinki Committee communicated its first annual report assessing the quality of the representation provided by Article 25 legal aid lawyers. The general feedback from children remained predominantly positive with respect to legal aid lawyers acting in Sofia reception centres and predominantly reserved to negative with respect to legal aid lawyers acting in Harmanli reception centre. The monitoring was extended in 2024, based on a formal agreement between the Ministry of Justice and UNICEF. The next report, due in March 2025 has to provide both general findings about the overall quality of the legal representation as well as individual assessment of acting legal aid lawyers. On 14 March 2024, the NLAB Executive Committee decided that quality assessments of legal aid providers ought to be introduced in the law in order to allow striking of underperforming representatives out of the limited Article 25 list. Such amendments had been already proposed and included in the draft law, submitted by SAR in February 2024, however the draft never made to the Parliament due to the continued constitutional crisis experienced by the country since mid-2022.

**Croatia:** In 2024, a new public call was announced by MOI for the application of candidates to the list of legal aid providers in the procedure of granting international protection and before procedure for restriction of freedom of movement the 4 administrative courts.

**Germany:** Welfare organisations and other NGOs offer free advice services which include basic legal advice. However, access to NGOs is highly dependent on the place of residence. In some reception centres, welfare organisations or refugee councils have regular office hours or are located close to the centres so asylum seekers can easily access the offices of such organisations. However, offices of NGOs do not exist in all relevant locations and in any case, access to such services is not systematically ensured. As of 2024, there is





no mechanism at the federal level which ensures that asylum seekers are getting access to legal advice from an independent institution before the interview.

**Hungary:** In 2024, state legal aid was requested by 2 persons. In 2024 both requests were granted, and legal aid was provided by 2 legal aid providers.

In 2024, the HHC provided legal counselling in 316 cases.

**Romania:** According to CNRR, in 2024, as in previous years, applications for public legal aid were accepted and asylum seekers benefited from an ex officio lawyer. The ex officio lawyers appointed may be experienced in the field of asylum (including those from the CNRR network) but also trainee lawyers. No documents were requested to justify the applicant's income. Asylum seekers stated that an issue with the ex officio lawyers is that they were not able to interact with them before the court hearing and the lawyers seemed to be unaware of the case and superficial in their assistance.

According to JRS representatives in Galati, a limit of the legal assistance granted to asylum seekers is given by the time limits of the projects that provide this assistance. Through the NGOs that implement projects in this regard, asylum seekers receive legal assistance during the development of these projects. On the other hand, in the period between projects, when there is a break between them, there are problems with ensuring the right to legal assistance for asylum seekers.

**Slovenia:** The IPA does not provide free legal representation for applicants in the first instance procedure. This was provided by the PIC – Legal Centre for the Protection of Human Rights and the Environment, and financed through the Asylum, Migration and Integration Fund (AMIF) to all asylum applicants until the end of April 2020. The AMIF project enabled PIC lawyers to represent all asylum applicants during the asylum procedure. Since then, PIC continues to provide free legal help and representation as UNHCR's implementing partner, albeit on a smaller scale. In 2024, the PIC assisted 669 asylum applicants. PIC lawyers provide legal information on asylum, represent asylum applicants during the application process and throughout the first instance procedure. A legal guardian is appointed to unaccompanied minors before the procedure begins and represents them in relation to the asylum procedure, reception, health protection, education and protection of property rights and interests, from the beginning of the application and throughout the entire procedure.

**Spain:** Shortcomings in access to legal aid have been registered in the last years for persons arriving by sea. A report published in December 2024 highlighted the human rights violations committed during arrivals in the Canary Islands, including the lack of adequate legal assistance and of quality of translation and interpretation services.

**Sweden:** The Government has also looked at questions surrounding legal representatives. A 2023 inquiry report found that there should be heightened eligibility requirements for public counsels in the migration process, a general declaration of ineligibility for representatives that are deemed to be unsuitable to act as public counsels and that, in cases where the individual is entitled to public counsel, if possible, an authorised interpreter should be used during oral proceedings, and an authorised translator for the translation of documents. A draft of a proposal that is to be submitted to the Council on Legislation (Lagrådet) was circulated for consultation in November 2024. Legislative changes are expected take effect on 1 January 2026.

In 2024, legal counsel was granted in 2,870 cases and not granted in 398 cases.

### Legal assistance at second instance

**Cyprus:** In 2024, some 219 legal aid applications were submitted challenging decisions on asylum applications; 113 applications were rejected, 37 implicitly withdrawn, 17 explicitly withdrawn and 39 were positive.





Considering that over 6,000 appeals were submitted before the IPAC in 2024, the number still remains extremely low.

**Greece:** In 2024, applicants continued to be advised to apply online for free legal aid. However, it has been noticed in certain RAOs/AAU that, in case of the decision's notification in person to the applicant by the Asylum Service, the applicants are asked whether they would like to file a request for free legal aid in person on the same day and time.

**Slovenia:** In accordance with the new amendments, legal remedies before the Administrative and the Supreme Courts can no longer be free for all asylum applicants. The new provisions state that the Ministry of the Interior can demand reimbursement of costs, or a proportionate part of the costs, for refugee counsellors from asylum applicants with sufficient means of subsistence. To this end, the Ministry can demand that asylum applicants submit documentation regarding their financial situation (e.g., bank statements). The following revenue can count as means of subsistence: revenue from employment contracts; unemployment benefits; revenue from other forms of work contracts; pension; revenue from self-employment; annuity, rent or lease; benefits rewarded by a court decision, with the exception of maintenance. In 2024, the Ministry did not enforce the provision.

#### Access to information

**Bulgaria:** Concerning urban asylum seekers and refugees living in the Sofia region, UNHCR has funded an Information Centre, run by the Red Cross along with an Information Bureau for Third Country Nationals, co-funded by Sofia Municipality, both located in Sofia. In 2024, in these two centres, the Red Cross provided 2,991 consultations and different types of information, while in SAR reception centres the organization provided 11,757 social consultations and services.

Monitoring from the Bulgarian Helsinki Committee in 2024 established that oral guidance on determination procedures is provided by caseworkers in the majority of the cases (94%) with written instruction are also served in 99.7% of the cases. It represented a significant progress in meeting legal requirements related to provision of information.

**Cyprus:** Due to the lack of State-provided legal assistance, UNHCR has consistently funded the "Strengthening Asylum in Cyprus" project, implemented by the NGO Future Worlds Centre from 2006-2017 and by the Cyprus Refugee Council (CyRC) since 2018. Currently the CyRC is the only provider of free legal assistance. Furthermore, the Project provides for only three lawyers for all asylum applicants and beneficiaries of international protection (BIPs) in the country and, therefore, concentrates on the provision of legal advice to as many persons as possible and legal representation only for selected cases (mostly precedent-setting cases). The Project has the capacity to provide legal advice to approximately 500 persons per year whereas in 2022, 2023 and 2024 there were over 20,000 applicants pending at first instance.

**Slovenia:** Asylum seekers are shown an information video on the asylum procedure in Slovenia. The video contains information on the structure of the procedure, their rights and obligations as asylum seekers, the Dublin procedure, the right to appeal and representation by refugee counsellors. In 2024 the video was updated and it now also contains information on grounds / reasons for asylum. It still does not include information about the NGOs working in the field of asylum, although this is required by the IPA. The version of the informational video for unaccompanied minors also contains information on legal guardians.

The law does not specify in what form the information is to be provided. After the applicants have undergone their medical examination and before they lodge their asylum application, information is provided through a video that was made in 2020. The duration of the information video is approximately seven minutes. The video contains information about the procedure, the rights and obligations of asylum applicants, and the right





to appeal. In 2024 it was amended and information on reasons/grounds for asylum were included. It still does not contain information about the NGOs working in the field of international protection.

**Spain:** In October 2024, the Minister of Inclusion, Social Security and Migration launched a phone service (number +34 913990009) to inform about international and temporary protection. The service is provided by eight persons, and the information is given in eight languages: Spanish, English, French, Ukrainian, Russian, Arabic, Farsi and Bambara.

#### Access to NGOS

**Bulgaria:** Presently, NGOs and social mediators from refugee community organisations who have signed cooperation agreements with the SAR are allowed to operate within the premises of all reception centres. Access to reception centres for other organisations and individuals requires a formal authorisation and is formally prohibited during the night. For many years, asylum seekers regularly reported that traffickers and smugglers as well as drug dealers and sex workers have almost unlimited access to reception centres, except for the Vrazhdebna shelter in Sofia. Starting from mid-2022, the SAR submitted several requests to the Ministry of Interior to engage the police in guarding of the reception centres, but it was not before the end of 2023 when MOI initiated a procedure, to investigate the possibility for SAR reception centres to be guarded by the national police and gendarmerie. In April 2024 additional amendments to the law were made, but only from 31 January 2025 did the MOI took over the guarding of the reception centres of the SAR, starting with Sofia and Harmanli ones. This major change is expected to seriously improve the safety and security of asylum seekers who are accommodated in the reception centres during their procedure.

**Cyprus:** Specifically regarding Pournara, the CPT noted in 2024 that access to Pournara Centre was hindered for some civil society bodies. For others, it was restricted to the provision of limited activities and not the provision of pro bono legal advice.

**Hungary:** In 2023 and 2024, no activities were provided in neither of the two centres and no NGOs or church organisations visited the centres.

In 2024, ICRC, together with the national Red Cross visited Balassagyarmat, as well as UNHCR. In 2024 UNHCR visited Fót on a monthly basis.

### 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)

#### Interpretation

**Bulgaria:** In 2024, considering all the cases in which the case-worker and the asylum seeker were of different gender, in 13% (9% in 2023) the asylum seeker was informed about the possibility to request that the interview be conducted by an interviewer of the same gender, and in 45% (20% in 2023) about the possibility to request an interpreter of the same gender.

In 2024, the SAR continued to be supported by the EUAA in securing the interpretation in asylum procedures at the first instance. In total, 24 interpreters from all major languages were selected and financed by the EUAA in 2024. However, this support exhibited certain problems mainly related to the selection being applied without any specific requirements other than proficiency in the language in question. According to the Bulgarian Helsinki Committee's evaluation, most of them were not properly instructed on national asylum





procedures or appropriate and impartial behaviour. In several anecdotal cases in 2023 and 2024 asylum seekers hosted in the Pastrogor Transit Centre and Sofia reception centre complained that their assigned interpreters had been either providing misleading information, resulting in failure to appeal on time negative first instance decisions, or making inappropriate or abusive comments after the end of the interview. Following the submission of formal complaints to SAR, and subsequent communication to EUAA the contracts of the interpreters in question were terminated.

100% of the monitored court hearings were assisted by interpreters in 2024. In appeal proceedings before the national courts, in 90% of the monitored cases where the applicant attended the hearing the interpreter was present and assisting the appellant.

**Greece:** As of 15 May 2024, there was a discontinuation of the provision of interpretation services which until then was exclusively provided by the organization METAdrasi, due to the expiration of its contract with the Ministry of Immigration and Asylum and also due to months of delayed payments. Previously, as of 29 April 2024, for the same reasons, the provision of services to the Asylum Service had also been discontinued. The interpretation services are funded by European funds, from the Asylum, Migration and Integration Fund (AMIF) for the period 2021-2027.

Part of these serious deficiencies in interpretation have been covered by the EUAA. According to official statistics of 30 June 2024, released as part of parliamentary scrutiny, in Malakassa RIC there were 1.411 residents, out of which 154 vulnerable and 7 interpreters. In Diavata RIC, there were 445 residents, out of which 50 vulnerable and 6 interpreters.

Although the law requires that interpretation services be provided by the state in a language understood by applicants throughout the entire reception and identification and asylum process, in many cases, the gaps in interpretation have been attempted to be filled in questionable -and not provided by law- ways. Illustratively, asylum seekers are often requested to state their consent to the proceedings being carried out in Greek by signing solemn declarations confirming that they understand the language; asylum seekers are requested to sign declarations that they accept third parties who are not certified interpreters to assist them during the proceedings; on the recommendation of the Asylum Service, the asylum seeker is accompanied by a lawyer, who is required to sign the act of lodging an appeal and, thus, assume responsibility of informing on the document and interpreting for the asylum seeker.

Due to these deficiencies, in 2024, access to the asylum procedure was extremely limited, exposing third country nationals wishing to file an application for international protection to the risk of arrest and administrative detention, in a legal limbo without any official documentation or legal status, unsupported by appropriate structures to provide for their essential needs. creating at the same time huge delays in the processing of already registered asylum applications.

The discontinuation of interpretation services in asylum procedures from mid-2024 onwards, as mentioned above, has inevitably led to an increase in the length of detention of administrative detainees who wished to apply for international protection.

On 14 May 2024, METAdrasi announced that following the cessation of the provision of interpretation services in the asylum procedures on 6 May, it would also move forward with the cessation of interpretation services throughout Greece's camps, on account of the expiration and delays in the timely renewal of the contracts it had signed with the MoMA, while once more noting that it had yet to receive due payments for the services provided by its interpreters in the previous months. Following these developments, on 17 May 2024, the MoMA issued its own announcement, noting interpretation gaps had been addressed with the support of EUAA personnel and referring to delays, from the side of METAdrasi NGO, in presenting the necessary documents provided by law in order to sign a new contract, as the designated provider of







interpretation services. However, despite assurances, throughout 2024 there was nearly no interpretation available within the Asylum Service and extremely limited numbers of interpreters in refugee camps both on the mainland and the Greek islands.

Inaccuracies and mistakes in interpretation, including in the context of asylum interviews, with the potential to negatively influence the perceived credibility of applicants and thus their asylum case, were reported in March 2024.

**Hungary:** In 2024, an HHC lawyer reported that the interpreter the NDGAP uses for English speaks too high-level English, which is not understood by the applicants from English-speaking African countries or by those whose mother tongue is not English. Despite complaints, the NDGAP still uses the same interpreter.

**Romania:** According to the NGO CNRR, in 2024, interpreters are available, but in some Regional Centers they do not cover all key languages, as Amharic, Somali, or Kurdish Sorani, which led to some delays in the asylum procedure and in the examination of several cases. Although in 2024 there was a decrease in the reported problems with the quality of the interpretation, there were still several asylum seekers who complained about this matter. The interpreters were trained and there is a code of conduct that they have to follow

**Spain:** In April 2024, the UNHCR launched the translation into Spanish of the handbook for interpreters in the asylum procedure.

A report published in December 2024 highlighted the human rights violations committed during arrivals in the Canary Islands, including the lack of quality of translation and interpretation services.

In September 2024, a group of 30 asylum applicants from Western Sahara started a protest and some of them went on a hunger strike while staying at the asylum rooms of Madrid Airport, because of the denial of their asylum applications and the fear of deportation. One of them denounced that his asylum application was rejected twice, because the Minister of Interior assigned him a Moroccan interpreter who had modified his account. A gathering in front of the Minister of Interior was also organised to protest against this situation. Representatives of the political party Sumar asked the Ministry of Interior information about the reasons to deny asylum to the Sahrawi activists. In addition, the political parties PSOE, Sumar and Podemos put pressure on the Government for not deporting those who were denied asylum. Similarly, the judges association Juezas y Jueces por la Democracia called the Government of granting protection to those asylum seekers, by recalling that Spain has already been condemned by the European Court of Human Rights for similar cases. UNHCR called on the Government to guarantee the admission to Spain for humanitarian reasons of all the asylum applicants involved. The Spanish EP member Irene Montero (from Podemos) accused the Government of violating the human rights of the 35 Sahrawi asylum applicants detained at the airport, after she was also denied the possibility to visit the asylum seekers held at the airport. At the end of the month, the Minister of Interior announced the forced return to Morocco of one of those asylum applicants, despite his serious health condition and the existence of two reports of the UNHCR supporting his asylum application. Some of the 35 asylum applicants who received an expulsion order denied to board and stayed at the airport's premises. At the beginning of October, the Minister of Interior returned 21 (including two 1-years old children) of the Sahrawi applicants to Morocco, while two out of the 35 were allowed to enter the Spanish territory while waiting for a decision on their asylum application. A total of 6 persons escaped from the airport, in order to avoid being returned. Despite the parliamentary question made by the political party Sumar on the reasons for the return of the Sahrawi applicants, the Government defended the Minister of Interior's decision. In October, the political party PPCV (Partido Popular de la Comunidad Valenciana) criticised the fact that the Minister of Interior had been deploying Moroccan interpreters to support applicants from Western Sahara during their asylum procedure, what creates discomfort on them due to the historical political confrontation among Morocco and the Western Sahara territories. Thus, the PPCV is intentioned to submit a law proposal at the Parliament of the Autonomous Community of Valencia which foresee to hire interpreters of the same nationality as the asylum applicant. In addition, it called the Minister of Interior to speed up the asylum and





statelessness procedures for the applicants from these territories. During the same month, different political parties (PP, Sumar, Podemos, EH Bildu, PNV, ERC and BNG) asked in writing to the Government the reasons based on which the asylum applications of this group of applicants were rejected. The Parliament of the Autonomous Community of Navarra urged the Government to review these decisions. In mid-October, the Director of the Police presented to the Congress the conditions of the rooms for asylum seekers at the Madrid Airport. Following a parliamentary request made by Sumar, the Government assured that asylum applications lodged at the Madrid Barajas Airport are individually assessed, independently from the nationality of the applicants and the alleged grounds of persecution.

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

##### Dublin: General information and statistics

**Bulgaria:** In February 2024, NLAB recruited 20 additional lawyers (18 in Sofia and 2 in Haskovo), *vis-à-vis* its planned expansion of the Article 25 selected list of representatives. In September 2023, the non-governmental organisation Bulgarian Helsinki Committee communicated its first annual report assessing the quality of the representation provided by Article 25 legal aid lawyers. The general feedback from children remained predominantly positive with respect to legal aid lawyers acting in Sofia reception centres and predominantly reserved to negative with respect to legal aid lawyers acting in Harmanli reception centre. The monitoring was extended in 2024, based on a formal agreement between the Ministry of Justice and UNICEF. The next report, due in March 2025 has to provide both general findings about the overall quality of the legal representation as well as individual assessment of acting legal aid lawyers. On 14 March 2024, the NLAB Executive Committee decided that quality assessments of legal aid providers ought to be introduced in the law in order to allow striking of underperforming representatives out of the limited Article 25 list. Such amendments had been already proposed and included in the draft law, submitted by SAR in February 2024, however the draft never made to the Parliament due to the continued constitutional crisis experienced by the country since mid-2022.

The overwhelming part of outgoing transfers relating to vulnerable groups were carried out with respect to unaccompanied children since 2016 and up until the end of 2024.

In 2024, 45 outgoing transfers were carried out compared to 118 requests, indicating a 38% outgoing transfer rate. In the same time period, out of 10,691 incoming requests, just 589 transfers were carried out in practice, thus marking 6% incoming transfer rate. The majority of outgoing Dublin transfers were of unaccompanied children or other family members.

In 2024, Bulgaria received 10,691 incoming requests under the Dublin Regulation and 589 incoming transfers. In 2024, the number of Dublin returns actually implemented to Bulgaria decreased by 0.1% while during the previous year these increased, respectively by 192% compared to 2022, 158% compared to 2021 and 1,342% compared to 2020. Overall, the percentage of actual transfers remains moderate compared to the number of incoming requests.

In 2024, Bulgaria made 1 take charge request and transfer to Greece, and 2 take back request with no transfers.





In 2024, Bulgaria received 10,691 incoming requests under the Dublin Regulation and 589 incoming transfers. In 2024, the number of Dublin returns actually implemented to Bulgaria decreased by 0.1% while during the previous year these increased, respectively by 192% compared to 2022.

In 2024, SAR continued to report a lack of capacity to accommodate in its reception centres the Dublin returnees who were not identified as vulnerable, despite the decreasing number of new arrivals (-45% in 2024, +10% in 2023, +55% in 2022; +205% in 2021), on account of the continuously shrinking reception capacity due to multiannual lack of funding for repairs and refurbishment.

**Croatia:** In 2024, there was an increase in both incoming and outgoing transfers compared to 2023. In 2024, Croatia received a total of 1698 incoming transfers which were carried out from the following Member States: Austria: 249 persons, Belgium: 90 persons, Czech Republic: 7 persons, Denmark: 8 persons, Finland: 18 persons, France: 215 persons, Greece: 1 person, Germany: 514 persons, Hungary: 11 persons, Iceland: 1 person, Italy: 1 person, Liechtenstein: 1 person, Luxembourg: 12 persons, Netherlands: 106 persons, Norway: 42 persons, Poland: 2 persons, Slovakia: 4 persons, Slovenia: 57 persons, Sweden: 11 persons and Switzerland: 348 persons. 18 outgoing Dublin transfers were carried out from Croatia to Austria: 4 persons, Belgium: 1 person, Bulgaria: 1 person, France: 5 person, Italy: 1 person, Germany: 3 persons, Netherlands: 1 person and Spain: 2 persons.

**Germany:** Germany requested transfers in 74,583 cases, and European partner countries approved 44,431 of these. However, only 5,827 transfers were actually carried out. Various factors, such as administrative hurdles, legal challenges, and logistical issues, contribute to this discrepancy between approved and completed transfers. According to media reports, several countries, particularly Italy formally agree to take back individuals within the Dublin system, but in practice, impose difficult conditions that are nearly impossible to meet, making transfers almost impossible. In detail, in the first half of 2024, around 22,000 timely Dublin transfers from Germany to other EU member states failed. The primary reasons included obstacles posed by the receiving member state in approximately 7,900 cases (36%), inaction by the responsible German immigration authorities in 3,044 cases (14%), and the disappearance of the individuals to be transferred in 2,356 cases (11%). In 2024, Italy in practice accepted only three Dublin transfers from Germany, despite having agreed to take back more than 10,000 individuals. On the other hand, in 2024, Germany received 14,984 incoming Dublin requests, of which 10,112 were accepted by German authorities. However, only 4,592 of these cases resulted in actual transfers to Germany.

Moreover, in 2024, there were significant changes in Germany's law for individuals whose case was deemed inadmissible under the Dublin system regarding social benefits. The changes, which took effect on October 31, 2024, amended the Asylbewerberleistungsgesetz (Asylum Seekers' Benefits Law), introducing stricter provisions for asylum seekers whose cases are governed by the Dublin Regulation. Under the new law, asylum seekers whose applications are deemed inadmissible can face complete cuts of their benefits. Previously, a reduction in benefits was possible in such cases, but this provision has now been removed. The law primarily affects asylum seekers who are required to leave Germany but have not received a toleration permit. As a result of these changes, asylum seekers will only receive minimal "bridging assistance" for up to two weeks, covering basic needs such as food, shelter, and medical care. After that period, they are left without support, potentially facing homelessness and severe hardship. This new situation has prompted legal challenges, with asylum seekers urged to file objections, emergency applications, and lawsuits against the cuts.

**Hungary:** In 2024, as in previous years most outgoing requests were issued based on a previous application in another Member State. In 2024 most requests were addressed to Croatia.

In 2024, Article 17(1) of the Dublin III Regulation was applied six times.





Hungary established the responsibility of other Member States in no cases under the ‘humanitarian clause’ in 2024. In 2024 one request under humanitarian clause sent to Hungary by other Member States was received.

In 2024, no Dublin decisions were issued with regard to irregular entry criteria.

In 2024, Hungary issued 169 outgoing requests and carried out 50 transfers. In the same year, Hungary received 821 incoming requests, out of which 20 transfers were executed, mainly from Norway, Austria and Germany.

In 2024, 83 people were detained awaiting Dublin transfer.

**Netherlands:** The IND does not register the grounds most commonly accepted for using the ‘humanitarian clause’ or the number of cases in which it is used. This practice has not changed in 2024.

**Sweden:** In 2024, Sweden issued 1,539 and received 3,497 requests under the Dublin Regulation.

A total of 470 Dublin transfers were carried out to another Dublin country in 2024.

Sweden made 1 request based on the “humanitarian clause” (Article 17(2) Dublin Regulation) and none based on the “dependent persons’ clause” (Article 16 Dublin Regulation) in 2024 and received 25 and 3 incoming requests on those grounds, respectively.

### Dublin procedure

**Bulgaria:** In the past, the sovereignty clause under Article 17(1) of the Regulation was used in few cases, mainly for family or health condition reasons. The sovereignty clause has never been applied for reasons different than humanitarian ones. Since 2017 and including in 2021, Bulgaria did not apply the sovereignty clause. In 2022, Bulgaria applied the humanitarian clause of Article 17(2) in 1 case, but none in 2023 and 2024.

The national plan for the EU Migration and Asylum Pact’s Implementation adopted on 19 December 2024 envisaged a revision of the ordinance’s provisions to make them corresponding to the Pact’s rules and procedures with a deadline for these amendments set for December 2025.

In practice, Bulgaria does not seek individualised guarantees to ensuring that asylum seekers will have adequate reception conditions upon transfer. The overwhelming part of outgoing transfers relating to vulnerable groups were carried out with respect to unaccompanied children since 2016 and up until the end of 2024. Since all transfers were based on family reunification and consent from the children and family members, the Dublin Unit did not request guarantees from receiving countries. It is also a general understanding among national stakeholders that the reception conditions in the countries of transfer, e.g. such as Germany, Norway, The Netherlands and Sweden in 2024, are better in most aspects than those in Bulgaria.

In the past asylum seekers sometimes agreed to be detained for a couple of days before the flight to the responsible Member State as this was the only way for them to avoid any procedural problems that can delay their exit. No cases of detention based on this ground were reported in 2024.

In practice in 2024, legal aid to initiate and undergo a Dublin procedure was only provided to unaccompanied asylum-seeking children in order to assist their reunion with parents, relatives or family members in other European countries. This special legal aid was provided under the adopted 2020 amendment to the law, when the obligation to represent unaccompanied children was shifted from the municipalities to the National Legal





Aid Bureau. The statutory legal aid lawyers who represented unaccompanied children were assisted with training, interpretation and support to make sure that they are able to provide adequate and child-friendly information, and to manage their Dublin cases in accordance with the ad-hoc arrangements established jointly by NGO BHC and SAR's Dublin Unit since August 2019. These ad-hoc arrangements were funded by UNICEF, and ended on 31 December 2023. In 2024, BHC lawyers and paralegals in all SAR reception centres, whose activity was funded by UNHCR, were assisted the interaction and communication of unaccompanied children in Dublin procedures with their appointed legal aid representatives as neither the asylum agency, nor the NLAB were able to provide for such communication or interpretation. The presence of BHC lawyers or paralegals in SAR reception centres however ended on 31 December 2024 as the UNHCR funding for these activities was not extended.

**Germany:** Dublin procedures were processed faster in 2024 compared to the previous year. Between January and August, these cases took an average of 2.9 months, slightly shorter than the 3.1-month average in 2023.

**Hungary:** In 2024, the average time between the request and the execution of the transfer was 52 days. If another Member State has taken responsibility the average time-period between the acceptance of the responsibility and the execution of the transfer was 43 days. The average time-period between the receipt of an incoming request and the execution of the transfer from another EU Member State to Hungary was 166 days in 2023 and 2024. The average time-period between the acceptance of the responsibility by Hungary and the execution of the incoming transfer was 153 days in 2024.

**Romania:** in the outgoing procedure, in 2024 Romania sent 248 requests, of which 190 were accepted and 7 transfers were implemented, making for a 3.7% outgoing transfer rate; it received 3,122 requests in the incoming procedure, of which 2,004 were accepted and transferred 161 applicants, making for a 8.0% incoming transfer rate. Under the incoming Dublin "take back" procedure, the total number of effective transfers was 161. These transfers were received from the following countries: Austria (AT) – 26, Belgium (BE) – 5, Switzerland (CH) – 11, Czech Republic (CZ) – 10, Germany (DE) – 75, France (FR) – 9, Italy (IT) – 1, Netherlands (NL) – 5, Norway (NO) – 2, Poland (PL) – 8, Sweden (SE) – 5, and Slovakia (SK) – 4.

According to CNRR, before the interview all asylum seekers are asked if they have relatives in another Member State. If the answer is positive, the competent authority explains the Dublin procedure to them (also CNRR provides legal counselling regarding the Dublin procedure) and the main evidence that the competent authority requests are original documents that proves family link: birth certificates, marriage certificates, resident permits. From the practice encountered in 2024, there were no reported cases when the authorities conducting the Dublin procedure refused to apply the family provisions.

According to IGI in 2024, the average duration of the Dublin procedure from the issuance of an outgoing request to the actual transfer to the responsible Member State was 6 months. Similarly, the average duration from the acceptance of responsibility by another Member State to the actual transfer was also 6 months.

**Sweden:** The average processing time for all Dublin cases in 2024, i.e., until a transfer decision was issued, was 42 days.

### Effective remedies

**Bulgaria:** In practice in 2024, legal aid to initiate and undergo a Dublin procedure was only provided to unaccompanied asylum-seeking children in order to assist their reunion with parents, relatives or family members in other European countries. This special legal aid was provided under the adopted 2020 amendment to the law, when the obligation to represent unaccompanied children was shifted from the municipalities to the National Legal Aid Bureau. The statutory legal aid lawyers who represented unaccompanied children were assisted with training, interpretation and support to make sure that they are





able to provide adequate and child-friendly information, and to manage their Dublin cases in accordance with the ad-hoc arrangements established jointly by NGO BHC and SAR's Dublin Unit since August 2019. These ad-hoc arrangements were funded by UNICEF, and ended on 31 December 2023. In 2024, BHC lawyers and paralegals in all SAR reception centres, whose activity was funded by UNHCR, were assisted the interaction and communication of unaccompanied children in Dublin procedures with their appointed legal aid representatives as neither the asylum agency, nor the NLAB were able to provide for such communication or interpretation. The presence of BHC lawyers or paralegals in SAR reception centres however ended on 31 December 2024 as the UNHCR funding for these activities was not extended.

### Suspension of transfers

**Bulgaria:** Bulgaria had suspended all Dublin transfers to Greece in 2011, based on the European Commission Fourth Recommendation, thereby assuming responsibility for examining the asylum applications of the asylum seekers concerned. In 2023, Bulgaria resumed take back request to Greece with 2 requests sent, however, no transfers were implemented. In 2024, Bulgaria made 1 take charge request and transfer to Greece, and 2 take back request with no transfers.

No returns for beneficiaries of international protection to another EU member state were ever suspended. This was the case also in 2024.

**Croatia:** At the end of 2024, after the fall of the Assad regime, Croatia temporarily suspended the processing of applications for international protection of Syrian refugees. In Croatia, the processing of 53 applications was suspended by that decision. The Ministry of Interior informed the Croatian Law Centre that Syrian citizens whose applications for international protection have been suspended, continue to have the status of applicants as before and, accordingly, all the rights prescribed by the Law on International and Temporary Protection.

**Germany:** Bulgaria. In 2024, several administrative courts in Germany addressed Dublin transfers to Bulgaria with varying outcomes. The Supreme Administrative Court Baden-Württemberg ruled in July 2024, that no systemic deficiencies or risks of inhuman or degrading treatment existed for individuals being transferred to Bulgaria, allowing the transfer to proceed. However, the Administrative Court Saarland made different decisions in two cases: one, where the transfer was halted due to the vulnerability of the individual involved, and another where the court found no systemic flaws and allowed the transfer. Similarly, the Supreme Administrative Bayern, and the Administrative Court Darmstadt, upheld that no inhumane treatment or systemic failures existed in Bulgaria, allowing the transfer to take place. On the other hand, the Administrative Court Lüneburg halted a transfer due to concerns for an elderly individual in poor health, citing the potential for inhumane treatment in Bulgaria. Overall, in 2024, there were more decisions allowing transfers, such as those from the Courts in Baden-Württemberg, Bayern, and Darmstadt, than cases halting transfers, as seen in the rulings from the administrative courts Lüneburg and Saarland.

Croatia. Several administrative courts have halted Dublin transfers to Croatia, referring to illegal pushbacks of asylum seekers to Bosnia Herzegovina and Serbia and police violence against asylum seekers, while other courts see no danger of pushback for returnees from Germany. A recent example in this regard is the Administrative Court of Munich decision of February 2024. Here, the Court addressed the case of asylum seekers, primarily from Türkiye, facing deportation under the Dublin procedure. The court found that due to systemic issues in Croatia, including police violence and the lack of effective legal recourse for asylum seekers, deporting the applicants to Croatia would violate their rights under EU law and the European Charter of Fundamental Rights. The court annulled the German authorities' decision and emphasised the risks of "chain deportations" to Bosnia-Herzegovina.







Hungary. According to information provided by the BAMF in 2018, any Dublin request to the Hungarian authorities is accompanied by a request of individualised guarantees, i.e. that Dublin returnees will be treated in accordance with the Reception Conditions Directive and the APD. It is established jurisprudence, however, that admissibility decisions and removals regarding Hungary are unlawful due to the lack of access to the national asylum system in Hungary. The German government informed Parliament in March 2019 that no individual guarantees had been provided by the Hungarian authorities. Hence, it can be concluded that the policy of seeking individual guarantees have led to a standstill in transfers to Hungary in practice. However, this has not led to a formal suspension of transfers or to a change of policy: German authorities continue to submit take charge requests to their Hungarian counterparts and to send requests to Hungary also in 2023. Whereas no Dublin transfers to Hungary took place between 11 April 2017 and the end of 2020, one person was transferred to Hungary in 2021, with an individualised guarantee issued by the Hungarian authorities. 8 transfers took place in 2022, and 6 in 2023. No further information is available on these cases and it is unclear whether this presents a general change in practice on the side of either the German or the Hungarian authorities. Several court decisions halting transfers to Hungary in 2022 and 2023 indicate that the BAMF is again ordering transfers to Hungary at least in some cases. The Administrative Court of Düsseldorf, in its decision of May 15, 2024 (22 L 764/24.A), concluded that no systemic weaknesses exist in Hungary's asylum system or reception conditions for healthy, employable individuals during the asylum process or after being granted international protection. This decision emphasised that, based on the circumstances at the time, there is no evidence suggesting a risk of inhuman or degrading treatment for such individuals in Hungary, allowing for the continued application of the Dublin procedure in this context.

Greece. A formal suspension of transfers to Greece, which had been in place for several years, ended in March 2017. In 2022 and 2021, Germany sent a comparably high number of take charge requests to Greece (9,166 in 2022, or 13.3% of all outgoing requests in 2022, 10,427 or 24.6% of all outgoing requests in 2021). However, only 3 transfers were carried out in 2023, none in 2022, only one in 2021 and 4 in 2020 (compared to 20 in 2019). While the number of requests seems to be similar in 2023 with 5,523 outgoing requests sent, they represented only 7.4% of all outgoing requests. The government asserts that vulnerable people are not being transferred since Dublin transfers have been taken up again in March 2017, and that individualised guarantees are sought for every case regarding reception, accommodation and the asylum procedure. In 2022, no such individualised guarantees were issued according to the Federal Government. Upon a freedom of information request, PRO ASYL obtained a letter by the BAMF dated to February 2024 according to which since 31 January 2024, people from Algeria, Morocco, Pakistan and Bangladesh are to be deported back to Greece as part of the Dublin procedure if there is a EURODAC hit from Greece. The BAMF stated that Greece is accepting returns of people from these countries of origin and will individually guarantee their human rights-compliant accommodation. It has also instructed the Federal States to treat transfers to Greece from the mentioned nationalities with priority. Courts like the administrative court Ansbach confirmed this approach in a case where it addressed an appeal by “a young, healthy, and employable Palestinian man from Gaza”, seeking to suspend his deportation to Greece. The court concluded that, based on available evidence in August 2024, there were no systemic deficiencies in Greece's asylum system that would expose the applicant to inhuman or degrading treatment. Therefore, the application was deemed inadmissible, and no serious doubt existed regarding the lawfulness of the deportation under the Dublin procedure.

Italy. A decision by the higher Administrative Court of Schleswig-Holstein found no systemic deficiencies, even for vulnerable applicants, in January 2024. The Administrative Court of Munich (VG München) confirmed this approach in a case involving a Syrian asylum seeker who challenged his transfer to Italy under the Dublin Regulation in September 2024. The court upheld the German authorities' decision, confirming that Italy was responsible for processing the asylum claim, based on the Dublin III Regulation, which determines the member state responsible for asylum applications. The court dismissed the claim, stating that there were no systemic deficiencies in Italy's asylum process. Although Italy had temporarily suspended the acceptance of Dublin transfers in December 2022, the court did not consider this an insurmountable issue in this case. It emphasised that the asylum seeker would not face a "refugee in orbit" situation—where a person remains in





limbo without a clear country of responsibility—since the case did not present exceptional circumstances requiring a different legal approach. Regarding the decision on deportation to Italy, the court confirmed that, even with the potential difficulties in implementing the transfer due to Italy's suspensions, the legal order for deportation was not invalid. The ruling also addressed procedural concerns, noting that the usual legal process for challenging the deportation was still applicable despite Italy's temporary suspension of Dublin transfers. In a similar case decided on May 29, 2024, the Administrative Court Berlin had likewise concluded that the lack of Italy's willingness to accept transfers under the Dublin procedure does not constitute systemic deficiencies. The court upheld the principle that such a situation does not justify an automatic suspension of Dublin transfers.

**Netherlands:** On 5 December 2022, the Italian authorities issued a Circular Letter asking other Member States' Dublin Units to temporarily halt all Dublin transfers to Italy due to a lack of reception facilities for Dublin returnees. On 26 April 2023, the Dutch Council of State judged that there was no more mutual trust with regards to Italy. The main reason for the suspension is the lack of accommodation facilities in Italy, where a transfer to that country could mean that asylum seekers find themselves in a situation of severe material deprivation as outlined in the CJEU judgment *Jawo*. Following this decision, all Dublin transfers to Italy were suspended and have yet to resume.

On 20 February 2023, the Regional Court of Rotterdam ruled that it is unclear whether an applicant would have access to reception facilities upon returning to Belgium. It concluded that the applicant had provided concrete indications of his risk of being treated contrary to Article 3 ECHR or Article 4 EU Charter of Fundamental Rights if returned to Belgium. Following this judgment, multiple other Regional Courts decided likewise with regards to single men. For families, women and vulnerable people, the principle of mutual trust is still applicable as they receive priority with regards to accommodation in Belgium. Single men were placed on a waiting list, meaning they had to wait for several months. On 13 March 2024, the Council of State ruled that transfers for single men can also continue. It found that even though there are significant problems with the Belgian reception facilities, since asylum seekers can find shelter at locations such as homeless shelters, the situation cannot be said to reach the threshold of the situation of severe material deprivation as outlined in the CJEU judgment *Jawo*. However, following new information regarding the asylum and accommodation situation in Belgium, the Council of State handled another onward appeal in a Belgian Dublin case on 10 December 2024, for which there has not been a judgment yet.

Both the Regional Courts and the Council of State issued many judgments during 2023 and 2024 regarding the principle of mutual trust and pushbacks vis-à-vis Bulgaria, Croatia and Poland, and to a lesser degree Romania and Slovenia. The presence of pushbacks is mostly undisputed, but because these illegal activities occur on the outer borders of these countries and do not concern Dublin returnees, Dublin transfers are not suspended. On 29 February 2024, the CJEU concluded that pushbacks do not lead to an automatic suspension of Dublin transfers. Instead, the future risk that a Dublin returnee may be subjected to a violation of their rights must be assessed. Following this CJEU judgment, numerous cases in the Netherlands have discussed which information the Minister must include in its assessment, concluding that both the asylum applicant's statements as to earlier experiences in the responsible Member State and their objections to the transfer as well as publicly available country information must be taken into account whilst making the transfer decision.

**Sweden:** The Swedish Migration Agency continues to make the request and take transfer decision if Hungary is determined to be the responsible Member State. In 2024, 64 requests were made to Hungary. However, the transfer decisions may not be enforced as long as the current conditions in Hungary remain. All transfer decisions to Hungary in accordance with the Dublin regulation are therefore suspended until further notice. This means that after six months have passed, their asylum process continues in Sweden, and they can apply for asylum here.





In 2024 Sweden submitted 347 requests for Dublin transfers to Greece but only 2 take charge decisions and 4 take back decision were issued to Greece. Sweden does not transfer applicants to Greece unless individual guarantees have been obtained by Greek authorities. The Swedish Migration Agency barely receives individual guarantees from the Greek authorities, which in practice means that Sweden does not transfer applicants to Greece under the Dublin Regulation. Instead, Sweden assumes responsibility for examining the application after the six month period has passed.

#### Situation of Dublin returnees

**Bulgaria:** In 2024, SAR continued to report a lack of capacity to accommodate in its reception centres the Dublin returnees who were not identified as vulnerable, despite the decreasing number of new arrivals (-45% in 2024, +10% in 2023, +55% in 2022; +205% in 2021), on account of the continuously shrinking reception capacity due to multiannual lack of funding for repairs and refurbishment, which is why in practice only 3,225 out of 5,160 official accommodation places were assessed as fit for living (3,592 in 2023; 3,932 in 2022).

In 2024, the State Refugee Agency issued 1,074 work permits to asylum seekers who were looking to support themselves while their asylum claims were being processed. Out of them, only 3 asylum seekers and 10 persons granted international protection were employed through employment programs, while the rest found work independently and on their own initiative.

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

#### Border procedures

**Germany:** From January to October 2024, the airport procedure in Germany saw 365 applicants, with the highest number of asylum seekers arriving from Syria, followed by Iran, Afghanistan, and Iraq. Specifically, 82 applicants from Syria sought asylum under the airport procedure, making it the largest group, followed by Iran (44 applicants), Afghanistan and Iraq (both with 35 applicants), and Morocco (19 applicants). Smaller but still notable groups included Zimbabwe (14 applicants), Pakistan and Sri Lanka (both with 13 applicants), and the Democratic Republic of the Congo (12 applicants). The main airports handling these procedures were Frankfurt, Berlin, and Munich, which are the primary hubs for international arrivals. Comparing 2024 to previous years, the number of airport procedures appears to follow a similar trend to 2023, which saw 402 procedures in the entire year, and 347 procedures in 2022. In general, these numbers still remain relatively low compared to the overall number of asylum applications in Germany in past years.

Out of the 365 airport procedures in 2024, 153 were deemed manifestly unfounded, accounting for 41.9% of the total, which is an increase compared to the 29.5% in 2023.

**Ireland:** Ireland officially opted into the Pact on the 27th of June 2024, following a vote in both houses of the Oireachtas. While the Pact is legally in effect, Ireland, along with other EU countries, has until June 12, 2026, to fully implement the new regulations. An implementation plan for the Pact was due to be produced in November 2024, however at the time of updating, no such plan had been published. It is therefore not known as of yet how the mandatory border procedure envisaged by the Pact will operate in Ireland.

**Italy:** People subject to the border procedure rescued by Italian ships in international waters were also subject, from October 2024, to the procedure set out by the agreement between Italy and Albania according





to which they were directly transferred to the hotspot and first accommodation centers under Italian jurisdiction created in Albania.

### Accelerated procedure

**Belgium:** As of 1 February 2024, a 'fast track procedure' is applied for applicants from safe countries of origin and countries with a low recognition rate. These cases are treated with priority by the Immigration Office and the CGRS. The aim is to take a decision within 50 working days. After a first pilot phase, the project will be evaluated by the Secretary of State and adapted if needed. The nationalities on which the fast-track procedure will be applied can vary. In the first phase, the procedure will be applied to applicants from safe countries of origin (currently: Albania, Bosnia-Herzegovina, Northern-Macedonia, Kosovo, Serbia, Montenegro, and India) and the following countries with low recognition rates (Georgia, Moldavia and DRC).

**Bulgaria:** In 2024, the top 5 nationalities dealt under the accelerated procedure as manifestly unfounded applicants were Morocco (798 cases), Iraq (366 cases), Egypt (138 cases), Algeria (83 cases) and Pakistan (64 cases).

In 2023 a pilot project, initially funded by Austria and subsequently by the European Commission, was implemented at SAR Pastrogor Transit centre near Bulgarian-Turkish border. Although the pilot project ended on 31 August 2023 the SAR continued to process applicants mainly from Morocco, Tunisia and Algeria, adding Egypt in 2024 among others, in this transit centre with their applications for international protection continued to be deemed manifestly unfounded by presumption. These included stateless people and people from: Afghanistan, Bangladesh, Egypt, Ecuador, Iraq, Iran, Kazakhstan, Cameroon, Lebanon, Morocco, Myanmar-Burma, Nigeria, Russian Federation, Syria, Somalia, Türkiye, and Uzbekistan.

**Hungary:** The Asylum Act lays down an accelerated procedure, where the NDGAP is expected to take a decision within the short timeframe of 15 days. There were no such decisions in 2024.

**Ireland:** On 8 November 2022, the International Protection Office introduced a revised international protection application procedure in accordance with the European Communities (International Protection Procedures) Regulations 2022. Under the revised procedure applicants from so-called 'safe countries of origin' now receive a date for their substantive interview within four to six weeks of making their initial application. The accelerated procedure continued to operate throughout 2024 and was expanded to include additional categories of applicants. With effect from the 23rd April 2024, the IPO began prioritising and accelerating the processing of applications from the country of origin with the highest number of applications in a given period. From April 2024, applications from Nigerian nationals were prioritised. In July 2024, the prioritisation process was reviewed and it was decided that the International Protection Office (IPO) would now prioritise cases from the two countries with the highest number of applicants in the last three months. Jordanian nationals were also subjected to the accelerated procedure from the 29th July 2024. At the time of updating, Nigerian and Jordanian applicants continued to be subject to the accelerated procedure.

The median processing time for cases decided pursuant to the accelerated procedure was 8 weeks as of April 2024.

### Subsequent applications

**Bulgaria:** In 2024, 114 asylum seekers in total submitted subsequent applications. Out of them, 59 (52%) were declared inadmissible and 55 (48%) were granted access to further determination.

**Germany:** In 2024, the Federal Office for Migration and Refugees recorded 21,194 subsequent asylum applications (as of January 2025). This represents a 7.0 percent decrease compared to the previous year





continuing a trend of the past years. 22,795 persons lodged subsequent applications in 2023, compared to 26,358 in 2022 and 42,583 in 2021. In 2024, the highest number of subsequent applications came from individuals from Syria, with 2,668 applications, followed by Afghanistan with 2,007. Applicants from Türkiye accounted for 1,879 subsequent applications, while 1,472 came from Moldova. Additionally, there were 1,406 subsequent applications from North Macedonia and 1,207 from Iraq.

In 2024, a total of 21,194 subsequent protection applications were submitted to the German Federal Office for Migration and Refugees, and 26,292 decisions on subsequent applications. Among these decisions:

- 4,148 applications were deemed inadmissible.
- 3,217 applications received positive decisions (i.e., applicants were granted asylum or some form of protection).
- 18,917 applications were rejected or terminated for other reasons (e.g., inadmissibility or procedural issues).

Out of the 21,194 total subsequent applications in 2024, the success rate for positive decisions was approximately 15% (3,217 positive decisions out of 26,292 total decisions). Meanwhile, inadmissible applications comprised 16% of the total decisions (4,148 cases), with the majority of applications (around 72%) resulting in negative decisions or terminations.

When looking at specific nationalities, applicants from Türkiye had the highest success rate among the major nationalities, with around 23% of their subsequent applications resulting in positive decisions, compared to less than 1% for Syria and 2% for Afghanistan.

Compared to 2023, where 49.6% of subsequent applications were rejected as inadmissible and 40.6% of applications decided on the merits were successful, the 2024 figures show a slight increase in negative decisions and a decrease in success rates, with only 15% of the total subsequent applications leading to positive decisions.

The 4,148 'positive' decisions in 2024 consisted of the following status decisions:

- Asylum or refugee status: 1,591
- Subsidiary protection: 743
- National) humanitarian protection / removal ban: 1,824

**Greece:** From January 2024 until November 2024, a total of 2,934 subsequent applications were dismissed as inadmissible at first instance and 1,660 at second instance.

**Hungary:** In 2024, 1 subsequent application was lodged.

**Netherlands:** In 2024, there were 1,585 subsequent asylum applications, compared to 1,390 for the whole of 2023.

**Romania:** In 2024, according with IGI-DAI, a total of 556 asylum applications were analysed in an accelerated procedure. The main countries of origin of the applicants whose procedure was accelerated were Nepal, Bangladesh, Pakistan, Ethiopia, Sri-Lanka.

**Sweden:** In 2024, a total of 6,830 subsequent applications were submitted and the Swedish Migration Agency decided on 7,279 subsequent applications. Out of them, 1,019 subsequent applications resulted in a residence permit being granted, and (299) subsequent applications were admitted for re-examination. The main countries of origin of applicants lodging a subsequent application were Iraq (729); Iran (492); Afghanistan (485); Syria (337) and stateless applicants (271).





## 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)

### Access to reception conditions

**Belgium:** In December 2024, Fedasil started to refuse reception to male applicants with a protection status from another EU Member State (M-status). Based on an instruction of the Secretary of State, the reception agency considers these applications as a ‘subsequent application’ even if it is the first one in Belgium. To support this definition of subsequent application, the Reception Agency also refers to the CJEU judgement in joined cases C-123/23 and C-202/23 Khan Yunis and Baabda. Civil society organisations appealed this instruction at the Council of State, which, on 27 December 2024, issued a judgment suspending the instruction. According to the Council of State, the instruction has a significant impact on many applicants and, therefore, profoundly changes the legal framework. As a result, the Secretary of State should have consulted the advisory body of the Council of State before applying this measure. In its judgement, the Council did not express itself on the legal basis of the instruction, since it suspended it purely on procedural grounds.

In reaction to this judgement, the Secretary of State repeated her wish to ‘tackle the phenomenon of secondary migration by applicants with an M-status’. She justified her policy by referring to a letter sent by the Commission. The letter would supposedly allow Belgium to frontload certain elements of the EU Pact on Asylum & Migration, such as the refusal of reception to persons with an M-status. In addition, she refers to the new Reception Conditions Directive 2024/1346 which would allow Member States to refuse reception for applicants with an M-status. At the time of writing, the new Reception Conditions Directive was not transposed into national law. Based on these arguments, Fedasil continues to deny reception to male applicants with an M-status.

**Bulgaria:** Asylum seekers who decide to live outside reception centres at their own expenses are not entitled to social benefits. Asylum seekers who are not self-sufficient are entitled to accommodation in the available reception centres, three meals per day, basic medical assistance and psychological support, even though the latter is not secured in practice. Monthly cash allowance is not provided since 2015. Access to any other social benefits under the EU acquis is not guaranteed by law, nor provided in practice, still raising concerns about compliance with Articles 17, 18 and 25 of the Reception Conditions Directive.

In 2017, the Committee against Torture raised concerns around substandard material conditions in reception centres, the absence of an adequate identification mechanism for persons in vulnerable situations, the removal of their monthly financial allowance, and insufficient procedural safeguards regarding the assessment of claims and the granting of international protection. Despite the period of time which has passed since the CAT report, there have been only moderate improvements to limit the continued deterioration of reception centres’ infrastructure, due to lack of budget to implement any refurbishment for the period 2019 to 2023. Therefore, all the findings remain valid to a great extent as of the end of 2024.

**Croatia:** In March 2020, access to Reception Centres for Applicants of International Protection became subject to visitation restrictions, i.e., only personnel of the Ministry of Interior necessary for the normal functioning of the Centre was allowed entrance to the facilities. This means that civil society organisations had to interrupt their activities in the centres, with the exception of the Croatian Red Cross and MdM. The same organisation continued with their activities in 2024 while other NGOs provided their services outside Reception Centres until the end of 2024.







According to information from the Croatian Red Cross, during 2024 a large number of applicants for international protection stayed in Reception Centre for Applicants for just a few days, while there were also those who stayed for less than 24 hours.

**France:** Eurostat data stated that at the end of 2024 147,450 people had a pending asylum application in France, and the French Office for Immigration and Integration (OFII) mentioned in on social networks that only 90,329 of them (i.e. 61%) benefited from the allowance for asylum seekers, which is a benefit received by all people eligible for material reception conditions. Thus, as of 31 December 2024, almost 40% of asylum seekers whose applications had been registered by France, i.e. more than 57,000 people, did not benefit from any material reception conditions. The lack of public data from the OFII as to the reasons why people did not have material reception conditions makes it impossible to analyse more precisely which legal bases are applied to refuse/withdraw them.

Asylum seekers eligible for material reception conditions also face difficulties in accessing the specific state accommodation dedicated to asylum seekers. The target for asylum applicants accommodated in a reception centre for asylum seekers was 64% for 2024.

**Greece:** Delays in accessing reception continued to be reported in 2024, on account of chronic delays in accessing asylum on the mainland, which have persisted even after the substitution of the skype registration system with the MoMA's new electronic platform in the summer of 2022. During the months preceding the new platform's operationalisation, and by contrast to temporary protection applications (who, with scarce exceptions, were all registered in a timely manner), access to asylum from the mainland for people who had not undergone first reception procedures became a near impossibility, leaving many applicants in a state of legal limbo. Yet, as noted elsewhere, even after its operationalisation, the online platform has been frequently unavailable/not functioning and, when functional, it has been observed that appointments for the full registration of an application are often granted many months later. These delays, which have persisted in Malakasa RIC throughout 2024 as well, have resulted in applicants' frequent inability to access asylum procedures for prolonged periods of time, during which they do not enjoy any of the rights granted to them by their status as applicants, including access to reception.

**Hungary:** In 2024, there was only one asylum seeker, who was entitled to accommodation, but not to any benefits (subsequent asylum application), initially accommodated in Vámoszabadi and was moved to Balassagyarmat within a month. On 31 December 2024, there were 13 people accommodated in Balassagyarmat, out of which 4 were asylum seekers.

**Ireland:** Throughout 2024, newly arrived single male protection applicants from 'safe countries' were not offered accommodation on arrival and in many cases were also subject to the accelerated procedure. In some cases, applicants who were street homeless were scheduled for their substantive interviews prior to having been offered accommodation by IPAS. Interaction with such a complex legal process, without the provision of adequate legal advice, is extremely challenging and in the opinion of the Irish Refugee Council, it is completely inappropriate that an applicant be required to undertake a substantive interview while experiencing street homelessness. In January 2024, the Irish Refugee Council wrote to the International Protection Office requesting that applicants subject to the accelerated procedure and experiencing homelessness be given the option to postpone their protection application until such time as they are offered accommodation, however, in a subsequent response, the International Protection Office indicated that the option to pause one's interview would not be considered on the basis to do so would be 'detrimental to the interests of applicants' and could result in further delay to the applicant's application.

Difficulties persisted throughout 2022, 2023, and 2024. Over the course of 2022, the Irish Refugee Council assisted approximately 147 international protection applicants experiencing or at risk of homelessness. A number of these individuals had not accessed the Direct Provision system upon their arrival in the State and





had subsequently been evicted from private accommodation arrangements, while others had lost their accommodation within the Direct Provision system due to alleged breaches of the House Rules. In the experience of the Irish Refugee Council, whereby re-accommodation was requested within the Direct Provision system, such requests went unanswered by IPAS for several weeks, and sometimes up to two months. During this period, applicants were left without access to shelter and were forced to sleep on the street, often in inclement weather. This cohort of applicants included individuals with medical vulnerabilities. While many clients were ultimately re-accommodated following sustained advocacy by the Irish Refugee Council's Information and Referral Service and Independent Law Centre, as well as intervention by the organisation's CEO, these practices amount to a clear breach of the State's obligations pursuant to the Reception Conditions Regulations and continued to occur as of February 2025, albeit to a slightly lesser extent. Additionally, many applicants now receive a notice in writing outlining the reasons for their eviction, thus making it possible for such applicants to appeal reductions and withdrawals of their reception conditions.

**Italy:** Law 187/2024 modified the Reception Decree introducing a hypothesis of exclusion from reception measures for those who, without justified reason, apply for asylum after 90 days of entering Italy. The law expressly refers to the new provision of a new accelerated procedure for those who enter Italy illegally and apply for asylum after 90 days. So, it seems that it should apply only to those who have entered Italy illegally. The exclusion decision must be taken in writing and motivated by the territorially competent Prefecture. It must take into account the vulnerability of the applicant.

Even if the rule recalls art. 20 of the Reception Directive, it does not respect its content since while the Directive provides for a mere hypothesis of reduction of reception measures, the rule regulates the exclusion from reception measures.

Moreover, Law 187/2024 – formalizing an already existing practice - introduced a priority criterion for access to reception facilities for people rescued at sea, making access to the reception of all other people (arrived by land, with autonomous disembarkations, Dublin returnees, etc.) subject to the availability of non-reserved places.

In this regard, after the entry into force of the law, the Ministry of the Interior has issued a Circular Note<sup>3</sup> with which it invites all Prefectures to take into account this criterion of priority entry into reception facilities. However, the Circular refers to mere entry (and not irregular entry) in the 90 days prior to the asylum request as a criterion for exclusion from reception.

However, some Prefectures, such as the one in Siena, have already gone beyond the scope of the new rule by providing for additional exclusion criteria. According to the Note spread by the Prefecture of Siena on 14 January 2025: 1) asylum applicants with mental disease can only be admitted upon presentation of a certificate from the competent health district attesting to compatibility with their presence in a facility that does not have health requirements; 2) Dublin asylum applicants have access to the facilities on a subordinate basis to asylum applicants whose Italian responsibility has already been declared.

**Poland:** There are some practical obstacles reported in accessing material reception conditions. In 2024, the problems identified in recent years continued. The difficulties intertwined with transport from detention centres to reception ones, and with the humanitarian crisis at the Polish-Belarusian border, were most prominent.

The humanitarian crisis at the Polish-Belarusian border, that started in 2021 and continued in 2024, left many prospective asylum seekers without access to material reception conditions. Third-country nationals that were stuck on that border or pushed back to Belarus were often not allowed to apply for international

<sup>3</sup> Mol Circular note, 22 January 2025.





protection in Poland – against Polish, EU and international law – thus, they could not obtain material reception conditions, including medical assistance, that is available to asylum seekers whose applications have been registered. In those circumstances, humanitarian aid (i.e. food, clothes, blankets) and medical assistance had to be provided by several local and state authorities (including the Commissioner for Human Rights), NGOs and private persons. However, its scope and effectiveness were greatly limited after the introduction of the state of emergency and similar measures, and the hampering and criminalisation of humanitarian assistance to migrants and asylum seekers in the country.

In 2024 the Commissioner for Human Rights The Office of the Ombudsman requested clarification from the Commander of the Border Guard Station in Dubicze Cerkiewne about a woman who was allegedly located on the eastern side of the dam along the Polish-Belarusian border. Based on the information available to the Commissioner, the woman, a foreign national, was injured and in need of medical care, as well as food and water. The Ombudsman also inquired whether the woman had received the necessary medical and humanitarian support, and specifically whether there had been any consideration to allow her to move to the western side of the dam where she could obtain the required assistance.

**Spain:** Lack of transparency and arbitrary in the rules accessing the centre have also been denounces during the years, such as in October 2024, when a Moroccan asylum seeker was denied the right to access reception in the CETI of Melilla.

### Reception capacity

**Belgium:** Since October 2021 Fedasil can no longer provide a reception place to all applicants for international protection. Because of the shortage of places, available places are given to ‘the most vulnerable’ applicants for international protection. In practice, these are families with children, single women, and unaccompanied minors. Adult single male applicants for international protection are systematically denied access to the reception network and can register on a waiting list. At the time of writing, 3,000 applicants were registered on the waiting list with an average waiting time of three to four months. Over the course of the whole reception crisis, legal proceedings have led to more than 10,206 convictions of the federal reception agency (Fedasil) on the national level and 2.282 interim measures against the Belgian state granted by the European Court of Human Rights (Rule 39). At the time of writing, 35 interim measures were still active. Even after receiving a positive court injunction, applicants must wait for several months before receiving an invitation to access the reception network. Since June 2023 Fedasil no longer prioritises applicants with a positive court injunction when inviting them from the waiting list. As a result, these applicants do not have access to an effective legal remedy.

In 2024 the capacity of the reception network increased with 562 places to a maximum capacity of 35,205 places. In the winter of 2024, Fedasil temporarily used youth hostels again to ensure enough places for vulnerable applicants.

**Bulgaria:** Reception centres are managed by the SAR. As of the end of 2024, there were 4 reception centres in Bulgaria. The total capacity as of 31 December 2024 was 3,225 and the occupancy 1,579.

In 2024, the number of new arrivals in Bulgaria decreased by 45%, which also decreased the occupancy rate to 49% as of the end of the year, when the country usually experiences the lowest numbers of the new arrivals due to winter weather conditions. Notwithstanding, the constantly decreasing reception capacity of the SAR would be raising serious concerns due to the high likelihood of over-crowding throughout spring to autumn months, if it was not for the high (99%) absconding rate of Afghan applicants and the rising (57%) absconding rates registered for Syrian applicants at the end of 2024.





In 2024, the national reception capacity continued to decrease to 3,225 places in all SAR reception centres despite the country having registered 12,250 asylum applicants in 2024 alone. This situation is mostly due to the fact that the SAR did not receive any of the funding requested for repairs or refurbishment in its 2020, 2021, 2023 or 2024 annual budgets. Just BGN 120,000 including VAT were provided in 2022, and no additional funding was provided in 2023, while SAR estimated at the end of 2023 to be in need of at least BGN 10,953,746 in order to be able to conduct the most necessary refurbishment, while its entire 2024 budget was of BGN 11,717,200. Temporary protection holders were not accommodated in SAR reception centres as due to the large number of arrivals their housing in the spring of 2022 was secured outside them under a Humanitarian Aid Program adopted in March by the regular government. In 2024, the number of new arrivals in Bulgaria decreased by 45%, which also decreased the occupancy rate to 49% as of the end of the year, when the country usually registers the lowest numbers of the new arrivals due to winter weather conditions. Notwithstanding, the constantly decreasing reception capacity of the SAR would be raising serious concerns due to the high likelihood of over-crowding throughout spring to autumn months, if it was not for the high (99%) absconding rate of Afghan applicants and the rising (57%) absconding rates registered for Syrian applicants at the end of 2024. The absconding rate for Syrians increased significantly after the SAR shifted its policy, from treating these applications as manifestly founded to conducting individual assessment and status determination, which resulted in higher refusal rates. The main reason for Afghan absconding can be likely found in the low recognition rates for this nationalities, which varied from 0.1% to 14% over a ten-year period. As a consequence, many Afghan applicants do not wish to continue their asylum process in Bulgaria.

1,579 asylum seekers resided in reception centres as of the end of 2024, thereby marking an occupancy rate of 49%.

**Cyprus:** The main form of accommodation used by asylum applicants is private accommodation secured independently, in all areas of Cyprus. There are no standards or conditions regulated for rented accommodation in Cyprus. Therefore, asylum applicants living in private accommodation may often be living in appalling conditions. Asylum applicants are expected to find accommodation on their own and there are no services available to refer persons to suitable accommodation or assist persons to identify and secure accommodation, including vulnerable persons and families with children, with the exception of an extremely few cases where the SWS assist. Indicatively, at the end of 2024 there were approximately 20,000 asylum applicants in the country whereas the total capacity of Centres is approximately 1,400. Most asylum applicants reside in the community in private houses/flats, which they are required to secure on their own.

The Limnes Centre was also used at times on ad-hoc basis to address overcrowding at Pournara. Since March 2024, the Center has been hosting some 160 asylum seekers mainly Syrians. In early 2024, the majority of residents in Limnes were persons that have applied for the Assisted Voluntary Return Program. Currently the majority of residents in Limnes are asylum seekers.

**France:** Despite the already existing lack accommodation places for asylum seekers, the Finance Law adopted in February 2025 provides for a € 69 million cut in funding for accommodation for asylum seekers. € 45 million of the cut is to be achieved by eliminating places (the rest is to be achieved by not opening places that are temporarily unavailable). Over 10 months, this represents a reduction of more than 11,000 places for people seeking international protection.

**Greece:** By the end of September 2024, 5,746 individuals were registered by the RIS in Evros, out of which 4,331 were men and 1,415 were women. According to official statistics, the nominal capacity of the Fylakio RIC is 768 places, out of which 284 places belong to the Pre-removal Detention Center. It shall be noted that during 2024, a new section (extension) of the RIC, which has 142 accommodation places, started to be in use.

During 2024, depending on the capacity of the second line reception facilities, and ensuing delays in official transfers of applicants from the Fylakio RIC to other facilities in the mainland, according to GCR observation,





in certain cases registered applicants who had initially expressed their wish to be referred to such facilities as part of their right to reception conditions, have been given the option to be released and leave the RIC on their own. However, in order to do so, applicants are first required to sign a solemn declaration, stating an address, as well as their willingness to no longer be included in official transfers to other facilities on the mainland, and for their right to reception conditions to be waived. Accordingly, this practice, aimed at decongesting the Fylakio RIC, needs to be checked, at least, with respect to the extent to which applicants are effectively informed of the consequences of signing this form, particularly given the link between residence in the Greek reception system and access to a set of provisions, both under material reception conditions (receipt of financial aid), and in the context of limited support to integration (enrolment to Helios) for those that may end up being granted international protection in Greece.

Between January and November 2024, a total of 33,515 persons were transferred to the mainland from the islands of Lesvos (2,877), Samos (7,472), Chios (4,110), Kos (9,033), Leros (5,948) or from other islands (4,075). Despite these increased efforts, by the end of November 2024, 12,080 persons were still residing in facilities with a designated nominal capacity of 14,942 places, resulting in near all facilities operating beyond their reported capacity.

Namely, on 31 December 2024, the CCAC of Chios, with a reported capacity of 1,014 places, was hosting 1,020 people, the CCAC of Samos, with a reported capacity of 3,664, was hosting 4,126, the CCAC of Kos, with a reported capacity of 3,455, was hosting 1,506 and the Lesvos CCAC with a reported capacity of 3,871 was hosting 3,836.

**Hungary:** On 31 December 2024, there were 2 open reception centres and 1 home for UaSC in Hungary.

In 2022, 2023, as well as in 2024, asylum seekers were never left without accommodation due to a shortage of places in reception centres.

**Ireland:** Capacity within the Direct Provision accommodation system remained a significant challenge throughout the year. Throughout 2024, the number of individuals seeking international protection continued to increase. Accommodation capacity was thus, extremely constrained. On the 4th of December 2023, the International Protection Accommodation Service announced that it would not be in a position to provide accommodation to all international protection applicants due to a severe shortage in accommodation capacity. As a result, throughout 2024, all single male international protection applicants who presented to the International Protection Office were assessed by IPAS and HSE staff for any significant vulnerabilities or health issues and prioritised for accommodation as necessary. Whereby no significant vulnerabilities were identified, male applicants were not provided with accommodation. This resulted in many applicants having no option but to sleep on the street for prolonged periods, often during bouts of inclement weather conditions and amidst a period of increased anti-immigrant sentiment. At the time of updating, there were 3,062 individuals awaiting an offer of accommodation from IPAS. The Irish Refugee Council was aware of significant numbers of individuals experiencing street homelessness for a period of months. Families with children and single women continued to be offered accommodation throughout 2024.

IPAs who were not provided with accommodation received a temporary increase of €75 to their Daily Expense Allowance (DEA). This increased the allowance to €113.80 a week for eligible applicants. Applicants were also advised that they could make an application for an Additional Needs Payment (ANP), to cover essential needs such as food, transport, or accommodation, however, in the experience of the Irish Refugee Council, the extent to which this was made available to applicants in practice remained inconsistent throughout 2024.

On the 27th March 2024, it was announced that the Government had agreed a new Comprehensive Accommodation Strategy for International Protection applicants. Following the publication of the White Paper to End Direct Provision in 2021, significant increases in the numbers of those seeking international





protection in the State, as well as the requirement to accommodate beneficiaries of temporary protection, have resulted in significant challenges to the State's ability to provide accommodation in respect of those seeking international protection. A revised accommodation strategy was therefore published, both with a view to responding to the current homelessness crisis, as well as in order to establish a revised accommodation model, amending the approach outlined in the White Paper in order to take account of the increased number of arrivals. The Strategy foresees a move away from full State reliance on private accommodation providers, and towards a core of State-owned accommodation. The State aims to deliver 14,000 state-owned beds by 2028, and this will be supplemented by commercial providers. In order to deal with the demand led nature of the system, the commissioning of emergency commercial accommodation will continue to be a feature in the short to medium term. According to the State it is the intention of the strategy to put an end to the use of unsuitable accommodation options currently relied upon and gain greater control in respect of the geographic distribution, allocation and dispersal of applicants.

As of February 2024, there were 270 Direct Provision centres located nationwide, including 216 emergency centres and three centres containing tented accommodation. As of February 2025, there were 320 Direct Provision centres located nationwide, including 265 emergency centres and six centres containing tented accommodation.

As of February 2024, 27,106 people resided in Direct Provision, 6,067 of whom were children. As of February 2025, there were 32,948 people resident in Direct Provision, 9,162 of whom were children.

As of February 2025, capacity within the Direct Provision accommodation system remained a significant and ongoing issue. 2024 saw the continued reliance on the use of emergency centres. Such centres often comprised of disused offices, large conference rooms, schools, and sports halls in order to accommodate international protection applicants. The Irish Refugee Council has been alerted to numerous grievous risks to vulnerable residents accommodated in these centres, including to women and minor children. These reports included significant child protection issues and serious privacy concerns. Throughout 2024, the State also continued to use tented accommodation to accommodate international protection applicants at various locations around the country. While initially intended as a temporary measure, many applicants spent months residing in wholly unsuitable accommodation which did not meet their basic needs and exposed them to at times freezing and wet weather conditions.

In March 2024, it was announced that the site of a former nursing home, located at Crooksling in southwest Dublin, would be repurposed for use as tented accommodation for male international protection applicants. Following the opening of the site, many residents reported sub-standard living conditions which posed a risk to the health, personal safety, and wellbeing of individuals living at the facility. Initially it was believed that accommodation at the site would be offered as an alternative to street homelessness in respect of applicants who were not offered accommodation on arrival in the State. However, it subsequently became apparent that the site would be classified as 'a designated accommodation centre' for the purposes of granting material reception conditions. Many individuals would therefore spend indefinite periods at the site following periods of homelessness on arrival in the State. In July 2024, it emerged that a resident, accommodated at the site following a period of homelessness upon his arrival in the State, had instigated legal proceedings against the State, alleging that the facility does not meet his basic needs, as required by the Reception Conditions Directive 2013. The proceedings were ongoing at the time of updating.

The Irish Refugee Council visited the site in September 2024, during which residents also reported an apparent lack of governance and oversight within the facility, particularly regarding the needs of the residents, with no central manager present on site. The isolated location of the facility, as well as lack of public transport links also meant that residents had difficulty accessing employment in addition to basic services. The levels of stress, anxiety and frustration amongst residents were also apparent, with many residents reporting a significant deterioration in their mental health since arriving at the facility. There were also reports







of harassment of residents at the site by far right agitators, including verbal harassment and the flying of drones over the site in order to obtain aerial footage of same.

Similar tented facilities were established at Newtown Mount Kennedy, Co. Wicklow and Athlone, Co. Westmeath throughout 2024, bringing to six the total number of tented accommodation facilities in the State. Approximately 812 international protection applicants were accommodated at these facilities as of 15 December 2024.

Plans for an additional tented accommodation facility to be located at Thornton Hall, Co. Dublin were temporarily suspended on the 5th of November 2024, after the State indicated its intention not to contest judicial review proceedings instigated in respect of the proposed development. The proceedings were instigated by local residents who alleged that a Ministerial Order made in respect of the site ought not be allowed to stand due to a lack of adequate environmental screening having been conducted in advance of establishment of the facility. Subsequently, on the 18th of November 2024, it was reported that a revised Ministerial Order would be issued 'within weeks', however, development of the site remained suspended at the time of updating. The proceedings followed several months of disruptive protests at the site by locals who objected to the development.

In June 2021, 1,360 protection applicants, 174 of whom were children, were housed in emergency accommodation. In January 2023, 11,414 individuals were housed across 79 emergency centres. By February 2024, 18,702 individuals were residing across 216 centres. As of February 2025, this figure had increased to 24,975 individuals across 265 centres.

Emergency Reception and Orientation Centres (EROC) were specifically designed for the accommodation of persons arriving in Ireland through relocation and resettlement. There are three EROC located in Waterford, Roscommon, and Meath. As of 31 December 2021, there was a total contracted capacity of 545 places across three EROC centres and 430 individuals resided in the three centres. As of 31 December 2022, there was a contracted capacity of 545 places across three EROC centres and 430 individuals resided in the three centres. As of March 2024, there was a total contracted capacity of 545 places across three EROC centres and 447 individuals resided in the three centres.

**Italy:** According to the data shared by the MOI Department of Civil Liberties after a FOIA request made by ASGIs, as of 31 December 2024, out of the 96,890 places available, only 95,453 were actually occupied.

At least three factors, which have characterised the Italian reception system since its creation, affect the functioning of the system and the possibility for asylum applicants to access reception centres. As better detailed in the next dedicated paragraph, they can be summarised as follows:

1. Although the provision of reception measures is mandatory, the activation of SAI facilities is determined on a voluntary basis: Municipalities can decide whether to adhere to the SAI network and have full discretion as to the extension, increase or reduction of the existing places, regardless of the reception needs that emerge on the national territory and in the single territories;
2. The chronic unavailability of places in SAI results in the need for local Prefectures to prepare temporary measures and set up government reception centres (CAS), but the drastically lowered costs provided by the tender specifications schemes for reception in these facilities have *de facto* favoured the creation of large centres managed by multinationals or for-profit organisations and excluded many of the small non-profit and professional organisations and cooperatives from the accommodation landscape.
3. The conceptualisation of reception obligations as an emergency to be faced in the short term – and the unconcealed intentions to limit arrivals – have so far prevented serious and reasoned interventions on the implementation of an efficient accommodation system able to face the numbers of arrivals which periodically and systematically increase.





4. The absence of transparency on the updated availability of places in the CAS and the absence of willingness on the part of the Prefectures to look for the availability of reception places in territories other than the one under their jurisdiction, prevents people from directly requesting and obtaining assignment to a place in the national system, usually having to wait for the waiting list present at the individual prefectures.

As a direct consequence, the number of places in the ordinary reception system is largely insufficient when compared to the existing needs. Another issue is that, even if the places are in theory available in a region other than the one in which the applicant is located, neither the nor the competent prefecture have the means to know about the additional places. In this situation, the regulatory provision introduced by Law 187/2024, which gives priority to the reception of asylum applicants rescued at sea, will contribute to giving formal support to an already existing practice and will allow the prefectures to justify the refusal to enter the reception on this legal basis which appears not compatible with the Reception Directive.

Italian legislation does not provide for specific or differentiated reception forms for asylum applicants who are subjected to the accelerated procedure.

However, it must be emphasized that, in almost all cases in which the asylum application is processed with an accelerated procedure, any appeal filed against the rejection of the application for international protection by the territorial commissions does not entail the automatic suspension of the effects of the rejection decisions and this has direct repercussions on the right to reception because, if the request for suspension is not accepted by the competent Court, the applicant loses access to reception conditions.

It should also be noted that, after the judgment of the Court of Cassation in United Sections no. 11399/2024, most of the Courts held that exceeding the terms of the accelerated procedure by the public administration involves the restoration of the ordinary procedure and therefore the automatic suspensive effect of the appeal.

According to the MOI response to a FOIA request data access submitted by ASGI at the end of 2024, 95,453 asylum applicants were accommodated in CAS, 461 in hotspots 3,724 in Government centres.

The total number of people accommodated at 31 December 2024 in the SAI system at the end of the year was 37,678, but it is not known how many of them were asylum applicants.

It is also not known how many people were accommodated in provisional CAS (so-called CASP).

However, according to the data published by MOI, people accommodated in Government centres and CAS were 101,002. The total number of people accommodated at 31 December 2024 was 139,141.

The Ministry of Interior informed that, at 31 December 2024, while the capacity of governmental centres was 3,540, the occupancy was 3,724. In some centres centres were particularly overcrowded: in Gradisca d'Isonzo, with a capacity of 303, 414 asylum applicants were present; in Bari, there were 850 people, on 640 available places, in Manfredonia, 140 people on 80 places and in Treviso 545 asylum applicants compared to a capacity of 450.

**Netherlands:** Less than half of the people entitled to reception conditions (i.e. asylum seekers) as well as beneficiaries of international protection who have not been offered housing yet, were staying in regular Central Agency for the Reception of Asylum Applicants (COA) reception centres over the course of 2024 (34,675 out of 72,610 people). All other residents stayed at COA emergency locations or crisis emergency locations and/or temporary reception locations managed by municipalities. Different reports highlight how the majority of the (crisis) emergency locations still largely fail to meet the State's obligations under EU law.

On 22 December 2023 the Municipality of Westerwolde sued the COA for breach of contract because the maximum capacity of 2,000 asylum applicants was exceeded time and time again in 2023. On 23 January 2024, the Civil Court ruled in favour of the Municipality, stating that COA has to pay a legal penalty of € 15,000 for every day that there will be more than 2,000 people residing in Ter Apel. Due to continuous overcrowding, by June 2024, the COA had reached the maximum penalty of € 1,500,000. However, it continued to exceed the maximum capacity almost every day. Consequently, the Municipality of Westerwolde sued the COA again, seeking a higher penalty to enforce compliance. On 30 October 2024, the Civil Court ruled in favour of the





Municipality again, now imposing a penalty of € 50,000 for every day that there are more than 2,000 people residing in Ter Apel. In response to the ruling, the COA expressed concerns that imposing a penalty does not contribute to solving the problem, and stresses that it structurally needs more long-term reception locations to ensure sufficient capacity. The COA has lodged an appeal that will be heard in March 2025. After the court ruling on 30 October 2024, the situation in Ter Apel improved. Since November, the occupancy has dropped below 2,000 people, due to the opening of several emergency reception centres and the prevention of closures of existing locations. However, the COA indicates that the maximum capacity of 2,000 people may be exceeded at any moment if insufficient reception places become available elsewhere. This is not an unlikely scenario, as COA locations are continuously at almost 100% capacity.

In 2024, the Spreading Law was implemented. It has prompted most municipalities to take action and they have come together to find locations that can be used for asylum reception over the long term. Five out of twelve provinces have successfully met the required number of reception places. Noord-Holland is one of the provinces that has not managed to meet the required number yet, however the King's Commissioner, Arthur van Dijk, is positive about the effort of its municipalities, arguing that they are working hard to comply with the requirements. In Noord-Brabant and Gelderland, 90 percent has been met. In total, the twelve provinces have committed to providing 80,091 reception places, fulfilling 83% of the required numbers of the law. For comparison, there are currently only about 35,000 regular reception locations available. This demonstrates that the law is effective in driving action, as also concluded by the Association of Dutch Municipalities (VNG). However, the new government coalition has announced in its coalition agreement that it wants to repeal the Spreading Law. This is one of the reasons the required numbers have not been met yet. As explained by the provinces, the announcement of the intention to repeal the law, shortly after its implementation, caused confusion and delays. Local officials often found themselves in a difficult position when trying to justify the intended reception locations to local residents, and some municipalities refuse to continue the search for locations due to the uncertainty surrounding the law. The provinces urge the Minister to continue the Spreading Law in full, until sufficient residence capacity has been realised in the Netherlands.

In 2024, the location of Ter Apel was at full capacity almost continuously, resulting in applicants being sent to 'pre-registration locations' all over the country and, on several occasions, asylum applicants sleeping on mattresses on the floor in portakabins on the Ter Apel grounds.

**Poland:** At the end of 2024, 9 reception centres operated in Poland, offering 1,479 places for asylum applicants. Two centres served as the first-reception centres (located in Podkowa Leśna-Dębak and Biała Podlaska) and seven functioned as accommodation centres (located in Białystok, Czerwony Bór, Bezwola, Łuków, Kolonia-Horbów, Grupa and Linin). The Head of the Office for Foreigners is responsible for the management of all the centres. This authority can delegate its responsibility for managing the centres to social organisations, associations, private owners, companies etc. Currently, 5 reception centres are managed by private contractors.

**Slovenia:** In 2024, the number of arrivals decreased, however due to lack of accommodation centres, the reception conditions in the Asylum Home did not improve significantly in comparison to previous years.

In the beginning of 2024, the decision was made to move temporary protection holders from Logatec to other UOIM capacities for temporary protection holders around the country in order to free up capacity for asylum applicants. Asylum applicants and individuals waiting to lodge the application for international protection were accommodated in Logatec during the year, including unaccompanied minors, single women and families. Due to lack of capacity individuals were also accommodated in containers.

In the beginning of 2024 the Government announced that two new accommodation centres will be established in Brežice and Središče ob Dravi. The announcement was met with strong opposition from the local communities, who opposed the creation of new accommodation centres in their municipalities and also





warned that the selected locations lacked the proper infrastructure and conditions for constructing new centres. Both municipalities lodged an administrative dispute against the Governments' decision. It was however dismissed by the Administrative Court. By the end of 2024 the construction of the new facilities had not begun.

**Spain:** In August 2024, the Minister of Inclusion increased up to 18 million Euros the budget allocated to the asylum reception system from September to the end of December 2024.

In October, the Government re-launched the plan to increase the number of asylum reception places that was announced in 2023 by the previous Ministry of Inclusion, Social Security and Migration, which foresaw the creation of 5,700 new reception places with an allocated budget of 176 million euros. The plan was blocked due to the opposition of certain municipalities (mainly led by the right-wing parties Partido Popular and Vox) to the construction of asylum reception facilities in their territories.

In the same month, the trade union UGT condemned the proposal of the President of the EU Commission to create return centres outside the EU, and called the Spanish Government to reject such a proposal and to advocate for migration policies in line with human rights standards and the international law. Similarly, different NGOs (i.e. Accem, Caminando Fronteras and CEAR) opposed the creation of such facilities outside the EU, due to the risks in terms of fundamental rights violations these would lead to. At a meeting of the European Council held in October 2024, the Spanish Prime Minister expressed his opposition to the creation of reception centers outside the EU, as he considered that they would not address the existing problems, and instead give rise to new challenges.

In November, the Government decided to increase with an additional €319 million the budget allocated for the asylum reception system and the humanitarian assistance programs for 2025, reaching a total amount of €979.1 million.

Following a parliamentary request made by Junts, the Government informed in December that it counts with a total of 45,185 reception places in Spanish mainland, with 29,211 within the asylum reception system, and 15,974 for the humanitarian assistance of migrants.

Cases of asylum seekers living on the streets because of the saturation of the reception system and the delays in the formalisation of the asylum applications continued to be reported in 2024. In January 2023, the EU Commission started an infringement procedure against Spain for not having transposed completely and correctly the EU norms on reception conditions, giving to Spain a 2 months deadline to address the deficiencies of its system. No further developments on the case were registered at the time of writing of this report, as the case remains pending. In December 2024, the Network of Organisations for the Assistance to Homeless Persons in Alicante (Red de Entidades para la Atención a Personas Sin Hogar de Alicante - Reapsha) denounced that 240 persons lived on the streets in Alicante, which represents an increase compared to the previous year. The network reported that, among them, there are also asylum applicants and UAMs aged out.

Despite the increase in reception capacity, various asylum seekers were still left homeless in 2023 and at the beginning of 2024, also due to the mentioned problems in accessing asylum procedure and appointments to register asylum applications. In February 2024, almost 140 persons arrived in Huesca (Aragón) from the Canary Islands denounced the risk to sleep on the streets.

In 2024, the construction of new migrants and refugees' centres continued, in some cases with the opposition of the local population, such as for the case of the facility in Churriana (Málaga), or those in Vitoria, Villalbino and Azuqueca de Henares opposed by right and right-wing parties.





In January 2024, the Minister of Inclusion, Social Security and Migration announced the creation of new reception places for asylum seekers and migrants, also with specific places for persons with disabilities, and strengthening those responding to the specific needs of LGBTBI+ asylum seekers and victims of gender-based violence.

At the beginning of 2024, the Government of Andalucía allocated almost EUR 2 million to the Municipalities of Lepe, Moguer and Lucena del Puerto, with the aim of improving living conditions for temporary migrant workers in informal settlements.

In May 2024, the Minister of Inclusion, Social Security and Migration met with the Regional Government of Andalucía (Junta de Andalucía) with the aim of discussing about the first strategic plan to eradicate informal settlements.

In November, the ONG 'Almería Acoge' informed about the extreme poor living conditions and exclusion faced by about 4,000 living in the informal settlement of Níjar.

At the end of December 2023, there were reports of bad conditions and overcrowding at the ad hoc spaces for asylum seekers at the Madrid Barajas Airport. Three judges asked the Minister of Interior to improve the situation. Despite the Ministry of Interior announcing the adoption of appropriate measures to resolve the situation following the judicial requirements, in January 2024 the Unified Trade Union of the National Police (Sindicato Unificado de Policía - SUP) highlighted that the overcrowding and the insalubrity of the facility continued, and lodged a report to the Ombudsperson.

During August 2024, overcrowding at the asylum rooms at the Madrid Airport was denounced by the Spanish Confederation of the National Police, due to the increase of persons (mainly Mauritians) applying for asylum while transiting in Spain during their travel to South America. The Confederation reported an increase of asylum applicants up to 350% since June 2024. The Bar Association of Madrid warned the Minister of Interior about the serious structural deficiencies (i.e. the lack of qualified interpreters, the overloading of the police professionals, the lack of basic tools such as the asylum forms, etc.), which rendered it impossible to guarantee proper legal assistance.

**Sweden:** The number of places in Migration Agency accommodation decreased from 14,784 in 2023 to 13,979 in 2024.

In 2024, the average duration of stay in the reception system were 724 days.

### Standards for reception

**Bulgaria:** Since 2015, the conditions in all national reception centres have been gradually deteriorating, with support limited to accommodation, nutrition and rudimentary medical help without provision of psychological care or assistance. In 2022, a SAR internal revision of the reception centers' capacity revealed it to be far below long-time declared 5,160 places, mainly because the designated premises were unfit for living. In 2024, SAR reported just 3,225 places available for accommodation in all of its reception centres. The asylum agency continued to be severely underfunded in general. The SAR annual budgets were, respectively, in 2021: 10,689,700 BGN; in 2022: 14,095,300 BGN; in 2023: 12,038,218 BGN and in 2024: 11,717,200 BGN. The only budget allocated for repairs or refurbishment of the reception centers was of 145,000 BGN in 2022 with no such means allocated in the 2020, 2021, 2023 or 2024 annual budgets of the asylum agency. As a result, reception centers accommodating applicants during their asylum procedure continued to face persistent issues related to infrastructure and living conditions, often falling below basic standards. In many cases, they failed to provide even the most essential services, including adequate nutrition and sanitation in both personal and communal spaces. Access to regular and hot water, as well as maintenance and repairs in





bathrooms, rooms, and common areas, remained highly problematic due to the absence of a dedicated budget for upkeep. Long-standing issues such as infestations of bedbugs, lice, cockroaches, and rats persisted across facilities. The Ovcha Kupel shelter in Sofia, the oldest reception center, deteriorated to such an extent that at one point, SAR management considered its complete closure. By the end of 2024, the only remaining functional space within the facility was the safe zone for unaccompanied children, managed by the IOM. Residents across all reception centers, except for the Pastrogor transit center, continued to express concerns about poor living conditions, particularly the persistent issue of bedbug infestations, which frequently led to health problems such as chronic skin inflammations and allergic reactions. Despite monthly and ad hoc disinfection efforts throughout 2024, the issue, which first emerged in 2013 and was largely neglected until 2023, remained a serious and ongoing concern.

Throughout 2024, the most serious concern relating national reception conditions remained the lack safety and security for asylum seekers accommodated in reception centres. These continued to be seriously compromised due to the presence of smugglers, drug dealers and sex workers who had access to all reception centres during the night hours without any interference from the private security guards. The SAR received many public disorder complaints during 2024 both in Sofia and Harmanli, which escalated in public demonstrations and committees requesting the reception facilities to be either closed, or turned to closed-type centers. In 2022 and 2023, a non-governmental organisation continued raising concerns regarding safety of reception centres. Starting from mid-2022, the SAR submitted several requests to the Ministry of Interior, to engage the police in guarding of the reception centres, but the MOI initiated a procedure in this sense only by the end of 2023, to investigate the possibility for SAR reception centres to be guarded by the national police and gendarmerie. In April 2024, additional amendments to the law were made, but only from 31 January 2025 did the MOI take over the guarding of the reception centers of the SAR, starting with Sofia and Harmanli ones. This major change is expected to seriously improve the safety and security of asylum seekers who are accommodated in the reception centers.

In the end of 2024, the oldest reception facility of Ovcha Kupel shelter in Sofia which is at a state of complete dilapidation remained to be used as accommodation solely for unaccompanied children in the safe-zone area, managed by IOM.

**Cyprus:** Reception standards remain below adequate levels, exposing asylum applicants to risks of homelessness and destitution. Conditions in the reception centres improved in 2023 and 2024, however the majority of asylum applicants are hosted in the community rather than in reception centres, and often live in extremely poor conditions. The timely identification, and especially the response to the needs of vulnerable individuals, including children, both within reception facilities and in the community, is below standards.

In 2024, there were no incidents of unrest in the Pournara centre, and conflicts were rare and were handled swiftly without any injuries or serious damages. However, residents often raise complaints about the restriction of movement, which cause frustration and also highlighted the difficulties to identify and secure accommodation while held in the Center.

**Greece:** As underlined by the Greek Ombudsman's in his report for 2024, (p. 25) most of the facilities in the mainland are located outside urban areas, often in remote locations, which create clear challenges in terms of access to goods and services and foster a strong sense of isolation of residents from local communities. During his visit to Greece in February 2024, the UN High Commissioner for Refugees also flagged the "persisting challenges, particularly concerning the remote location of camps, which hampers accessibility of vital services, such as health care and psychological support, as well as access to employment opportunities and interaction with local communities – essential for integration". The "persisting challenges, particularly concerning the remote location [of camps] which hampers accessibility of vital services, such as health care and psychological support, as well as access to employment opportunities and interaction with local







communities – essential for integration” were also flagged in February 2024 by the UN High Commissioner for Refugees, Filippo Grandi, during a two-day visit to Greece.

**Ireland:** Throughout 2024, reception standards continued to deteriorate. 2024 continued to see a movement away from traditional use of hotel and guest house accommodation and an increased reliance by the State on so-called ‘emergency centres’ and tented accommodation. In March 2024, it was announced that the site of a former nursing home, located at Crooksling in southwest Dublin, would be repurposed for use as tented accommodation for male international protection applicants. Following the opening of the site, many residents reported sub-standard living conditions which posed a risk to the health, personal safety, and wellbeing of individuals living at the facility. Initially it was believed that accommodation at the site would be offered as an alternative to street homelessness in respect of applicants who were not offered accommodation on arrival in the State. However, it subsequently became apparent that the site would be classified as ‘a designated accommodation centre’ for the purposes of granting material reception conditions. Many individuals would therefore spend indefinite periods at the site following periods of homelessness on arrival in the State. In July 2024, it emerged that a resident, accommodated at the site following a period of homelessness upon his arrival in the State, had instigated legal proceedings against the State, alleging that the facility does not meet his basic needs, as required by the Reception Conditions Directive 2013. The proceedings were ongoing at the time of updating.

The Irish Refugee Council visited the site in September 2024, during which residents also reported an apparent lack of governance and oversight within the facility, particularly regarding the needs of the residents, with no central manager present on site. The isolated location of the facility, as well as lack of public transport links also meant that residents had difficulty accessing employment in addition to basic services. The levels of stress, anxiety and frustration amongst residents were also apparent, with many residents reporting a significant deterioration in their mental health since arriving at the facility. There were also reports of harassment of residents at the site by far right agitators, including verbal harassment and the flying of drones over the site in order to obtain aerial footage of same.

Similar tented facilities were established at Newtown Mount Kennedy, Co. Wicklow and Athlone, Co. Westmeath throughout 2024, bringing to six the total number of tented accommodation facilities in the State. Approximately 812 international protection applicants were accommodated at these facilities as of 15 December 2024.

Plans for an additional tented accommodation facility to be located at Thornton Hall, Co. Dublin were temporarily suspended on the 5th of November 2024, after the State indicated its intention not to contest judicial review proceedings instigated in respect of the proposed development. The proceedings were instigated by local residents who alleged that a Ministerial Order made in respect of the site ought not be allowed to stand due to a lack of adequate environmental screening having been conducted in advance of establishment of the facility. Subsequently, on the 18th November 2024, it was reported that a revised Ministerial Order would be issued ‘within weeks’, however, development of the site remained suspended at the time of updating. The proceedings followed several months of disruptive protests at the site by locals who objected to the development.

Throughout 2024, the State continued to rely on emergency centres comprised of disused offices, large conference rooms, schools, and sports halls in which to accommodate international protection applicants. Applicants were often accommodated in congregated and overcrowded settings without access to basic public services. Citywest Hotel and Convention Centre also continued to operate throughout the year as both a transit hub for the processing of beneficiaries of Temporary Protection, as well as for the accommodation of newly arrived international protection applicants. The Irish Refugee Council Information and Advocacy Service received several extremely concerning reports of alleged violence perpetrated by security officers working at Citywest against residents. Several residents sustained serious and life-altering injuries arising out





of the alleged violence, while others had their reception conditions withdrawn and were rendered street homeless in purported acts of retribution perpetrated against residents for their involvement in such incidents.

As of the 15 January 2024, there were 407 international protection applicants resident in the centre.

As of 9th January 2024, the Health Information and Quality Authority (HIQA) assumed the responsibility for monitoring and inspecting International Protection Accommodations Service centres against the legally binding National Standards for Accommodation Offered to People in the Protection Process. This function is conferred upon HIQA by an amendment to the European Communities (Reception Conditions) Regulations 2018 by way of the European Communities (Reception Conditions) (Amendment) Regulations 2023 (S.I. No. 649 of 2023). HIQA commenced inspections in early 2024, and in April 2024, published its first inspection reports. As of November 2024, reports had been published in respect of nine centres. Three of the centres inspected were found to have no non-compliances identified against the National Standards. The remaining six had varying levels of compliance. The areas of non-compliance identified included assessment and response to special needs of residents, contingency planning and preparedness, accommodation, food, catering and cooking facilities, governance, accountability and leadership, responsiveness of workforce and safeguarding and protection. In one of the centres, inspectors found that a safeguarding incident involving the welfare of four children was not managed in line with national policy or guidance. Whereby non-compliance, providers were required to submit compliance plans in order to demonstrate what improvements they will make in order to bring the centre into compliance with the National Standards.

In April 2024, HIQA published its first inspection reports. As of November 2024, reports had been published in respect of nine centres. Three of the centres inspected were found to have no non-compliances identified against the National Standards. The remaining six had varying levels of compliance. The areas of non-compliance identified included assessment and response to special needs of residents, contingency planning and preparedness, accommodation, food, catering and cooking facilities, governance, accountability and leadership, responsiveness of workforce and safeguarding and protection. In one of the centres, inspectors found that a safeguarding incident involving the welfare of four children was not managed in line with national policy or guidance.

On the 27th of March 2024, it was announced that the Government had agreed a new Comprehensive Accommodation Strategy for International Protection applicants. Following the publication of the White Paper to End Direct Provision in 2021, significant increases in the numbers of those seeking international protection in the State, as well as the requirement to accommodate beneficiaries of temporary protection, have resulted in significant challenges to the State's ability to provide accommodation in respect of those seeking international protection. A revised accommodation strategy was therefore published, both with a view to responding to the current homelessness crisis, as well as in order to establish a revised accommodation model, amending the approach outlined in the White Paper in order to take account of the increased number of arrivals. The Strategy foresees a move away from full State reliance on private accommodation providers, and towards a core of State-owned accommodation. The State aims to deliver 14,000 state-owned beds by 2028, and this will be supplemented by commercial providers. In order to deal with the demand-led nature of the system, the commissioning of emergency commercial accommodation will continue to be a feature in the short to medium term. According to the State it is the intention of the strategy to put an end to the use of unsuitable accommodation options currently relied upon and gain greater control in respect of the geographic distribution, allocation and dispersal of applicants. The Irish Refugee Council stated in a press release that, while the plan has several positive elements such as confirmation of a child benefit style payment and accommodation for vulnerable groups, it is extremely light on detail, dependent on funding that is not yet confirmed, and crucially, does not demonstrate a sufficiently urgent way to end the current homelessness crisis.





In 2024, spending increased by 54% to €1.005 billion, including all accommodation and ancillary costs such as facilities management and other related expenditure.

**Netherlands:** While some (crisis) emergency locations have adequate facilities, these are exceptions, and conditions elsewhere are equally distressing, if not worse than last year. The inadequate reception conditions at (crisis) emergency locations are especially alarming due to the long period of stay. People suffer severely from a lack of privacy, tranquillity, and suitable nutrition. Sanitary facilities are inadequate and particularly unhygienic at too many locations. Problems with healthcare accessibility exist in almost half of the (crisis) shelters. Additionally, the majority of the (crisis) shelters are detrimental to children, who experience a decline in health and weight loss due to a lack of activities, safe play areas, and healthy food. Large differences between (crisis) shelters reveal that whether asylum seekers are able to experience decent reception in the Netherlands is subject to arbitrariness. Without structural measures, the dire situation in which residents find themselves at the (crisis) emergency locations continues to be without a foreseeable resolution.

**Slovenia:** In 2024 the reception conditions did not meet the EUAA minimal standards.

### Reception conditions

**Bulgaria:** Occupants from all reception centres, except Pastrogor transit center, continued to complain about the living conditions, especially regarding bedbugs which regularly cause health issues, i.e. perpetual skin inflammations and allergic reactions. This problem arose after 2013, was continuously neglected until 2023 and remains a very serious issue to this day, despite the regular monthly and ad hoc disinfections made throughout 2024.

Throughout the whole 2024 the most serious concern relating national reception conditions remained the safety and security of asylum seekers accommodated in reception centres. They continued to be seriously compromised due to the presence of smugglers, drug dealers and sex workers who had access to all reception centres during the night hours without any interference from the private security guards. The SAR received many public disorder complaints during 2024 both in Sofia and Harmanli, which escalated in public demonstrations and committees requesting the reception facilities to be either closed, or turned to closed-type centres. In 2022 and 2023, a non-governmental organisation continued raising concerns regarding safety of reception centres and asylum seekers accommodated in. Starting from mid-2022, the SAR submitted several requests to the Ministry of Interior, to engage the police in guarding of the reception centres, but it was not before the end of 2023 when MOI initiated a procedure, to investigate the possibility for SAR reception centres to be guarded by the national police and gendarmerie. In April 2024 additional amendments to the law were made, but it was not before 31 January 2025 when the MOI finally took over the guarding of the reception centres of the SAR, starting with Sofia and Harmanli ones. This major change is expected to seriously improve the safety and security of asylum seekers who are accommodated in the reception centres during their procedure.

Some level of standardisation has taken place in the intake and registration procedure in reception centres. There is a basic database of residents in place, which is updated daily. However, there is an ongoing competition among asylum seekers to be accommodated in premises/rooms found to be in a better condition than others, thus corruption among SAR staff, who deals with accommodation issues, is widespread. For example, throughout 2023 and 2024 the BHC office in Harmanli and Sofia reception centres received accounts from asylum seekers that SAR employees continued to collect money from asylum seekers for different 'services', e.g. changing the room with one in better condition, accelerating the decision-making, etc.

The law does not limit the length of asylum seekers' stay in a reception centre. Asylum seekers can remain in reception centres pending the appeal procedure against a negative decision. In December 2024, the SAR reported to have its reception occupancy at 49%, i.e. 1,579 occupants out of 3,225 available places, compared





to 2,736 at the end of 2023; 2,412 occupants at the end of 2022; 2,447 occupants at the end of 2021; 1,032 occupants at the end of 2020, and 461 occupants at the end of 2019.

**Cyprus:** In 2024, staff in the Kofinou Centre included: an NGO providing administrative services/social support in the Centre with 4 social workers and 2 administrators; 1 social worker from SWS that visits the centre twice a week; support from EUAA providing information to residents is currently suspended, 5 EUAA interpreters (Arabic, Somali, French, Farsi, Kurmanji, Badini, Turkish, Lingala); 10 interpreters provided and 5 case workers provided by the Asylum Service are also present. Additional staff includes two UNHCR staff members, one providing integration support services to residents and one monitoring conditions and providing legal advice. Other staff members include 3 cleaners, 4 carers, 3 maintenance technicians, and 24/7 security officers. A development, following demands of the residents and as foreseen in the Refugee Law, was the establishment of the “Committee of Resident’s Representatives”. The Committee carried out weekly meetings with the Director of the Centre, and a Code was signed between the residents and the Centre defining roles and recording procedures. The committee, though not officially, was inactive due to some of its active members having exited the Centre, but procedures to resume operation were initiated during 2024, however, they did not materialise.

**Greece:** With regards to distribution, according to the latest factsheet dated as of July 2024 published by MoMA, a total of 5,371 asylum applicants (3,689 households), the majority of whom (79%) were reported as residing in open accommodation facilities (camps), 21% in RICs and 1% in shelters, received financial aid throughout Greece. This amounts to less than a third of asylum applications reported as pending at first (17,885 ) and second (3,160) instance by the MOMA in the same month, and to less than a third of people reported by the MOMA as residing in the Greek reception system during the same month (17,381). Much like in the previous year, this highlights an ongoing gap vis-à-vis applicants’ access to financial aid, which seems to be attributable to a large degree to the aforementioned residency requirement that took effect in July 2021. Other factors explaining this gap are faster asylum processing times, which have continued leading to people losing eligibility, either due to a positive or negative decision being issued before they could access this type of aid, as well as further obstacles on account of the de facto detention practices observed on the islands.

The Greek National Commission for human rights, following a field visit in February 2024 in Samos CCAC, identified the same issues: overcrowding; single women and single parent families with minor children sleeping in the floor in mix accommodation with unrelated men; limited access to water; no doctor present at the CCAC.

In 2024 report, the NGO Fenix Humanitarian Legal Aid explains that “[...] more and more people are being housed in exposed areas of the camp, and in so-called Refugee Housing Units (RHUs), effectively plastic houses, which provide little relief from weather conditions. [...] people living in the camp do not have adequate blankets to be sheltered from the cold. The Greek authorities have run out of blankets and stopped providing them, meaning that people who newly arrive receive either no blankets at all or just a flimsy summer blanket.”

Furthermore, according to an RSA’s report concerning Lesbos, living conditions inside Lesbos CCAC are characterised, among others, by a lack of hot water, shortages of clothing and blankets, poor-quality food and shortages in medical and psychological support. For the latter, the report refers to the response of the Reception and Identification Service of 11 November 2024, according to which for a number of 3,333 residents “there is only one general practitioner, one gynaecologist, two midwives, six nurses, one laboratory technician, two psychologists, and one social worker in the CCAC. Newly arrived individuals undergo a basic medical check-up, while no psychosocial evaluation is conducted.”





In 2024, as in 2022 and 2023, infrastructure-related problems, in particular concerning the stable supply of water, continued being reported in the Samos CCAC in 2023 and early 2024, during which continuous supply of water was interrupted for a seven-day period, amidst an outbreak of scabies and other skin disorders due to overcrowding.

In 2024, the infrastructure-related problems continued to persist in the Samos CCAC.

During 2023, similar dire conditions were also reported in the Leros CCAC and the facility's "safe area." Shortages of medical personnel and deficiencies in necessities persisted, mirroring the situation at the CCAC. . According to the UNHCR, two doctors and one psychologist operated inside the facility, while citizens' collectivity provided basic goods (clothing, shoes, and nappies for children). In 2024, the situation remained the same, with persistence of water shortages due to "the island's acute water scarcity and maintenance issues with the desalination plant that supplies the facility" . and inadequate medical personnel, which "[...] comprises only six nurses, one midwife, one psychologist, and one social worker. Medical screening is carried out by the RIS medical unit, involving nurses and periodic visits by doctors to the island. This arrangement means that medical assessments for newly arrived individuals are essentially unavailable, making it impossible to identify potential vulnerabilities. Furthermore, due to the lack of personnel, accessing medical assistance for residents is extremely challenging", as mentioned by RSA.

**Hungary:** In Balassagyarmat over the course of 2020, 2021, 2022, 2023 and 2024 food and hygienic items were provided in kind.

At the end of 2024, 4 asylum seekers were accommodated in Balassagyarmat (Vámoszabadi was empty).

No asylum seeker was placed in Vámoszabadi in 2022 or in 2023 and one asylum seeker in a subsequent asylum procedure was placed there in 2024.

**Ireland:** Throughout the course of 2024, reception standards continued to deteriorate. 2024 continued to see a movement away from traditional use of hotel and guest house accommodation and an increased reliance by the State on so-called 'emergency centres' and tented accommodation. In March 2024, it was announced that the site of a former nursing home, located at Crooksling in southwest Dublin, would be repurposed for use as tented accommodation for male international protection applicants. Similar tented facilities were established at Newtown Mount Kennedy, Co. Wicklow and Athlone, Co. Westmeath throughout 2024, bringing the total number of tented accommodation facilities in the State to six. Approximately 812 international protection applicants were accommodated at these facilities as of 15 December 2024.

Plans for an additional tented accommodation facility to be located at Thornton Hall, Co. Dublin were temporarily suspended on the 5th November 2024, after the State indicated its intention not to contest judicial review proceedings instigated in respect of the proposed development. The proceedings were instigated by local residents who alleged that a Ministerial Order made in respect of the site ought not be allowed to stand due to a lack of adequate environmental screening having been conducted in advance of establishment of the facility. Subsequently, on the 18th November 2024, it was reported that a revised Ministerial Order would be issued 'within weeks', however, development of the site remained suspended at the time of updating. The proceedings followed several months of disruptive protests at the site by locals who objected to the development.

Throughout 2024, the State continued to rely on emergency centres comprised of disused offices, large conference rooms, schools, and sports halls in which to accommodate international protection applicants. Applicants were often accommodated in congregated and overcrowded settings without access to basic public services. Citywest Hotel and Convention Centre also continued to operate throughout the year as both a transit hub for the processing of beneficiaries of Temporary Protection, as well as for the accommodation





of newly arrived international protection applicants. The Irish Refugee Council Information and Advocacy Service received several extremely concerning reports of alleged violence perpetrated by security officers working at Citywest against residents. Several residents sustained serious and life-altering injuries arising out of the alleged violence. Others had their reception conditions withdrawn and were rendered street homeless in purported acts of retribution perpetrated against residents for their involvement in such incidents. As of the 15 January 2024, there were 407 international protection applicants resident in the centre

As of February 2025, there were 32, 948 persons accommodated within the IPAS system, 24, 974 of which were accommodated in emergency accommodation.

Citywest Convention Centre continued to operate throughout 2024 as both a transit hub for the processing of beneficiaries of Temporary Protection, as well as for the accommodation of newly arrived adult international protection applicants. As of January 2025, there were 451 international protection applicants resident in the centre.

In July 2022, the State also began to use tented accommodation, in which applicants were accommodated in marquee-style structures at various locations around the country. In some cases, applicants were transferred directly to tented accommodation from Citywest, while in other cases, applicants were accommodated in tented accommodation following a period of homelessness. While initially intended as a temporary, many applicants spent months residing in wholly unsuitable accommodation which did not meet their basic needs and exposed them to at times to inclement weather conditions. This practice continued throughout 2024.

As of February 2024, a total of 18,702 protection applicants, 3,924 of whom were children, were accommodated in 216 emergency accommodation centres throughout the State. As of February 2025, there were a total of 265 emergency centres accommodating 24,974 international protection applicants, 7,031 of whom were children.

**Netherlands:** In 2024, no asylum seekers had to sleep out in the open in Ter Apel. However, over the course of 2024 Ter Apel was almost continuously over capacity and urgent measures needed to be taken. As in 2023, COA housed applicants in 'pre-registration locations' around Ter Apel, however in 2024 the applicants staying at the 'pre-registration locations' had sometimes already undergone the registration process. There were reports of grossly unsatisfactory conditions in some of these 'pre-registration locations', among which underweight children due to inadequate food in Assen, severe overcrowding in Assen (700 residents with a capacity of 500) and a duration of stay far exceeding the intended twenty days in both Assen and Leeuwarden. In April, May and September, applicants had to sleep in portakabins (container cabins) at Ter Apel on numerous occasions, and on mattresses on the floor. On 16 September 2024, applicants were once again at risk of having to sleep out in the open, for the first time since 2022. This was narrowly avoided as a neighbouring municipality offered a sports hall as shelter for one night, and the Red Cross provided stretchers for sleeping. The Dutch Inspection of Justice and Security noted that the current long-term stay at Ter Apel and the 'pre-registration locations' are detrimental to both the mental and physical well-being of applicants, and repeatedly warned that the safety situation at Ter Apel is unsatisfactory.

In 2024, the reception crisis continued and Ter Apel remained overcrowded. Throughout 2024, the situation in Ter Apel remained so critical that COA housed applicants in 'pre-registration locations' (voorportaallocaties) around Ter Apel. These locations were originally intended for short term stay as applicants waited for the confirmation of their appointment to register them in Ter Apel or Budel, but in 2024 the applicants staying at the 'pre-registration locations' had sometimes already undergone the registration process. Their stay at the 'pre-registration locations' was thus due to a lack of reception capacity at the COL in Ter Apel, in other (crisis) emergency shelters and in normal AZCs. The location and size of the 'pre-registration locations' depended on the required extra reception places and the availability of the locations. The overnight 'pre-registration location' that was first set up in Stadskanaal, consisting of tents, was moved







every few months to different municipalities surrounding Ter Apel, including 2e Exloërmond, Zuidwolde, Pekela and Beilen. At this location, applicants (including families with children) arrive in the evening by bus, have dinner, shower and sleep in large tents, and are brought back to Ter Apel in the early morning to spend the day there, often in portakabins (container cabins). Applicants regularly go through this back and forth process between the overnight location and Ter Apel for several days in a row. The mayor of the municipality where this location is currently placed (Beilen) called this situation 'lugging people around'. This tent location with a capacity of 225 people will be moved to Peize on 15 January 2025. During 2024, other 'pre-registration locations' were in use across the country, for example in Assen, Amsterdam and Leeuwarden. Throughout the year, there were reports of grossly unsatisfactory conditions in some of the 'pre-registration locations'. The 'pre-registration location' in Assen consists of an event hall in which ceilingless rooms with partitions, with bunk beds for four to six people. The intended maximum period of stay at this location was first five and then twenty days, but both terms were often exceeded. In April, the location was heavily overcrowded, with 700 residents while the capacity was 500. In July, a doctor reported that several children residing at this location became underweight, could not sleep due to the noise and refused to use the sanitary facilities as they were very unhygienic. The Minister stated that, after this report, the children who became underweight were transferred and some improvements were made in the diversity of the food and activities for children. In the 'pre-registration location' in Leeuwarden the maximum term of stay was also exceeded. Instead of the intended short stay of ten days before registration and twenty days after, some applicants resided in Leeuwarden for over sixty days. Residents of the Leeuwarden location reported unsatisfactory food and a lack of access to health care. The Leeuwarden location closed at the end of 2024. The Dutch Inspection of Justice and Security noted that applicants have stayed at the COL in Ter Apel and the 'pre-registration locations', which are clearly not suitable for lengthy stay, for up to six months, and that this is detrimental to both the mental and physical well-being of applicants.

In December 2024, the Dutch Council for Refugees conducted another research on the situation in (crisis) emergency locations, asking residents what they find important for good reception conditions. 92 residents were interviewed individually and in focus groups, and 696 gave their responses through an online survey. This research confirmed the previous findings that privacy and the possibility to cook are very important for residents. It also illustrated that the lengthy stay in inadequate reception locations, in combination with uncertainty about the asylum procedure, is detrimental to the residents' mental health. Privacy is important for this, but this also requires less transfers and less remote locations, so that the residents can connect and integrate with the local community.

**Spain:** Shortcomings and delays regarding access to the reception system have been reported during 2024.

**Sweden:** An inquiry chair has been tasked with suggesting possible restrictions to asylum applicants' rights. The aim is to ensure rights are lowered to a minimum level, while remaining in compliance with international obligations. The purpose of the inquiry is also to remove the possibility for asylum applicants to receive permanent residency permits and instead only grant them temporary permits. The inquiry shall also investigate the possibility to remove already existing permanent residency permits and instead grant temporary permits. Another purpose of the inquiry is to look at criteria for legal representatives, interpreters and general restrictions that can be made concerning reception conditions. The consequence of the investigation regarding public counsel may be that the right to public counsel in the first instance is abolished. The inquiry chair was tasked with additional terms of reference on 21 November 2024, whereby it shall also investigate the need to adapt the national legislation to incorporate changes derived from the Pact. The inquiry shall present an interim report by 31 March 2025 and its final report by 2 October 2025.

A bill was passed by the Parliament on 29 January 2025. The legislative proposal provides, among other things, that asylum seekers, as a rule, only are entitled to financial assistance if they reside in the asylum accommodation assigned to them by the Swedish Migration Agency. The Swedish Migration Agency is granted additional authority to verify that asylum seekers reside at the designated accommodation and to withdraw





applications from individuals who fail to maintain contact with the authorities. Additionally, a statutory obligation is introduced for asylum seekers to participate in a societal introduction program. The new regulations will enter into force on 1 March 2025.

On 15 October 2024, additional proposals were presented by an inquiry. It proposed additional obligations for asylum seekers, including participating in attendance checks at their accommodation, remaining within the county where the asylum housing is located, complying with a reporting obligation to the Swedish Migration Agency, and facing reduced daily allowances if they leave the county or fail to comply with their individual reporting obligation. To align Swedish regulations with the EU's minimum standards regarding the reception conditions for asylum seekers, the inquiry also proposes to introduce a six-month time limit before asylum seekers gain access to the labour market. The proposal also includes a change in how the daily allowance is calculated, using a system of percentage of the national standard for income support instead of a fixed number (which will, most likely, raise the allowance). The inquiry's proposal also suggests reinstating the right to accommodation and daily allowance to all individuals subject to a deportation order, which would improve conditions for adults facing deportation (as currently, adults without minor children generally lack entitlement to accommodation and allowances when they have enforceable deportation orders). The inquiry suggests that the legislative changes would take effect on 1 October 2026.

In 2024, 4,367 asylum seekers settled in "socio-economically challenged areas".

In 2024, the Swedish Government continued its process of phasing out individual housing for asylum seekers, with the goal of having all asylum seekers reside in reception centres throughout the asylum process.

### Financial allowances

**Austria:** The introduction of the benefits-in-kind card (Sachleistungskarte) caused a stir at the beginning of summer 2024. The Federal Ministry of the Interior and the province of Upper Austria agreed on a joint pilot project: a federal BBU facility in Upper Austria began issuing residents with a benefits-in-kind card instead of cash. The pocket money is credited to this card. When they are assigned to basic care facilities in Upper Austria, the benefits-in-kind card is taken along and the persons receive their further financial benefits (via the accommodation provider) also paid out on this card. Only asylum seekers receive the benefits-in-kind card, not displaced persons from Ukraine. Cash withdrawals are possible up to a maximum amount of € 40, as well as payment in supermarkets, pharmacies, etc. The project 'Sachleistungskarte' was put out to public tender; Lower Austria and Vienna did not participate in the tender. It is unclear which federal state will adopt the benefits-in-kind card. Tyrol, Vorarlberg and Vienna already transfer basic benefits by bank transfer and have no need for a new system.

In June 2024, Lower Austria stood out with the introduction of its own 'payment card': in addition to Upper Austria, they have launched their own payment card project with Pluxee (formerly Sodexho). However, displaced persons from Ukraine and private residents are excluded. No cash withdrawals are possible with this model; asylum seekers receive €40/month in cash per person at the beginning of the month. The food allowance is charged to the Pluxee card. The project involves a high administrative effort, cash payment will be continued and the Pluxee card will be used as well. The Pluxee card is not a debit card, so purchases in pharmacies, at ÖBB vending machines, in social markets, at markets in general or in second-hand shops are not possible. This is also the biggest criticism of the Lower Austrian model, in addition to its discriminatory and de-humanising character. The pluxee card was rolled out to the entire province of Lower Austria from September 2024.

**Belgium:** In June 2024, the government published a new Royal Decree containing a framework for applicants to cover or contribute to the cost of the material reception conditions. In addition, the Reception Law was changed to make it compatible with the new Royal Decree. Previously, the Reception Law already allowed Fedasil to ask for contributions but there was no clear framework. As a result, this mechanism was never



used. Applicants who receive material reception conditions and who are employed are obliged to inform Fedasil about their employment contract, working hours and payslip. In this case, applicants must contribute progressively, depending on their monthly income. If applicants do not inform Fedasil about their financial situation, the Reception Agency can demand 50% of the gross salary. If the applicant does not want to pay, or if they earn more than the wage provided by social welfare and they have a stable working contract they can be asked to leave the reception network. The Labour Court in Ghent ruled in several judgements that Fedasil can only withdraw reception conditions in this situation when the applicant is independent enough. In addition, Fedasil needs to guarantee the right to human dignity, especially since it is difficult for applicants to find affordable housing. As a result, there is a significant risk that the applicant becomes homeless because of the withdrawal of reception.

**Greece:** The amount of the monthly financial allowance/vouchers granted to asylum applicants as of 31 December 2024 was € 150 (€ 75 if accommodation is catered).

The amount distributed to each household is proportionate to the size of each household and differs depending on whether the accommodation provided is catered or not. The financial sums in 2024 remained the same as the ones distributed since 2021, ranging from €75 for single adults in catered accommodation, up to a €420 ceiling for a family of four or more residing in self-catered accommodation.

Of the 5,371 applicants who received financial aid in July 2024, the majority were from Afghanistan (17%), followed by Syrians (16%), nationals of Sierra Leone (13%), the DRC (10%), Somalia (8%), Eritrea (7%), and lastly Iraq (6%) and Cameroon (4%). Another 19% of beneficiaries were from a combination of other nationalities. The majority of beneficiaries (60%) were between 18-34 years of age, followed by those between 0-13 (19%), and those between 35-64 (19%), with another 2% being between the age of 14-17 and less than 2% being 65 years of age or older. With the exception of the latter two categories, which are characterised by an equal proportion of male and female beneficiaries, in all other cases the majority of beneficiaries were men. No disaggregated data on the family situation of the applicants was published.

**Ireland:** In May 2024, the Department of Social Protection announced that an income assessment for the Daily Expenses Allowance, the social welfare payment for individuals in the international protection process, living in Direct Provision or who are awaiting accommodation in state-provided accommodation, would be introduced. The income assessment is applicable to individuals over the age of 18 years and will apply in respect of income from employment, self-employment and social welfare payments. If a person's income is above €60 and below €125, their reduced rate of Daily Expenses Allowance will be based on their earnings. If a person's income is €60 or less, their Daily Expenses Allowance payment will not be affected. The Daily Expense Allowance will cease whereby an individual has an income of more than €125 per week for a combined total of 12 weeks or more. The income assessment was introduced from June 2024. At the time of writing this input, it was not clear the extent to which the assessment was enforced in practice.

The amount of the monthly financial allowance/vouchers granted to asylum applicants as of 31 December 2024 was € 155.20 for adults and € 119.20 for children.

In July 2023, the Irish Refugee Council called upon the Government to permit access to child benefit for children living in Direct Provision. The Government subsequently committed to introducing an International Protection Child Payment (IPCP) of approximately €140 per month, securing €4.7 million in Budget 2024 for the purposes of establishing the payment. Despite this commitment, as well as calls from numerous concerned organisations since, as of February 2025, no such payment had been implemented.

**Netherlands:** The amount of the monthly financial allowance/vouchers granted to asylum applicants as of 31 December 2024 for a single adult accommodated by COA was Up to € 281.88 (depending on meals). With the allowance of € 281.88 / month the asylum applicant needs to cover food, clothing and personal expenses.



**Poland:** Asylum applicants are either accommodated in a reception centre or receive a monthly financial allowance to cover all costs of their stay in Poland. The amount of the monthly financial allowance/vouchers granted to asylum applicants as 31 December 2024 was (a) when accommodated, including food, PLN 50, or (b) with private accommodation, PLN 775. Therefore, the problem of insufficient allowances remained relevant also in 2024.

**Slovenia:** The amount of the monthly financial allowance/vouchers granted to asylum applicants as of 31 December 2024 was 18 EUR.

### Food

**Bulgaria:** Food in reception centers was provided through catering arrangements to deliver three meals per day. As catering providers are selected regionally based on the lowest price offer, these vary among the different reception centers. Thus, in the Ovcha Kupel, Voenna Rampa and Vrazhdebna shelters and in the Sofia reception center these three meals per day were delivered at the price of BGN 5.38, equal to EUR 2.75; in the Harmanli reception center - at the price of BGN 6.54, equal to EUR 3.35; in the Banya reception center – at the price of BGN 6.24, equal to EUR 3.20; and in the Pastrogor transit center – at the price of BGN 6.01, equal to EUR 3.08 daily. The individual monthly allowance provided for in the law is not translated into practice as it is not provided since 2015. For this reason, in 2024 asylum seekers continued to complain not only about food quality, but also about its insufficient quantity. The main factor that helped avoiding a point of critical malnutrition for asylum seekers was still high rate of absconding and abandonment of the procedure, which in 2024 was 47% of all caseload.

In 2024, three meals per day were thus distributed to all asylum seekers accommodated in reception centres. The food distribution to adults is provided once a day, while for unaccompanied children the food is distributed three times a day in order to prevent the excess meals to be taken from them by the adults. Since 2017, the food has been delivered by catering services and the quality, but also quantity of the food became one of the most common complaints from asylum seekers, accommodated in reception centres, along with poor hygiene and dismal living conditions.

### Reduction or withdrawal of reception conditions

**Austria:** One innovation is the ordinance on the use of asylum seekers and certain other foreigners for charitable aid activities, which came into force on 15.7.24. This means that the scope of activities eligible for charitable work has been extended. In the future, asylum seekers will not only be able to carry out charitable aid work in municipalities, but also in other non-profit organisations (e.g. NGOs, nursing homes, etc.). In federal institutions, the extension of the regulation was coupled with an obligation to carry out these activities, at least 10 hours per month. Some exceptions have been foreseen, e.g. pregnant women, people with care responsibilities, people aged 16-64, etc.). All asylum seekers who do not fulfil this obligation will only receive half of the pocket money.

The ministry of the interior has presented the obligation as a work obligation for asylum seekers. From a legal point of view, asylum seekers cannot be obliged to do so, as according to 15a of the basic welfare support agreement, charitable work is only possible with the consent of the asylum seeker. However, an amendment to the house rules for federal accommodation, which now provide for charitable work, has created the basis for reducing the pocket money if charitable work is not carried out.

In June 2024, mandatory basic courses were introduced for asylum seekers in federal accommodation centres. These basic rules courses (Grundregelkurse) consist of 5 modules and include content on democracy, the rule of law and freedoms, equal rights, culture and manners, rights and duties as well as sensitisation to forms of antisemitism. Anyone who refuses to take part in these courses will only receive half of the €40





pocket money instead. The basis for the implementation was an amendment to the house rules for federal accommodation centres by the Federal Office for Immigration and Asylum (BFA), which is not publicly accessible. The 15a Basic Welfare Support Agreement or the Federal Basic Welfare Support Act does not provide for such measures and it can therefore be assumed that there is no legal basis for the reduction in pocket money.

According to the Ministry of the Interior, around 4,500 people took part in the basic regulation courses between June and December 2024. Around 90 people refused to take part and had their pocket money cut in half, around 1,030 asylum seekers have failed to fulfil their obligation to work in the community.

**Belgium:** In March 2024, the Federal Parliament adopted a law proposal, changing Article 6 of the Reception Law of 2007, which concerns the end of the right to reception. Before the change, applicants with a right to reception who received a final negative decision had a right to reception until an order to leave the territory was given to them. Since the order to leave the territory is not given at the same time as the final negative decision, this could lead to a prolonged right to reception for applicants with a final negative decision. During this period, persons could introduce a subsequent application or start another national procedure such as regularization, which would them from receiving an order to leave the territory. As a result, their right to reception would not end even though they received a final negative decision. Perceived to be a caveat in the law, the government decided to change this. Since the law proposal, the right to reception ends 30 days after a person receives the final negative decision to their asylum application.

**Bulgaria:** Subsequent applicants pending an admissibility assessment are excluded not only from all material conditions, but also from the right to receive a registration card. They only have a right to interpretation during the fast-track processing of the admissibility assessment prior to their registration, documentation and determination on the substance. In cases where the first subsequent application is considered to be submitted merely in order to delay or complicate the enforcement of a removal decision, or where it concerns another subsequent application following a final inadmissibility / unfounded decision considering a first subsequent application, the applicants are also stripped from the right to remain on the territory. In 2024, this affected a total of 59 subsequent applicants, who received an inadmissibility decision. The law has set a 14-day time limit for the admissibility determination. If the subsequent application is considered inadmissible, the determining authority should not open a determination procedure and the applicant is not registered and documented.

Destitution is defined based on the monetary indicator of the national poverty threshold. From 1 January of 31 December 2024, this threshold is at BGN 526, equivalent to 269.74€ monthly. From 1 January 2025, the threshold is set at BGN 638, equivalent to 327.17€ monthly. The law defines as “basic needs” sufficient food, clothing and housing provided according to the national socio-economic development. The risk of destitution is not formally assessed but the SAR takes it into account in the majority of cases.

**France:** The 2024 law introduced a specific legal remedy to challenge refusals and withdrawal of material reception conditions by the French Office for Immigration and Integration (OFII). Since the implementing decree of 5 July 2024, applicants now have a more effective means of appealing such decisions to the administrative courts to explain their individual situation. For example, courts have suspended OFII decisions depriving asylum seekers of material reception conditions in the following cases: a single pregnant woman with no resources and no permanent accommodation, and a single mother with three young children being temporarily (and precariously) hosted by a third party.

**Spain:** The lack of a specific regulation determining the rules and procedures for the internal functioning at the CETIs has represented a persistent reason of concern. In April 2024, the organisation Solidarity Wheels reported that five asylum seekers were expelled from the centre in Melilla without following a formal procedure for the withdrawal of reception conditions, and they were thus living on the streets. So, it called





for an urgent comprehensive revision of the disciplinary procedures in such facilities. The same call was made also in May, when a migrant with mental health needs was expelled from the same centre.

**Sweden:** In 2024, 1,051 asylum seekers were denied daily allowance based on them living in a “socio-economically challenged area”.

According to the LMA, the right to financial assistance ceases when there is a deportation decision that is legally enforceable and when the time limit for voluntary departure (which is usually four weeks) has expired. In 2024, there were 14,287 persons with legally enforceable removal orders registered with the Migration Agency. According to Section 11 LMA, the right to financial assistance does not end if the decision on rejection or deportation cannot be enforced as a result of the Swedish Migration Agency or a court having decided on inhibition or having granted a new trial in accordance with chapter 12, Section 19 of the Aliens Act. Section 11 LMA also states that it is possible to allow a person continued financial assistance if it is considered “obviously unreasonable” to cease this right.

### Access to the labour market

**Bulgaria:** During the asylum procedure, asylum seekers have unconditional access to the labour market after a period of three months from their registration. In 2024, the State Refugee Agency issued 1,074 work permits to asylum seekers who were looking to support themselves while their asylum claims were being processed. Out of them, only 3 asylum seekers and 10 persons granted international protection were employed through employment programs, while the rest found work independently and on their own initiative. At the same time, a total of 272 persons with temporary protection were employed through employment programs.

In practice, it is still difficult for asylum seekers to find a job, due to the general difficulties resulting from language barriers, the recession and high national rates of unemployment. Comprehensive statistics on the number of asylum seekers in employment is not collected, except for those officially registered as seeking employment. In 2024, only 10 status holders, 3 asylum seekers and 272 temporary protection holders were employed through government job seeking programmes of the Employment Agency.

**Cyprus:** Following a period of 5 years (2018-2023) during which access to the labour market was permitted one month after lodging an asylum application, since October 2023 asylum applicants are permitted to access the labour market nine months after submitting their asylum application. This effort of further disengaging asylum applicants’ workforce from labour market needs has led Employers’ associations to express their concern over the possible effects of the 9-month ban on businesses’ capacity to cover their staff needs and has further increased businesses’ reluctance to hire asylum applicants.

Since 2023 and until today, there are disruptions in the employment of asylum applicants who are rejected at first instance. This is due to the fact that the online system managed by the Ministry of Labour and Social Insurance in which employers are obliged to register their employees, indicates those asylum seekers as ineligible to work, regardless of whether the legal requirements of losing their residence status are met. Unemployed asylum seekers in such a situation are not permitted to be hired and asylum applicants in employment will often stop working, often only to be hired again when the system is properly updated, a process that may take weeks or months. During 2024, these disruptions, along with the 9-month employment ban imposed by the latest Decree and the speed up of processing decisions on asylum claims, led to a decline in the interest of employers to hire asylum applicants. This was the case despite the shortage of staff and the insufficient procedures to import staff from non-EU countries on a work permit.

**Ireland:** According to the latest available statistics, from 2018 to present, the Labour Market Access Unit has received 24,392 first-time applications for labour market access permission. Of these applications, 20,288







first-time applications were granted, while 3,361 applications were refused. Moreover, as of January 2024, there were 3,000 applications pending before the Labour Market Access Unit.

Labour Market Access delays continued throughout 2024. While delays have reduced somewhat, processing times remain at 90 days for first time permission applications. From January 2025, all labour market access permits were issued by email as opposed to by post, with a view to reducing overall processing times.

**Sweden:** In 2024, 3,383 asylum-seekers were granted the right to work.

In 2024, 309 asylum seekers were granted work permits after a legally binding deportation order. The Tidö-agreement suggests that the possibility for asylum seekers to get work permits upon rejection should end. A public inquiry initiated by the Government proposed the mentioned change. The Government is aiming for the changes to enter into force in April 2025.

### Access to education

**Bulgaria:** Overall, 55 asylum-seeking children started the school year in Bulgaria in 2024.

**Cyprus:** During 2024, and in order to accommodate commuting of students to schools in the nearest city of Larnaca, the Ministry of Education arranged for buses that connect directly the Kofinou Center with those schools.

Children in Pournara do not attend school, regardless of the time they remain in the Centre. Prior to 2020, this was not considered an issue, as the majority of persons exited the Centre within 7-10 days. However, since 2020, the period of stay is at least two months with no facilitation of any form of education for children. At the end of 2024, 48 UASC were residing in the Centre.

An evaluation of the language levels of elementary school students with migration background who had not participated previously in Greek support classes was conducted by the Ministry of Education during 2024 to inform arrangements for the school year 2024-25. The assessment indicated that the vast majority of non-Greek speaking students are in need of such services. The evaluation of the students who had participated in the past in Greek support classes indicated that approximately half of them had significantly improved their Greek levels. Further monitoring of the implementation of those measures is required.

Children aged 4 years and 6 months as of 1st of September 2024 old can attend free pre-primary obligatory schooling. For younger children, access to free care is very limited as existing schooling arrangements typically require fees.

**Greece:** The location and operationalisation of the afternoon preparatory classes is subject to the yearly issuance of a Decision by the Deputy Minister of Education. Such decisions have been respectively issued for each school year up to the current school year 2024-2025.

In a Save the Children report published in January 2024, children in Greece stated: “We go every day. But we do not learn because we do not understand a thing. There is no Greek lesson for the moment.” “We stay separate from other children, because we do not yet speak the language.”

Findings of a GCR and Save the Children joint report show that levels of access to education for asylum-seeking-children depend on their location and reception structure, as discrepancies in reception conditions at the facilities is a rule, e.g., many camps are in remote areas with poor transport connections. GCR represented the case of children accommodated in Sindiki facility (CAFTAAS) in Northern Greece were attending school – even if enrolled – from the beginning of the school year 2023-2024 due to lack of





transportation. GCR made an intervention towards the competent authorities and only at the beginning of March 2024 was the issue of transportation finally resolved.

Moreover, regarding the inclusiveness of education, UNICEF's project All Children in Education (ACE) came to an end in June 2024, leaving a gap for school-aged children in the reception facilities. This project aimed to facilitate the integration of refugee and migrant children in formal education through non-formal education services, such as interpretation services in schools, Greek language courses, and psychosocial support for students and teachers' empowerment. At the time of writing (January 2025) there is no state-run project to holistically facilitate educational integration of child applicants, caring also for their families. According to a field qualitative research of GCR and Save the Children, most of the interviewees (children, caregivers and experts) shared that extracurricular activities are indispensable "breathers" for children in a camp setting.

**Hungary:** Thus, in 2023, as well as in 2024, UaSCs still had significant difficulties in enrolling into schools. Firstly, the submission of the letter of intent at the Embassy in Belgrade delayed their already difficult enrolments by an extra few weeks. Secondly, access to local primary school has not been resolved. Access to education could be ensured through many individual solutions, not at the system level. In 2024, one UaSC placed in Fót attended school.

**Ireland:** throughout 2024, in the experience of the Irish Refugee Council Information and Advocacy Service, applicants who sought transfers from IPAS in order to avail themselves of educational opportunities were denied on the basis of lack of capacity within the accommodation system.

A number of Irish Universities have taken steps to improve access for protection applicants. A total of seven out of the eight Irish universities offered full-time scholarships. 9 of the 11 institutes of technology also offer scholarships or access support. The Irish Refugee Council's Education Fund, using donations from members of the public, makes grants to support access to higher education. In the academic year 2023-2024, the Education Fund supported 78 students to gain access to third level education with an average award of €500 per student. In the academic year 2024-2025, the Irish Refugee Council Education Fund received a total of 409 applications, a 36% increase in applications on the previous year. 88 students were supported under the fund.

**Poland:** In both the 2023/2024 and 2024/2025 school years, working with children with migration experience, including teaching Polish as a foreign language, was one of the key areas of implementation of the state's educational policy. However, the current education system does not take into account the special needs of foreign children. As a result, the adaptation of the education programme to the needs and abilities of the individual child is dependent on the goodwill and capacity of teachers and directors. As the Supreme Audit Office highlighted, during the 2021/2022-2022/2023 school years, nearly half of the teachers participating in the survey took part in professional development related to the education of foreign pupils on their own initiative and at their own expense. Moreover, as a factor impeding effective teaching, schools also report the problem of the big fluctuation of the foreign children. Consequently, asylum-seeking and refugee children are disappearing from the Polish education system.

In 2022-2024, the large influx of Ukrainian pupils additionally strained and challenged the Polish educational system.

Foreign children attending Polish schools have the right to assistance provided by a person fluent in the language of their country of origin, employed as a teaching assistant by the school principal. This assistance is provided for no longer than 12 months. Moreover, starting September 1, 2024, schools have the opportunity to employ intercultural assistants. Intercultural assistants provide communication with the school environment, and cooperate with parents and the school. According to the Ministry of Education, candidates





are required to have knowledge of the language and culture of the student's country of origin, and in the case of a person who is not a Polish citizen, proficiency in the Polish language at a communicative level.

**Spain:** In May 2024, the department of Education of the Autonomous Community of Valencia published a call for applications for university scholarships for a total budget of 22 million Euros. The call also simplified the conditions to obtain the scholarship for persons with disabilities, asylum seekers, beneficiaries of international protection and stateless persons, and foresaw to allocate 0.5% (i.e. 110,000 Euros) of the total budget to these categories of applicants.

### Access to health care

**Bulgaria:** Asylum seekers continued to face significant barriers in accessing consistent and specialized healthcare due to the country's chronic shortage of general practitioners. The medical care of asylum seekers was mainly carried out in the surgeries organised in Sofia and Harmanli reception centres, with a total of 18,189 initial medical examinations and 7,038 outpatient examinations in 2024, provided in reception centers by 4 doctors, 1 paramedic and 4 nurses. Even though asylum seekers are health insured, due to its budget restraints SAR fail to meet the medical expenses, which are not covered by the National Health Insurance Fund (NHIF). These costs as well as those for prescribed medicines, lab tests or other medical interventions which are not covered in the health care package, as well as for purchase of baby formula, diapers and other personal hygiene products were provided by UNHCR, UNICEF and the Red Cross. The access of asylum seekers to following and specialized medical treatment remained impeded.

**Cyprus:** In 2024, a new medical unit started operations as part of the general redevelopment of the Kofinou Center. The new medical unit serves both Kofinou and Limnes residents.

Access to medication has become a serious gap in the provision of health care to asylum applicants and remained one throughout 2024.

In 2024, there was a development in accessing a psychiatrist with an interpreter however this often requires intervention from an NGO to be arranged, and in some occasions, NGOs escort the individual and provide interpretation.

In a number of cases, asylum applicants reported to the CyRC that they faced racist behaviour from medical staff, often in relation to their poor Greek language skills and the reluctance of the latter to communicate in English. Such reports continued in 2024.

Asylum applicants without adequate resources who have special reception needs are also entitled to free of charge necessary medical or other care, including appropriate psychiatric services. The Refugee Law incorporates the provision of the recast Reception Conditions Directive in relation to identifying and addressing special reception needs, including for victims of torture. In practice, the identification of vulnerabilities is conducted mainly in the First Reception Center of Pournara. The situation is much more challenging in the community due to the lack of a specific mechanism and procedures to timely identify and address those needs. In addition, there are no specialised facilities or services, except for the ones available to the general population within the public health care system. Currently, there is only one NGO, the Cyprus Refugee Council, offering specialised social and psychological support to victims of torture and gender-based violence, operating through the funds of United Nations Voluntary Fund for the Victims of Torture (UNVFVT). During 2024, 98 persons received relevant services and the fund is renewed for 2025.

**Greece:** As of 8 June 2024, EODY was replaced by 'Ippocratis I' project run by IOM. Since then, the project has initiated a recruiting process, however shortages in medical staff and supplies (i.e., no doctor in Samos, Leros, Chios and Kos) are observed in all Medical and Psychosocial divisions of CCACs, fact that has significant impact





on the provision of vulnerability assessment/ provision of health services. 'Ippocrates I' staff is present in the CCAC only during the weekdays and working hours (from morning until early afternoon).

Similar dire conditions were also reported in the Chios CCAC during 2024. A lack of permanent doctor at the CCAC persists since 2021. According to the Reception and Identification Service's response to RSA (as of November 11, 2024), "the facility employs six nurses, two midwives, three social workers, and two psychologists. Nurses handle medical documentation and forward it to a doctor who signs the medical records. Primary healthcare services are unavailable in the afternoons and on weekends, so even minor emergencies must be referred to the understaffed Chios hospital by police or emergency medical services. Psychosocial evaluations are nearly impossible due to the severe shortage of interpreters, who must focus on urgent needs (eg. interpretation for the custody of minors)."

As the issuance of PAAYPA requires the full registration of an asylum application, delays in accessing asylum, particularly in mainland Greece, also lead to de facto delays with respect to applicants' acquisition of this document and in turn delays in their actual ability to access healthcare. Based on GCR's observations, after the deployment of EUAA personnel in Kos, where during November 2023 waiting periods for registration were reported at 2 months, the registration in 2024 were concluded within a few days (less than 3 on an average).

In 2024, asylum seekers in Greece faced serious challenges in accessing medical care, given that on the one hand there was not adequate nor full-time medical staff available in all facilities nor available interpretation for most of the year. Well documented issues of "on and off" healthcare service provision with PHILOS II (project implemented by EODY) persisted until July, when officially IPPOKRATIS project started with MoMA's implementing partner being IOM. In July 2024, IPPOKRATIS started with the former EODY as a transition personnel and by September 1st 2024, it was implemented by a private sector entity (Omilos Iatrikou Athinon) and Doctors without Borders NGO.

More specifically, challenges in accessing healthcare due to the lack of interpreters and cultural mediators in public healthcare facilities (mainly hospitals and health centers) also persisted in 2024. The language barrier was also flagged as by far the primary obstacle to accessing healthcare by asylum applicants (registered or pending registration) surveyed as part of an ongoing monitoring activity carried out between February 2022-March 2024, under the coordination of UNCHR in Greece, followed by challenges in acquiring necessary documentation (i.e., social security number). Especially in 2024, though, this lack of interpretation services from May till the end of 2024 and thus the obstruction communication between asylum seekers and medical staff was at a point that in many cases resulted per se in people being excluded from effective medical care, exposing them to serious risks and significantly impacting their physical and mental health.

**Netherlands:** In 2024, according to the follow-up report from Doctors of the World, Pharos and the Red Cross, some minor improvements have taken place as residents are registered and almost all residents have received a medical screening, allowing for the identification of their special reception needs.

**Spain:** In May 2024, the Government adopted the law establishing the universality of the National Health System, which reintroduced the access to the health system to any person residing in Spain, independently of their residence status.

In October, the Autonomous Community of Castilla La Mancha published a guide on the intercultural health mediation in the assistance to migrants, addressed to health professionals.

In January 2025, the Autonomous Community of Andalucía launched the Red Isir, a network of health professionals aiming at improving their knowledge and tools in the assistance to migrants.





### Freedom of movement

**Cyprus:** From April 2024 onwards, Syrian nationals that applied for asylum are not permitted to exit the Pournara First Reception Center into the community. Instead, they are transferred directly from Pournara to the Reception Center in Kofinou, where they are issued with residence orders. From then on, they are allowed to leave Kofinou and reside in the community however, if they opt to do so, access to material reception conditions is reduced and, specifically, they do not have access to the financial allowance.

**Greece:** Throughout 2024, people residing in the CCACs continued to be subjected to a “geographical restriction”, based on which they are under an obligation not to leave the island and to reside in the RIC facility. They also remain subject to strict entry-exit measures, such as having to undergo security controls (metal detectors and/or physical controls), and to being under an obligation to comply with permitted hours of exit and (re)entry, and with an obligation to stay in the CCAC during the night. Non-compliance with these obligations can inter alia lead to the reduction and/or withdrawal of material reception conditions in accordance with article 61 Asylum Code.

During 2024, the geographical restriction was inter alia lifted in the following cases:

- Persons granted international protection;
- Applicants exempted due to the applicability of the family provisions of the Dublin Regulation;
- Vulnerable applicants for whom appropriate support could not be provided within the area of restriction, though GCR is aware of several cases of vulnerable applicants for whom the restriction was not lifted, even though neither special reception conditions nor special procedural guarantees could be provided, not least, due to diverging practices between locations;
- Applicants about to be included in transfers to RICs in the mainland for decongestion purposes

**Ireland:** An applicant does not have a choice regarding where they are sent. In practice, due to the ongoing shortage of spaces in the Direct Provision estate, requests for transfers to other accommodation centres were not granted throughout 2024, except in exceptional circumstances; typically, where a significant medical vulnerability is identified. However, an applicant may be moved to a different accommodation centre where the Minister considers it necessary. Subsequently, in January 2024, IPAS introduced a Protocol for Medical Transfer Requests. The Protocol applies whereby an applicant is in hospital and following discharge, is required to attend frequent ongoing appointments at the hospital and needs to live within reasonable travelling distance or whereby placement in alternative accommodation is essential in supporting the international protection applicant in accessing specialist treatment. The Protocol requires that an applicant seeking transfer on medical grounds submit a letter from a consultant doctor at an Irish hospital which outlines the nature of the individual’s condition, as well as a recommendation that indicates that the transfer request is essential for the person’s health status. The letter should also address how their current accommodation is impeding their physical and/or mental health. Whereby such a letter is supplied, IPAS will then forward medical documentation to an ‘Independent Medical Referee’, usually a GP contracted by IPAS, who will make a recommendation regarding the transfer. IPAS will then issue a final decision regarding the transfer, and this will depend on the availability of appropriate accommodation. In the experience of the Irish Refugee Council, as of February 2025, requests for transfers continued to be refused, even with the addition of the protocol, except in very exceptional circumstances whereby a significant medical vulnerability is identified.

**Poland:** Officially there is no restriction to the freedom of movement of asylum applicants: they can travel around Poland wherever they want. However, when an asylum applicant accommodated in a reception centre stays outside this centre for more than 2 days, the assistance will be withheld by law until the moment of their return. According to the draft amendment of the Law on Protection that was published in December 2024, in such case, medical assistance would be also suspended, except in emergency situations, for basic





treatment of illnesses, serious mental disorders, or when a person requires special treatment. As of 27 January 2025 the draft was not adopted yet.

**Spain:** A report published in June 2024 denounced that the bureaucratic framework *de facto* impedes the freedom of movement in Ceuta, Melilla and the Canary Islands.

**Sweden:** In November 2024, the Government asked the Parliament to vote on a bill which constitutes the first step towards a system where asylum seekers will be obliged to live in centres run by the Swedish Migration Agency. According to the proposal asylum seekers will only get their daily allowance if they live in the centre to which they were assigned, and their asylum application can be seen as withdrawn if they don't register their address and remain in contact with the Migration Agency. Through the proposal the Swedish Migration Agency gets increased possibilities to control whether an asylum seeker is actually living in the designated centre or not and therefore eligible for a daily allowance. Asylum seekers are also obliged to participate in classes introducing the Swedish society. The changes will enter into force from 1 March 2025.

In October 2024, a report from an inquiry was circulated for comments. The inquiry had, among other issues, investigated measures to ensure that asylum seekers will live, in practice, only in centres run by the Swedish Migration Agency. The report proposes a new law on the reception of asylum seekers, incorporating part of the new recast Reception Conditions Directive (2024/1346). The main changes are restrictions of the right to movement of asylum seekers and persons with deportation orders. They will be obliged to stay in the centre in which they're assigned a place to get daily allowance. Asylum seekers will also need to attend controls that will ensure their presence at the centre and to stay in the area where the centre is located, with some exceptions. The daily allowance will be slightly increased as the report finds an increase necessary to align Swedish law with the EU acquis. The legislation is suggested to enter into force in October 2026.

### Integration

**Croatia:** In 2024, organization "Médecins du Monde ASBL - Dokters van de Wereld VZW" (MDM-BELGIQUE) continued to provide multidisciplinary and linguistically adapted care to applicants for international protection - especially in identifying and supporting the most vulnerable among them (women, children, minors, LGBTQ+ individuals, survivors of gender-based violence, human trafficking or torture, persons with disabilities, children with developmental difficulties and their families, single parents etc.) in the Reception Centers for Applicants for International Protection in Zagreb and Kutina. Direct services to beneficiaries were provided every working day in the Reception Center in Zagreb, with team member also present on weekends and holidays. The medical and mental health teams, depending on needs and availability, also provided services at the Kutina Reception Center approximately once a week.

**Cyprus:** Throughout 2024, a number of organisations have had regular access to the Kofinou Centre, providing medical supplies, psychosocial support, Greek language classes, English language classes, upskilling workshops, dance classes, occupational therapy sessions to minors and adults, and activities specifically aimed at children including arts and sports classes.

**Spain:** In March 2023, the municipal public transport entity 'ETM' of Valencia launched, together with the NGO 'CEAR' the initiative 'ETM Refugio', consisting in the provision of free passes for public transports to asylum seekers and refugees, with the aim of improving their social and labour inclusion. In April 2024, the validity of the initiative was extended until April 2025.

### Differential treatment of nationalities in reception

**Bulgaria:** Up to the moment, no cases of discrimination based on nationality was reported concerning the reception system. However, until 2024 some of the reception centres are used for accommodation







predominantly of a certain nationality or nationalities. Thus, Vrazhdebna shelter in Sofia accommodated predominantly Syrians and Iraqis, Voenna Rampa shelter in Sofia accommodates almost exclusively Afghan and Pakistani asylum seekers, while the other reception centres accommodate mixed nationalities, such as in Harmanli reception centre, Banya reception centre and Ovcha Kupel shelter in Sofia. The government had also assigned Vrazhdebna shelter in Sofia to host applicants coming through the relocation scheme in 2015-2017 as well as for those resettled from Türkiye. However, due to the SAR's budget constraints and decreasing reception capacity in 2024 all reception centres were accommodating mixed ethnicities and population without any specific distribution, thus creating higher risks of conflicts.

**Poland:** Ukrainian nationals and other persons fleeing the war in Ukraine have received a differential treatment as regards reception in Poland in 2022-2024. However, as they were benefiting from temporary protection rather than international protection. Ukrainian nationals and other persons fleeing the war in Ukraine who applied for international protection had the same access to material reception conditions as all the other asylum applicants.

## 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)

### Detention capacity and statistics on detention

**Bulgaria:** National legislation allows detention pending the asylum procedure, although on limited grounds and for the shortest period possible. Since the introduction of the provision, in total 216 asylum seekers have been detained in closed reception centre pending their status determination situation, mainly based on national security grounds, of whom 68 asylum seekers in 2024. The average duration of detention in closed reception centres increased, reaching 86 days on average in 2024.

Throughout 2024, 68 asylum seekers were detained in the asylum closed facility, situated in the premises of the closed reception ward in the Busmantsi pre-removal centre, the only closed centre for that purpose. 9 asylum seekers were held there at the end of the year 2024.

Out of a total of 12,250 applicants registered in 2024, 7,828 individuals applied for asylum at border and immigration detention; while 50% had a direct access to asylum procedure at the border without being detained.

Total detention orders in 2024 were 9,208. Out of these, the MOI carried out 1,015 removals, which represented an 11% implementation rate. For comparison, 582 third country nationals were returned in 2022, 770 in 2021 and 428 in 2020. The rest of the detainees had to be released either on account of submitted first asylum applications, or because the ordered initial 6 months detention duration has expired. The inability of MOI to implement the removals is attributed to the fact that the overwhelming majority of the third country nationals originate from Syria (until 8 December 2024) or Afghanistan, to which removal or return are legally and/or practically impossible. These circumstances made the majority of the detention orders not only issued without a legitimate purpose, but also pointless from a practical point of view.

**Cyprus:** The number of detained asylum applicants remains low, however alternatives to detention are still not systematically applied even in cases of vulnerable persons.





**Greece:** Total number of asylum seekers detained in pre-removal centres in 2024: 5,167. Number of asylum seekers in administrative detention at the end of 2024: 698. Number of pre-removal detention centres: 8. Total capacity of pre-removal detention centres: 3,336.

In 2024, a total number of 19,148 detention orders have been issued following a removal decision (return/deportation decision). In addition, a total number of 5,167 asylum seekers have been detained in pre-removal detention centers (PRDCs).

During 2024, a total number of 15,994 third country nationals have been detained in PRDCs across the country. At the end of 2024 (31 December 2024), a total number of 1,649 third-country nationals remained in administrative detention. Out of those 1,486 were detained in PRDCs and 163 third-country nationals were detained in police stations or other police facilities countrywide.

Out of the total 1,486 persons detained in PRDCs at the end of 2024, 698 persons (46.97%) were asylum applicants. Moreover, on 31 December 2024, 37,21% of persons detained in PRDCs had been in detention for a period exceeding six (6) months.

During the first semester of 2024, out of the total number of 3,017 decisions of the administrative courts issued within the framework of the ex officio judicial review, only a percentage of 0.43% (13 decisions) rejected the prolongation of detention.

**Hungary:** In 2024, there were 4 asylum seekers detained in asylum detention and 83 persons who were detained for the purpose of outgoing Dublin transfer (not asylum seekers in Hungary). Compared to 2023, there was 3,1% increase in the use of asylum detention in 2024.

In 2024 there were 4 asylum seekers detained out of 29 asylum-seekers total in Hungary, thus detainees accounted for 13,8% of all applicants.

**Netherlands:** A total of 4,400 migrants were detained in the Netherlands in 2024, in 3 detention centres. In 2024, 70 families were detained at Zeist.

**Sweden:** In 2024, a total of 3,695 third country nationals were detained (including 6 children). At the end of 2024, 554 were in detention.

### Detention centres and places of detention

**Bulgaria:** First introduced in 2015, the SAR practice of registering asylum seekers in police pre-removal (detention) centres to meet the registration deadline, as well as conducting proceedings and delivering decisions in these detention centres, was not sanctioned by national courts, which in most cases regarded it as an infringement of the procedure of limited importance. Starting in 2022, the SAR took significant steps to address this malpractice, ultimately achieving its complete elimination by 2024, with no registrations or determinations conducted in a police pre-removal detention center.

**Cyprus:** Asylum applicants can be detained in the Detention Centre Menogia, which is a pre-removal detention centre and the only detention centre currently in the country, with a capacity of 128 persons. Asylum applicants may also be detained in holding cells in Police stations across the country. In 2022, 20 police stations were used for this purpose, in 2023, 22 police stations were used with a total capacity of 194 persons. In 2024, 24 police holding cells were used, with total capacity of 197 persons. Out of those 24 police holding cells, only 10 have outdoor areas, which have a capacity of 174 people. Holding cells should only be used for periods of 48 hours as the conditions do not permit longer stays. However, due to lack of capacity in Menogia, persons are often detained for long periods in holding cells.





**Greece:** There were seven active pre-removal detention centres in Greece at the end of 2024. This includes five centres on the mainland (Amygdaleza, Tavros, Corinth, Xanthi, Paranesti, Fylakio) and one on the islands (Kos). The total pre-removal detention capacity is 3,336 places. In addition to the above, police stations and other holding facilities are also used for prolonged migration detention, despite the fact that as the ECtHR has found, these facilities are not in line with the guarantees required under Article 3 ECHR, notably given “the nature of police stations per se, which are places designed to accommodate people for a short time only”.

Seven pre-removal detention centres were active at the end of 2024. The total nationwide pre-removal detention capacity is 3,336 places.

**Poland:** As of April 2024, there are 6 detention centres. Men were placed in Białystok, Krosno Odrzańskie (closed for renovation in September 2024), Biała Podlaska, Białystok, and Kętrzyn. Lesznowola was for unaccompanied minors, families with children and single women.

**Spain:** There have been several developments in 2024 and beginning of 2025 regarding CIEs (detention centres for foreigners):

- During the same month, 21 out of the 22 migrants who fled from an airplane in Palma de Mallorca in November 2021 after the plane carried out an emergency landing in the island for an alleged medical urgency, will be transferred to the CIE of Barcelona. This is due to the decision taken by the Provincial Court of Balears which ruled they should be freed after the reform of the crime of sedition. The migrant who faked the medical urgency was instead freed, as his deportation to Morocco cannot be carried out as he was charged with the crime of smuggling and is waiting for the result of the criminal proceeding. At least three among them applied for asylum at the CIE, alleging the risk of persecution (for political reasons and for sexual orientation) if returned to Morocco.
- In February 2023 the right-wing party registered a law proposal at the Congress which aims at prohibiting the right to apply for asylum at the CIE.
- The construction works of a new CIE in Algeciras continued in 2024. The declarations of the Major of the Municipality, according to which the facility will be the most ‘social and human’ CIE in Spain, raised critics and concerns. During a visit carried out to the construction site, MEP Miguel Urbán defined the facility as the biggest prison in Europe and compared it to Guantanamo. The total cost for the construction of the facility – with a capacity of 507 places - has been 22 million Euros and took 10 years. Protests against the opening of the new facility continued in 2024. The Minister of Interior announced that the centre would open before the end of 2024, but at the end of the year the information of its opening during spring 2025 circulated. In mid- December, the Jesuit Migrants Service organised a protest in Algeciras to ask for the closure of all CIEs. The Government foresees to open the new CIE during the first quarter of 2025.
- In April, the Council of Ministers disposed the urgent construction of a new CIE in the island of Alborán in the Mediterranean Sea, with a budget of 1,300,000 Euros.
- On occasion of the Day against CIEs, the Platform CIEsNO organised a gathering in front of the CIE of Murcia, asking for its closure.
- In its annual report on the situation of CIEs, the Migrant Jesuit Service reported that the majority of the 2,085 persons detained in such facilities during 2023 had strong ties and roots in Spain, i.e. long duration residence permits, family members with Spanish nationality or even EU citizenship. In addition, it underlined that the 57% of those detained at the CIE of Barcelona were freed as return was not possible. Thus the organisation continued to call for the closure of all CIEs.





- In August, the political party 'Podemos' called on the Government to close all the CIEs and to release all inmates.

**Sweden:** During 2024, there were six detention centres (Gävle, Märsta, Flen, Mölndal, Ljungbyhed, and Åstorp) with an overall capacity of 573.

### Grounds for detention

**Bulgaria:** In 2024, the SAR did not apply asylum detention based solely on the person's attempts to leave Bulgaria (0 cases were registered throughout the year).

In 2024, 68 asylum seekers were detained in the asylum closed facility, situated at the premises of the closed reception ward in the Busmantsi pre-removal detention centre, the only closed reception facility for that purpose. 13 asylum seekers were held there at the end of the year 2024. The grounds of detention applied in these cases were verification of identity or nationality, and protection of national security or public order.

**Cyprus:** In 2024, there has been a rise of cases whose asylum files had closed following their non-attendance to their interviews for the purpose of their asylum application. As a result, people were arrested and detained due to their illegal residence in the Republic of Cyprus, unaware that their files had closed. In other cases, persons have been arrested for an irregular stay in the country or are detained as a consequence of a criminal law sanction and apply for asylum once they are in prison or detention. However, there are still cases of persons being arrested soon after arriving in the country, even though they presented themselves to the authorities to apply for asylum.

**France:** The law of 26 January 2024 extended the possibilities for detaining asylum seekers. Such applicants may then be forced to follow their asylum procedure from detention, in case the authorities consider them a threat to public order or if they made their application before another authority than the prefecture, the competent authority. In mainland France, this possibility was used less than ten times in 2024, but many asylum seekers from countries in the Great Lakes region of Africa were detained on this basis in the Mayotte detention centre, where their application was examined using the specific detention asylum, which has fewer procedural guarantees.

**Greece:** New arrivals, including families and minors, once detected and apprehended by the authorities, are first transferred to a border guard police station or the Pre-Removal Detention Centre (PRDC) in Fylakio, where they remain in detention (so called 'pre-RIC detention') pending their transfer to the RIC Fylakio. By the end of 2024, the period of pre-RIC detention was limited to a few days as far as GCR is aware.

During 2024, despite the fact that no readmission to Türkiye has been implemented for more than three years, and for the time being no reasonable prospect of readmission to Türkiye exists, third-country nationals, including asylum seekers whose applications have been rejected as inadmissible on the basis of the safe third country concept, remained detained for prolonged periods.

Public order grounds are used in an excessive and unjustified manner, both in the framework of pre-removal detention and detention of asylum applicants. This continues to be the case in 2024.

In February 2023, the Administrative Court of Kavala ruled in a case of an Afghan national that he was unlawfully detained since he had already booked a registration appointment and thus, according to the law, he had to be considered as an asylum applicant. Several similar decisions have since been issued by other Administrative Courts in line with CJEU case law. The practice has been to a certain degree limited during 2024.





Other forms of de facto detention such as detention pending transfer to RICs, de facto detention of those arrived in Athens Airport transit zone and detention in the case of alleged pushbacks continued to occur during 2024 according to information received by GCR.

**Spain:** In a report published in November 2024, Amnesty International denounced that in Spain the deprivation of liberty of migrants apprehended and found to be in an irregular situation is almost automatic, without respect for the provisions of EU and national law establishing that detention should only be used as a measure of last resort. According to the organisation, deprivation of liberty represents one of the main pillars of Spanish migration management policy through the detention in CIEs.

**Sweden:** During 2025, proposals will be presented on making it possible to detain foreign nationals in more situations than currently possible, and also for longer periods of time.

### Alternatives to detention

**Bulgaria:** In practice, in the overwhelming majority of cases, alternatives to detention are not considered by the Migration Directorate (MOI) prior to imposing detention. The necessity to develop in practice alternatives to immigration detention, which are already included in national law, was raised in the report of the CoE Special Representative of the Secretary General on Migration and Refugees, following a fact-finding mission conducted in September 2023. Regardless, the situation did not change in 2024.

**Cyprus:** The number of detained asylum applicants remains low, however alternatives to detention are still not systematically applied even in cases of vulnerable persons.

In 2024, the IPAC has continued to issue decisions related to the examination and implementation of alternatives to detentions. However, the Court decisions have not affected change in the examination and implementation of alternatives to detention.

In 2024, the UN Economic and Social Council recommended that Cyprus should take all the measures necessary to enhance protection of refugees and asylum-seekers and, to this end, it should ensure that the detention of migrants and asylum-seekers is only used as a measure of last resort and is reasonable, necessary and proportionate, in accordance with the Committee's general comment No. 35 (2014) on liberty and security of person, and that alternatives to detention are used in practice.

Overall "alternatives to detention" is rarely if ever examined prior to detention being ordered. As in previous years throughout 2024, alternatives to detention were ordered in an extremely low number of cases. Most cases of asylum applicants that are released from detention on alternatives to detention, concern detainees who challenge their detention order in Court successfully or detainees that have challenged their detention order before Court and as a result the CRMD cancels the detention order and issues a new decision, ordering alternatives to detention before the Court issues a decision.

**Romania:** In 2024, IGI-DAI mentioned that 1,155 measures were imposed regarding asylum seekers, noting that multiple restrictive measures can be applied to the same person. These included 128 restrictive measures establishing residence in a regional center and 1,027 measures requiring individuals to report to the IGI office.

### Detention decision

**Cyprus:** In the past, asylum applicants were mostly detained as a "prohibited immigrant". However, from late 2017 onwards, the practice changed: in the majority of cases, once the person has applied for asylum, a new detention order is issued under the Refugee Law under the presumption that the person is submitting the application for international protection merely in order to delay or frustrate the enforcement of the return





decision. The change in practice was also noted in the CAT report on Cyprus. From 2021 onwards and throughout 2024 the only cases identified where an asylum applicant was detained under the Aliens and Immigration Law were instances where the person was firstly detained, then applied for asylum whilst in detention and there was a delay in issuing the new detention order under the Refugee Law.

Until 2021, all detention orders reviewed included only the wording of the article and, although it was stated that an individual assessment had been carried out, there were no individual facts or reasons for detention or any other reference, justification, or findings of an individual assessment. Furthermore, the detention order would refer to “objective criteria” but there was no mention or analysis of what those objective criteria were and how they were applied or justified in the individual case. This raised questions in proceedings before the IPAC and Judges would often comment that the detention orders did not have adequate justification. Detention was not always considered illegal but they instructed the CRMD to review the detention orders. As a result, since late 2021 till this day, detention orders now list the reasons for detention, for example, illegal entry, due to a delay in applying for asylum, because of a conviction for criminal offence, or due to a lack of travel document or address. However, there is no mention of the facts of the case or an individual assessment on how these reasons justify detention. The situation remained the same in 2022, 2023 and 2024.

Regarding access to detention orders, asylum applicants in detention will often not have the detention order on them or the latest detention order in case of renewal. If they request the detention order, which may be kept in individual files in the offices of the centre, they will be provided with it, however there are always cases identified, including in 2024, in Police Holding Cells (PHC) where the detention order was issued or communicated to detainees with delays reaching 2-3 weeks. There have also been instances, where NGOs request to review the detention orders of their beneficiaries and the police refuse to provide these to the NGOs or to the detainees themselves.

**Hungary:** According to the HHC the below shortcomings were still observed in 2020, 2021, 2022, 2023 and 2024. Firstly, the proceeding courts systematically fail to carry out an individualised assessment regarding the necessity and proportionality of detention and rely merely on the statements and facts presented in the former IAO’s detention order. The HHC’s attorneys report that if the asylum seeker is not represented by an attorney who is not an ex officio attorney, the chances of success at the court are equal to zero. If the asylum seeker is represented, then there is a very slim chance that they will be released. The same findings apply in 2024. The 60-day interval for automatic judicial review per se excludes the use of detention only for as short a period as possible and only until the grounds for detention are applicable.

#### **Duration of detention**

**Bulgaria:** In 2024, the average duration of pre-removal detention was of 4 working days or 6 calendar days, in full conformity with the law, on the background of 45% decrease in the number of asylum seekers in the country compared to previous year. As a result, of all third-country nationals who applied for protection in a police detention centre, 99% were released on average 1 day before the statutory deadline, and no one was unlawfully detained for more than 6 months.

The average duration of detention of wrongly detained unaccompanied children decreased to 12 days in 2024. It should be noted, however, that 14-days of medical quarantine, if such is applied, are excluded from the detention duration.

The average duration of detention for asylum seekers in 2024 increased again to 86 days on average, in comparison to 64 days in 2023. It remains far from the legal standard set in the law, according to which detention should last for the “shortest period possible”, but it should be noted that it still constitutes an improvement compared to some of the previous years (64 days in 2023; 56 days in 2022; 50 days in 2021; 252 days in 2019; 192 days in 2018).







**Cyprus:** Duration of detention has remained an issue throughout 2024, especially if one does not challenge their detention at court. If one does not submit an appeal against the detention order issued against them, it is very rare that an asylum applicant would be released following a decision from the Migration Department.

**Hungary:** In case an asylum seeker is detained in an asylum detention or immigration jail, the asylum procedure shall be conducted as a matter of priority. This is usually applied in practice, including in 2024.

In 2024, the average period was 31 days, there were no families with children placed in asylum detention.

**Netherlands:** The average duration for territorial detention was 45 days in 2024. In 2024, 70 families were detained at Zeist, their average stay was around 5 days.

**Sweden:** The average period of detention was 49 days in 2024, thus increasing from 46 days in 2023. This refers to an average 50 days for men and 40 days for women in 2024 (compared to 47 and 40 days respectively in 2023).

### Detention conditions

**Bulgaria:** The detention of asylum seekers and failure to observe procedural safeguards form part of the concerns expressed by the European Commission in the letter of formal notice sent to Bulgaria on 8 November 2018 relating to non-compliance with the EU asylum *acquis*. In 2022, SAR management reversed and almost completely abandoned this malpractice, with only 1 registration and only 1 determination conducted in Busmantsi detention centre. This approach was maintained in 2023, with just 1 procedure conducted in Lyubimets detention centre and 0 registrations and procedures in 2024.

In previous years, the detention centres were frequently overcrowded due to the increased number of new arrivals. The overall number of persons in detention gradually increase from 119 persons at the end of 2019, to 337 at the end of 2020, 728 at the end of 2021, 704 at the end of 2022 out of 16,767 detainees; 387 out of 18,554 detainees at the end of 2023, and to 243 out of 9,208 detainees at the end of 2024 in total placed in both national detention centres throughout the year.

**Cyprus:** Asylum applicants continue to be detained in holding cells in police stations and in airports across the country in sub-standard conditions. Furthermore, they face obstacles in accessing asylum procedures and legal remedies to challenge detention and/or rejected asylum applications.

In recent years, there have been noticeable improvements to the living conditions in Menogia, following recommendations made by the CPT, the Committee against Torture (CAT), and the Ombudsman's Office. There are thus less complaints about custodial staff behaviour, food, or outdoor access. However, as reported by the Council of Europe Commissioner for Human Rights, detainees in Menogia complain about the lack of activities, as well as the length of their detention, some of them having being detained in the past. The Commissioner also noted that detainees deprived of their liberty for months without any prospect of either deportation or release do not understand the purpose of their continuous detention and feel treated as criminals. This leads to high levels of stress, and has resulted in several hunger strikes in Menogia in recent years, mostly by irregular migrants and rejected asylum applicants, along with a few asylum applicants. The situation remained the same in 2024 with the CPT noting that some renovations had occurred such as upgraded exercise yards and a new secure perimeter fence, but little had been done to mitigate the harshness of the environment. The strict rules accentuated the prison-like atmosphere, as did the distant and impersonal staff-detainee relations, with staff remaining outside the unit doors apart from routine rounds and with a limited regime of activities in place. The CPT maintains that the environment remains unnecessarily restrictive, given the nature and purpose of the administrative detention of migrants.





Regarding access to open-air spaces for detainees in holding cells, the situation varies. Many lack sufficient open-air spaces and there are reports of detainees having extremely limited time outside. This is especially problematic for detainees during Ramadan, as observed from recent cases in March 2024, as detainees did not have access to sunlight in Lakatamia police holding cells. Furthermore, they do not have any recreational facilities.

The conditions of PHC were raised again by the CPT in its 2024 report on Cyprus, which stated that “police stations visited designed to detain persons for more than 24 hours offered satisfactory material conditions overall for short stays of a few days, most of the police stations visited were dirty and certain installations such as call bells and artificial lighting were not functioning. Access to natural light also remained a problem in all police stations and detention centres visited, where windows of cells and yards were covered with layers of metal mesh, wooden boards or opaque windows in order to prevent sunlight from directly entering the cells. This prevented detained persons from having access to natural light and rendered the cells very sombre. Access to fresh air remains problematic.”

In early 2024, the Ombudsman’s Office also carried out an unannounced visit to the Limassol police holding cell, under the National Mechanism for the Prevention of Torture. According to the Report, the holding cells cannot be considered compatible with international standards for the detention of any prisoner. As pointed out in the 17-page report, the detention center remains in a poor state of infrastructure, there is overcrowding, some prisoners share their cell with another person, and there are cases of prisoners sleeping on a mattress on the floor. In the section for immigration detainees, the lighting is insufficient, a fact that is aggravated by the absence of windows in the cells. Furthermore, it is noted that problems in the Limassol detention center were also identified during the visit of the Council of Europe in 2017, which were recorded in a report, however, as it appears, nothing has been done to date.

Based on feedback from detainees in 2024, there do not seem to have been significant improvements to the conditions in PHC that are commonly used for immigration detention such as no access to open-air spaces, no access to washing machines, and no recreational activities.

In 2024, the CPT reiterated its recommendation that the Cypriot authorities should further develop the range of, and increase access to, more structured, organised, purposeful activities for persons held at the Menogia Detention Centre. It also recommended that detained persons be restricted in their freedom of movement as little as possible and that they have free access to outdoor exercise throughout the day.

**Italy:** The National Guarantor reported that, in the course of 2022 five people died inside CPRs. In February 2024, Ousmane Sylla, a young Guinean boy, committed suicide in the CPR in Rome. In August of the same year, Belmaan Oussama, a Moroccan citizen, died in the CPR in Palazzo San Gervasio. Investigations are still ongoing to ascertain any responsibility for this death.

**Netherlands:** In 2024, a shortage of staff often led to more hours on cell and once even to an ‘intake-freeze’ for new detainees.

There are no known problems of overcrowding. Due to a reserve both on the short term and on the long run, overcrowding is highly unlikely. However, the Custodial Agency does have a shortage of staff. As a result, the detention centres are not overcrowded, but this does mean that detainees sometimes have to spend more hours in their cells. Additionally, in 2024, there was a one-time intake freeze, during which no new migrants were detained for one week in September (except for those who had committed crimes).

In late 2024, the government authorities in charge of the detention facilities for applicants in the border procedure instated a new policy that increases the amount of time that applicants are locked up in a cell.





Normally, applicants are free to move within the border procedure reception facilities until it is time to sleep (from 21:30h onwards). After that, the cell where they reside is locked and it is opened again in the morning. According to the new policy, applicants are locked in their cell from 16:30h onwards. Authorities claim that these restrictions are necessary due to personnel shortages and a large influx of applicants. According to national stipulations on conditions in border detention (Reglement Regime Grenslogies) locking applicants up is only allowed in nightly hours. The District Court of Amsterdam ruled on 12 December 2024 that the detention conditions for applicants in the border procedure were unlawful, citing among others the increased hours under lock-up and the fact that the detention facilities are in essence not different to those in criminal detention. The Minister appealed the ruling shortly after, and the Council of State approved the request for an injunction, meaning that the applicants are allowed to be detained in the same manner until the Council of State makes a ruling on the merits of the appeal.

**Poland:** Still in 2024, foreign nationals informed an NGO representative that they were routinely strip searched in detention centres, and this was carried out without respecting the requirement for a two-stage approach, set by law, in order to ensure that the detainee was never fully naked.

In 2024 access to the independent psychologist deteriorated.

In 2024 there was no NGO providing psychological assistance in detention centres. Difficulties in accessing female physicians, paediatricians and gynaecologists were also observed.

**Romania:** According to the Ombudsman, as of June 27, 2024, at the Otopeni Detention Center: "Detainees did not have access to activities that could help them pass the time in the center. The facility's management specified that there was no activity schedule for the accommodated individuals, as it was deemed unnecessary. During discussions with detainees, they expressed that they had no activities to occupy their time, highlighting the need for an activity schedule for those in custody and that there was a need to organize cultural-educational and/or recreational programs, as such programs did not exist at the time of the MNP team's visit. These activities should involve or allow the participation of foreign nationals in designated indoor and outdoor spaces within the center. The development and implementation of such programs could be achieved by identifying and utilizing resources through EU-funded projects and/or engaging external collaborators and specialists. This was necessary to maintain detainees' well-being and prevent anxiety and depression, considering the high costs associated with managing these conditions, which could persist for years, with relapses, long-term complications, and potential hospitalization, further increasing expenses. Additionally, such programs would help foster a secure and trusting social environment."

**Spain:** Throughout 2024 and at the beginning of 2025, the following developments and incidents were registered:

- In February 2024 the Platform CIEsNO informed that around 50 migrants detained at the CIE of Aluche (Madrid) lodged a claim at the competent judge, denouncing the assaults received by the police. The judge opened an investigation. Following such a report, different organisations called for the closure of the facility.
- In April, the police blocked a riot of 80 inmates at the CIE of Aluche (Madrid) to denounce the human rights violations at the facility. An inmate resulted injured.
- In May, the National Court of Barcelona closed the file on the case against 15 police officers accused of mistreatment against some inmates during a protest, due to the impossibility of localising the accusers for having been deported.
- Following a visit to the CIE of Valencia carried out in February 2024, the Spanish Ombudsperson, in its capacity of National Prevention Mechanism against Torture, reported deficiencies and human rights violations in the facility (i.e. no adequate food, lack of privacy during visits to inmates, daily checks of inmates' belongings, etc.). The Platform 'CIEsNO' denounced that, despite the persistent





reports of human rights violations, the facility continued to function. The political party 'Compromís' called on the Minister of Interior to adopt solutions to overcome such deficiencies.

A report published by the University of Seville and the Jesuit Migrants Service in January 2024 warned that CIEs were spaces where migrants face a high risk of developing or aggravating their mental health conditions. The study underlined that 70% of the persons interviewed showed symptoms of anxiety and depression.

In November, the Minister of Interior granted €1,225,000 to the Red Cross for providing assistance to inmates at CIEs.

**Sweden:** An inquiry report was published at the beginning of 2024, proposing further restrictions for visitors, room searches, increased surveillance and increased security checks. The Swedish Parliament was expected to vote on the legislation during 2024, but it has been postponed. The legislative changes are proposed to enter into force on 1 July 2025.

In January 2024, a Commission of Inquiry presented a report with proposals aimed at strengthening the safety and security in the detention facilities run by the Swedish Migration Agency. The report had proposals on, for example, the introduction of mandatory security screenings, room searches and supervising visits through introduction of glass partitions in the visiting rooms. The Commission of Inquiry proposed that legislative changes enter into force on 1 July 2025.

During a follow-up inspection of the JO at the detention centre in Mölndal in February 2024, the JO noted that the Swedish Migration Agency has worked systematically and taken several measures to address the shortcomings, and that it appears that this has led to improvements in the situation at the detention center.

#### Health care and special needs in detention

**Spain:** In January 2024, the political party Sumar addressed a set of questions to the Government, including about the food and the medication provided to inmates at CIEs, considering the existing concerns on the conditions of these facilities.

#### Access of NGOs to detention facilities

**Bulgaria:** During the period 2020-2021 IOM restricted its visits to detention centres in Busmantsi and Lyubimets, while during 2022, 2023 and 2024 its reception rooms remained locked with no services provided.

NGOs' and legal aid providers' right to access to asylum seekers is explicitly regulated and expanded to also include border-crossing points and transit zones. However, the Bulgarian Helsinki Committee was the only NGO in 2020 and 2021 visiting border and detention centres regularly as well as the SAR closed facility as all the rest refrained from visitations due to COVID-19. In 2023, other NGOs such as Centre for Legal Aid and FAR restarted realising visits to the Busmantsi detention centre near Sofia, and continued to do so throughout 2024.

**Hungary:** In 2024, UNHCR visited Nyírbator asylum detention centre once.

#### Access to information, legal assistance and counselling

**Cyprus:** For detention orders under the Refugee Law, a detainee has a 15-day deadline to challenge detention and legal aid applications must be submitted and examined within this time. If a recourse challenging detention is submitted beyond the 15-day deadline, it will be rejected even if the examination of the legal aid application is pending and the delay is due to the Court's proceedings. When the deadline to submit a





recourse to challenge detention was reduced in 2020 from 75 to 15 days, it was initially noted that many legal aid applications were being examined and decided after the deadline to submit a recourse to challenge detention. From 2021 onwards and continuing in 2024, these issues seem to have been resolved, as long as detainees are transferred from detention to court in time by the AIU. Such delays are instead often noted for detainees who are detained in holding cells.

According to the IPAC, in 2024, 12 applications for legal aid to challenge detention were successful.

In 2024, the CPT reported “[f]rom the interviews held with the delegation at police stations and detention centres, it was apparent that there was a lack of information provided to immigration detainees as most of the persons interviewed by the delegation did not know the status of their immigration procedure. Further, they were not provided with information in a language that they understand on how to contact relevant and competent national, international and non-governmental organisations and bodies for assistance. Benefiting from free legal aid was also an issue for persons detained under immigration legislation; most of the persons with whom the delegation discussed were not legally represented in their immigration procedure and claimed they could not benefit from the free legal aid system. Moreover, unlike criminal suspects held in the same facility, persons detained under immigration legislation were not provided with the list of rights of persons under arrest and detention although they should be entitled, from the very outset of their deprivation of liberty, to be informed, without delay and in a language they understand, of all their rights, their legal situation and the procedure applicable to them, including on how to make a complaint.” Furthermore, regarding Pournara Centre, the CPT noted in 2024 that it was clear that legal assistance was not available free of charge for indigent foreign national detained persons. Moreover, given the de facto nature of the detention of foreign nationals without detention orders, it was impossible per se to exercise the right to challenge their detention order.

**Greece:** In its 2024 report, following the visit of the delegation in November 2023, the Committee noted the long-term nature of the issues related to information provision in the context of immigration detention: “As was the case in 2018 and 2020, the Committee must once again conclude that there remains an acute lack of interpretation services in all the establishments visited during the 2023 visit. Further, access to information in a language and form that detained foreign nationals understand also remains insufficient [...] most detained foreign nationals stated once again that they had signed documents in the Greek language without knowing their content and without having benefitted from the assistance of a qualified interpreter. Indeed, nearly all official documents, including detention and deportation orders, were only available in the Greek language and were usually not translated for the persons concerned [...] most detained foreign nationals complained that they were not sufficiently informed of their rights and their situation in a language they could understand. Many persons indicated that they had not received a copy of the information leaflet in a language that they could understand”.

Moreover, the CPT has highlighted concerns regarding access to legal aid in 2020 and again in 2024, including the “often theoretical and illusory” access to a lawyer and the inadequate provision of legal advice which reduced the detainee’s ability to use “objections against detention”.

In 2024, very few NGOs, including GCR, were providing free legal assistance to detainees with limited resources. No free legal aid is provided in order for a detainee to challenge their detention decision before Courts, contrary to national and EU law.

### Effective remedies

**Cyprus:** Until 2021, all detention orders reviewed included only the wording of the article and, although it was stated that an individual assessment had been carried out, there were no individual facts or reasons for detention or any other reference, justification or findings of an individual assessment. Furthermore, the





detention order would refer to “objective criteria” but there was no mention or analysis on what those objective criteria were and how they are applied or justified in the individual case. This raised concerns from the IPAC, and Judges would often comment that the detention orders did not have adequate justification even if detention was not considered illegal and instructed the CRMD to review them. As a result, since late 2021 detention orders list the reasons for which detention has been ordered (e.g., illegal entry, delay in applying for asylum, convicted for criminal offence, lack of travel document or address). However, there is no mention of the facts of the case or an individual assessment on how these reasons justify detention. The situation in 2022, 2023 and 2024 remained the same.

**Greece:** In a number of 2024 rulings on Objections against detention, competent Courts made no assessment of the impact of the suspension of removal on the lawfulness of detention and, instead, sometimes held that *“it is not proven that the suspension [of the readmission] procedures will continue up to the time that the maximum detention time limit set by article 30 L. 3907/2011”*.<sup>4</sup> In other cases, also ruled upon in 2024, competent Courts expressly acknowledged that the suspension of readmissions to Türkiye made the continuation of the detention measure unlawful.<sup>5</sup>

#### Differential treatment of nationalities in detention

**Bulgaria:** In 2024, no cases of discrimination against specific nationalities were reported concerning detention. In the past, when this malpractice was more widely applied, asylum seekers who had their registrations in the pre-removal facilities ranged from all nationalities without exclusion. The reasons provided previously by the national asylum agency SAR to implement registrations in pre-removal centres was the inability to fulfil otherwise the obligation to meet the short 6-working days deadline under the national and community law, if the release from detention and the transfer of detained applicants to open asylum centres was delayed by the immigration police or national security services. In 2024, as in 2023 and 2022, the SAR completely abandoned this malpractice, with no determinations conducted in a police pre-removal detention centre.

**Greece:** As already noted, during 2024 in a number of cases newly arrived persons arriving in locations where no RICs/CCACs are in operations (for example Crete, Kalamata etc.) were subjected to automatic detention in mainland PRDCs instead of Reception and Identification procedures. This practice was in particular applied to newly arrived persons belonging to low recognition rates nationalities (e.g., Egyptians). Following GCR’s intervention, the Greek Ombudsman has sent an official letter to the Greek Authorities, underlining a number of legal concerns as to the lawfulness of this practice.

## 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, decision-making, timeframes, case management - including backlog management)

#### Statistics on applicants

**Belgium:** In 2024, a total of 39,615 persons applied for international protection in Belgium with an average of 3,301 applications per month – an increase of 11,6% compared to 2023. 38,463 applications were

<sup>4</sup> Administrative Court of Corinth, Decision AP2808/2024, 10 March 2023.

<sup>5</sup> Administrative Court of Kavala Decision AP394/24-05-2024, Administrative Court of Corinth, Decision Π2087/25-4-2024, Administrative Court of Rhodes, Decisions AP15/08-03-2024, AP41/18-07-2024, AP48/09-08-2024, AP71/20-11-2024.







registered on the Belgian territory (at the registration centre in Brussels), 753 at the border and 399 in detention facilities. Out of the total number, 6,469 were subsequent applications. 2,345 applications were done by unaccompanied minors.

Throughout 2024, the Commissary-General for Refugees and Stateless persons (CGRS) granted refugee status to 15,620 persons and subsidiary protection status to 601 persons, bringing the recognition rate to 47,2%. Refugee status was mostly granted to Palestinians (3,281), Syrians (2,774), Eritreans (2,155), Afghans (1,944) and Burundians (1,326). Subsidiary protection status was mostly granted to Syrians (169) and Eritreans (30). A total of 16,542 persons were refused international protection. This includes the number of persons who received an in-merit decision refusing refugee status and refusing subsidiary protection status in a normal asylum procedure (11.087), those whose application was declared manifestly unfounded (in-merit decision in some accelerated procedures, 894), and those whose application was declared inadmissible after subsequent applications and towards beneficiaries of international protection in another Member State (4.561). The CGRS decided on the cessation or withdrawal of the protection status in 76 cases.

Belgium saw an increase of Palestinian first-time applications from 2,963 in 2023 to 5,332 in 2024.

**Bulgaria:** In 2024, the SAR issued decisions for 18,301 asylum applicants. Out of this number, 12,250 asylum seekers applied in 2024, while 6,051 asylum seekers had pending cases from 2023. Out of the total number of decisions, 56 granted refugee status, 4,894 humanitarian status (subsidiary protection under the QD), 3,141 were rejections (of which 1,525 taken in an accelerated procedure). 7,299 were decisions discontinuing the procedure, mainly due to absconding.

In 2024, the number of new arrivals decreased to a total of 12,250 (-45%) in comparison with 22,518 asylum seekers in 2023 (+10%), 20,407 asylum seekers in 2022 (+85%), 10,999 asylum seekers (+212% increase) in 2021 and 3,525 asylum seekers in 2020.

30% (7,299 persons) of the 24,201 asylum seekers with pending applications in 2024 abandoned their procedures in Bulgaria. This represented a decrease (-16%) compared to the 46% (16,211 persons) in 2023. For comparison, the rate of absconding was 45% in 2022, 26% in 2021, 39% in 2020, and 83% in 2019. The usual reasons motivating asylum seekers to abandon the asylum procedure in Bulgaria and abscond were the low recognition rate for certain nationalities, poor reception conditions, lack of integration opportunities, but most importantly their plans to reach other EU countries as a final destination from the onset of their flight. While in 2022 the Afghan applicants for the first time in a decade enjoyed a significantly higher recognition rate than in previous years, with 49% overall recognition (14% refugee recognition / 35% subsidiary protection rate), in the following years recognition rates lowered once again, going in 2024 to 10% (0.3% refugee recognition / 9.7% subsidiary protection) with the rejection rate standing at 90%. This likely motivated (32%) of them, though less than in 2023 (68%) and 2022 (95%), to abscond before their first instance decision, issued on the merits in 16% of the caseload.

Out of the 15,390 decisions taken, 47% of asylum procedures were terminated (discontinued) *in absentia*.

In 2024, 114 applicants submitted subsequent asylum claim and were dealt with in an admissibility procedure. Of these, 59 (52%) were declared inadmissible and 55 (48%) were granted access to a new procedure for a subsequent determination.

**Croatia:** Limited asylum statistics for 2024 can be found on the website of the Ministry of Interior (MOI). However, publicly available statistics on a breakdown on the outcome of the procedure are not available.





The number of applicants for international protection decreased compared to 2023, going from 68,114 in 2023 to 26,776 people (19,907 male, 6,869 female) making an application for international protection (i.e. expressing intention for applying for international protection) in 2024.

The top 10 countries were: Syria (7,560), Türkiye (5,759), Russian Federation (4,057), Afghanistan (2,293), Egypt (832), Pakistan (761), Morocco (733), Iraq (712), Bangladesh (659), and India (539).

International protection was granted to 80 persons (71 asylum i.e. refugee status, 9 subsidiary protection).

**France:** Number of first-time asylum applications registered: 130,952 (-9.8%). Main countries of origin of first-time asylum applicants: Ukraine, Afghanistan, DRC, Guinea, Ivory Coast. Recognition rate at first instance: 38.8%. Average duration of procedure: OFPRA (first instance) 138 days in 2024 (127 days in 2023), CNDA (appeals) 5 months et 9 days in 2024 (6 months et 3 days in 2023). Number of people having received international protection in 2024: 70,225 (record).

**Germany:** In 2024, the BAMF received 229,751 first-time asylum applications and 21,194 subsequent applications. Compared to the previous year, first-time applications decreased by 30.2%, while subsequent applications dropped by 7.0%. In 2023, a total of 351,915 asylum applications were submitted in Germany.

In 2024, Germany received 250,945 asylum applications, marking a significant decrease from the 351,915 applications in 2023.

**Greece:** Until November 2024, the Asylum Service registered 67,004 applications for international protection, mainly lodged by Syrian (30,9%), Afghan (19,9%) and Egyptian (9,9%) nationals.

According to data published by the Ministry of Migration and Asylum, a total of 27,248 (first time) applications for asylum were lodged before the Asylum Service in the first half of 2024, a significant increase of 91.73% compared to the 14,211 applications lodged during the same period in 2023.

**Hungary:** In 2024, there were 29 applications for international protection.

**Ireland:** In 2024, 18,561 international protection applications were lodged.

In 2024, Nigeria once again featured in the top 5 countries of origin, with 4,037 applications, accounting for 21.7% of all applications.

**Netherlands:** In 2023, a total of 49,892 asylum applications were lodged in the Netherlands (including repeated applications and family reunification). 31,405 first applications for international protection were lodged, mainly by Syrian (11,526), Iraqi (2,222) and Eritrean (1,464) nationals. The total number of first asylum applications decreased slightly from 38,377 in 2023. A total of 1,377 repeated asylum applications were lodged in 2024, a decrease from 1,390 in 2023.

**Sweden:** In 2024, 9,634 preliminary applications for international protection were lodged in Sweden. This marks a decrease of 23% from 2023. Most first-time applications were lodged by nationals of Syria (976), Afghanistan (839), Iraq (572), Iran (540) and Uzbekistan (517). At first instance, the in-merits rate was 40%, an increase from 34% in 2023. The recognition rate for Syrian nationals was 84%, the same as in 2023. The recognition rate for Afghans was 64%, a slight increase from 63% in 2023. The backlog of pending cases at the end of 2024 was 3,685, a significant decrease from 5,229 cases 2023. The average length of proceedings decreased slightly from 195 days in 2023 to 187 days in 2024. 6,830 subsequent applications were lodged, particularly from nationals from Iraq, Iran, Afghanistan and stateless applicants.





In 2024, 9,645 applications for international protection were lodged in Sweden. This marks a decrease of 22,8% compared to 2023, when 12,498 applications were lodged. The majority of the 9,645 applications lodged were in Stockholm (4,767), in Gothenburg (2,078) and in Malmö (1,738).

In 2024, the Swedish Migration Agency received 170 applications that were processed under Track 5B and 6 applications were processed under Track 5C. 166 decisions were taken under Track 5B and 7 decisions taken under track 5C. In 2024, 248 cases were decided on after having been processed under Track 4A, manifestly unfounded, and 707 cases were decided on after having been processed under Track 4B.

In 2024 the number of first-time applications was 9,634. In 2024, out of the total number of applicants, 976 came from Syria, 839 came from Afghanistan, 576 from Iraq, and 540 from Iran.

### Determining authorities

**Bulgaria:** SAR staff competent to issue eligibility decisions counted 27 case-workers, of whom 24 case-workers with competence to issue decisions on the substance of the asylum application and 3 case-workers with competence to issue decisions in Dublin procedure.

**Cyprus:** Until 2024, all issues related to migration and international protection where the responsibility of departments and services that fell under the mandate of the Ministry of Interior. In June 2024, a new deputy ministry was established, the Deputy Ministry of Migration and International Protection, which is responsible for the overall management of migration and asylum issues including a comprehensive strategy for migration and asylum; reception and hospitality issues; asylum procedures; integration of persons residing legally in the Republic; return of persons illegally residing in the Republic to their countries of origin. Coordinating and monitoring the application of EU law in matters falling within its competences.

In 2024, in addition to the support staff, the Asylum Service includes the Head of the Asylum Service, 16 Administrative Officers and 105 Asylum Officers on fixed-term contracts. Of the above staff, 70 officers are examiners, while the rest deal with other issues such as the Dublin Unit, relocation, tenders, Reception / Hospitality Centers, and other administrative tasks. In addition, the Asylum Service, during the 2024, was supported by EUAA staff as well as by Contract staff such as for example the security guards and the staff of the Management Company CODECA at the Reception / Hospitality Centers.

There is currently no formal quality assurance unit established at the Asylum Service. While discussions have started on establishing such a unit, they have been stalled due to a lack of capacity and discussions on the nature of the quality assurance work. However, part of the responsibility introduced for team leaders is to monitor the consistency of decisions of junior staff. No progress was observed in 2024.

**Germany:** The BAMF is responsible for examining applications for international protection and competent to take decisions at first instance. The BAMF has branch offices in all Federal States. As of November 2024, the BAMF website lists a total of 62 branch offices (Außenstelle) and one Head Office in Nuremberg.

In 2024, the German Federal Office for Migration and Refugees received a significant budget increase to address the rising number of asylum applications. The total increase in funding amounts to €300 million, aimed at expanding personnel and enhancing digital infrastructure to accelerate asylum processing.

In March 2024, the BAMF which at that point employed around 8,000 staff members announced an increase in positions. In response to the high demand, the BAMF announced that 1,160 new positions would be added, representing a nearly 15% increase in workforce. These roles include 343 permanent positions and 817 temporary roles, with some contracts capped at two years. The new positions were distributed across BAMF's various locations in Germany to offer local employment opportunities.





**Greece:** At the end of April 2024, the Greek Asylum Service ('GAS') had a combined staff of 965 persons (permanent and interim staff, EUAA embedded staff).

**Hungary:** In 2024 the asylum sector participated in the international activities of the EUAA and the individual working groups. In this context, the staff members participated in several international conferences, broadening their professional horizons and gaining experience. The entire staff of the NDGAP and additional designated staff of the regional directorates participated in the "Asylum Professional Day" training event organized by the NDGAP on two occasions during the year for a duration of 1 day each. No person from the NDGAP staff participated in the official training based on the EUAA training material.

**Netherlands:** To keep up with the yearly increase in the number of asylum requests, the IND has gradually been raising its capacity. The number of IND personnel has increased from 3,788.5 FTE in 2018, to 4,302 FTE in 2019, 4,762 FTE in 2020, 4,969 FTE in 2021, 5,393 in 2022 and 6,039 in 2023 (FTE being a 'fulltime-equivalent', where one FTE corresponds to a full workweek for one person). This number increased to 6,340 in 2024. In addition, the IND has experimented with different methods to make the asylum procedure more efficient, for example by implementing a written interview or outsourcing positive decisions to external partners.

**Portugal:** From 10 May 2024 and the end of 2024, the Minister for the Presidency was in charge of migration.

Within the context of the reform of the national asylum authority, UNHCR and CPR provided short trainings to staff joining the new asylum unit in October 2023 and January 2024. While this is a positive aspect, according to the feedback of both CPR trainers and trainees, the training needs were wider and not fully addressed. Upon AIMA's request, in November 2024, CPR provided a new short training to recently recruited staff. The training focussed on the forms of international protection, determining protection needs, and the national asylum system and procedures.

**Romania:** In 2024, IGI-DAI had 24 case officers, marking a significant decrease compared to previous years.

**Sweden:** The Swedish Agency for Public Management, on behalf of the Swedish government, has examined the Swedish Migration Agency's assessments of asylum cases. On 7 October 2024, the agency published its analysis, which indicates clear signs of deficiencies in the Swedish Migration Agency's assessment of asylum cases. The analysis highlights that the Swedish Migration Agency struggles to maintain consistency and legal certainty in asylum assessments, as decisions vary significantly across different parts of the country.

The Swedish Migration Agency had an average of 5,972 employees in the year 2024. Out of the total number of employees in 2024, 362 were working as case officers and 172 as decision makers in asylum cases.

The Dublin Unit had 24 officials in 2024.

### Registration

**Belgium:** On 24 October 2024, the Registration Centre for international protection moved from Pachecolaan 44 to Belliardstraat 68, in Brussels, due to reconstruction works planned in the former building. During the first weeks after the move, the overall security situation for applicants waiting to enter the registration centre raised concerns. The entrance is situated right next to a four-lane motorway and a cycling lane that is intensely used by commuters on the very moment when many applicants line up for entrance at 8:30 am. Combined with the high number of persons wanting to make an application in October and November and limited registration capacity, this led to security issues and tension, and police being present on several occasions. On 14 January 2025 the Immigration Office started with a test project, opening the doors from 07:00 until





09:00. Previously, the doors only opened between 08:30 and 9:00. By extending the time during which the doors are open, the Immigration Office hopes that persons arrive more spread out during the morning. The new opening hours will be evaluated after one month.

Limited registration capacity remained an issue throughout 2024. The available registration capacity on a given day depends on the profile and number of persons wanting to make an application, the available interpretation services and the available staff of the Immigration Office. On days with a high number of applicants or limited staffing, the Immigration Office uses a priority system. Vulnerable persons such as families with children, single women and non-accompanied minors are allowed to enter the Registration Centre first. If the registration capacity has not been reached at that point, single men can enter to make their application. As soon as the maximum capacity of the day has been reached, the remaining single men are given a non-individualised 'certificate of presentation' with an invitation to return on a later day. According to Article 50, §2 Aliens Act the Immigration Office has up to ten working days to register an application after it was made. In Fall and Winter of 2024, the registration capacity decreased because of long term absentees among registration staff and a high number of staff leaving the Immigration Office in combination with a high number of applications in October 2024. As a result, the Immigration Office regularly gave 'certificates of presentation' with an invitation to return two to three weeks later, in violation of the legally prescribed registration deadline. These were mostly given to single men. Yet, on some days, when the number of vulnerable persons wanting to make an application already exceeded the available reception capacity, it was also given to families with children. In that case, the Immigration Office tries to ensure that these families have a place to stay. If this is not the case, the Immigration Office allows these families to enter immediately after all, so reception by Fedasil can be provided. The 'certificate of presentation' does not contain the name of the applicant, so that contrary to what is mentioned on the website of the Immigration Office, it does not serve as proof that they have applied for international protection. This significantly impacts the effectiveness of the rights to which they should be entitled as asylum seekers, such as their right to reception: the certificate of presentation is not recognised by Fedasil to get access to a reception place (or in the case of single men: to register on the waiting list). In 2025, the registration services received additional staff and the number of applicants slightly decreased. As a result, applicants who receive a 'certificate of presentation' are invited to return within the legal time limit of 10 working days.

On 24 October 2024, the Registration Centre for international protection moved from Pachecolaan 44 to Belliardstraat 68 in Brussels. The former location will undergo reconstruction works, after which some parts of the location will be used by a university. As a result, the Immigration Office had to move the registration centre to another location. During the first weeks after the move, the overall security situation for applicants waiting to enter the registration centre raised concerns. The waiting line is right next to a four-lane motorway and a cycling lane used by commuters. Combined with the high number of persons wanting to make an application in October and November, this led to some tension. On 14 January 2025 the Immigration Office started with a test project, opening the doors from 07:00 until 09:00. Previously, the doors only opened between 08:30 and 9:00. By extending the time that the doors are open, the Immigration Office hopes that persons arrive more spread out reducing the risks of tension and security issues.

In Fall and Winter of 2024, the registration capacity decreased because of long term absentees among registration staff and a high number of staff leaving the Immigration Office. In addition, 4,383 applications were registered in October 2024 which put significant pressure on the Immigration Office. This context made it difficult for the Immigration Office to respect the legal time limits. As a result, the Immigration Office regularly gave 'certificates of presentation' with an invitation to return two to three weeks later. These were mostly given to single men. Yet, on some days, when the number of vulnerable persons wanting to make an application already exceeded the available reception capacity, it was also given to families with children. In that case, the Immigration Office tries to ensure that these families have a place to stay. If this is not the case, the Immigration Office allows these families to enter immediately that day. According to unofficial counts





done by Vluchtelingenwerk Vlaanderen, 1,811 single men and 210 persons as part of a family received a 'certificate of presentation' exceeding the legal time limit in November and December of 2024.

**Bulgaria:** 27,775 Ukrainians were registered under the temporary protection scheme during the year. At the end of 2024, a total of 60,864 temporary protection holders were reported as remaining in the country. Thus, in 2024 the national asylum system was engaged with 73,114 persons, seeking or enjoying some of the available types of protection in Bulgaria.

**France:** There were excessive delays in registering asylum applications in certain areas. In Isère (Grenoble), there were delays in excess of 10 days between the presentation of the asylum application before the SPADA and the appointment for registration of the application before the GUDA; the delays reached over 1 month during the first quarter of 2025. In Guyane, there were 9,214 applications registered in 2024 in Guyane, while 11,317 are awaiting registration. Appointments have been given for autumn 2026, making for an 18 months delay between presentation of the application and its registration. While the administrative tribunal ordered the state to register the individual applications of the claimants in the appeal within 1 month, given the serious and manifestly unlawful breach of the right of asylum and the urgency linked to the fact that applicants cannot access material reception conditions before their application is registered, both the administrative tribunal and the Council of State refused to order general measures (measures related to the organisation of the registration authority, ordering access to material reception conditions for all those awaiting their registration appointment, including a mention of the right to stay in France on the registration appointment letters, ordering access to the labour market for those with a registration appointment more than 6 months after their presentation of their application).

« France asile » administrative hubs introduced by the law of 26 January 2024: the implementation of the pilot hubs, which had been announced in Val d'Oise, Moselle et Haute-Garonne, has yet to start, but a decree of 16 July 2024 specified the tasks that will be carried out by OFPRA in these territorial hubs in terms of information for asylum seekers and collecting elements of the asylum application through an electronic form.

**Greece:** During 2024, registrations and identification procedures were concluded in a much faster pace, compared to 2023 and therefore 'waiting periods' were eliminated or reduced to few days, unless mass arrivals occurred and/or limited interpretation services- especially in certain languages- resulted in delays. In the majority of the cases newcomers waiting to be registered are placed directly in sections of the CCACs used as accommodation areas. In Kos and Samos, sections used in past as 'Safe Areas', in which dire conditions prevail, might host the newcomers until registration. In Chios, the so called 'Agnodikis' section, which was previously used as COVID-19 quarantine site, has been used in exceptional cases as a 'waiting area'. Moreover, in Lesbos exit from the accommodation structures ('οικίσκους') where newcomers are placed, is permitted only in case of emergency until registration. During their waiting period, confined newcomers have extremely hindered access to any services, including medical support, unless urgent medical needs occur. The potential repercussions for limited access are significant, as newcomers are frequently exposed to violence en route and/or in their country of origin and present specific health vulnerabilities. This includes, for example, survivors of shipwrecks, GBV survivors, pregnant women, individuals with non-communicable chronic diseases, such as diabetes or cardiovascular conditions who may need immediate (health) support.

Since the implementation of the EU-Türkiye Statement, all newcomers are registered by the RIS. In 2024 the pace of conclusion of Reception and Identification Services has been accelerated compared to 2023. According to GCR observations from the field, as a rule RIS' registration is completed with few days. As already reported, during 2024, due to the understaffing of the Medical and Psychosocial Divisions of the RIS, coupled with the limited interpretation services, there were recorded significant shortcomings or lack of provision of medical and psychosocial assessment/services, as required by law. Moreover, a long lasting issue regarding Identification Procedures concerns the lack of transparency in the way the authorities identify newcomers' data, such as their country of origin. In many cases, the Police and/or Frontex determine a nationality to







individuals- different to what the latter had declared- in a way that this determination cannot be disputed and challenged. For example, stateless Bidoons born and raised and/or residing for years in Kuwait are erroneously identified as Iraqi nationals and Eritreans with lengthy residence in Ethiopia are incorrectly identified as Ethiopian nationals.

Up until spring 2024, newcomers from Grete/Gavdos were transferred directly to PRDCs, where they remained detained without being subjected to any Reception and Identification Procedures, in contravention with what the Law provides. Following reactions, arrivals from Crete/Gavdos are channeled to RICs in the mainland for registration.

During the first nine months of 2024, the RIS registered a total of 42,470 persons, the vast majority of whom (33,856) were registered in the border RICs of Lesvos, Samos, Chios, Leros, Kos and Fylakio, Evros, and the rest (8,614) in the mainland RICs of Malakasa and Diavata and in Sindiki camp by the Mobile Registration and Transfers Coordination Units of RIS. Of the total of those registered, the vast majority were boys and men (31,509), of whom 6,059 were aged between 0-17; 11,803 between 18-25; 7,330 between 26-33; 2,750 between 41-60; and 191 were 61 years or older. Women and girls accounted to 10,961, of whom 3,645 were under the age of 18; 2,612 were between 18-25; 2,166 between 26-33; 1,167 between 34-40; 1,215 between 41-60; and 156 were 61 years or older.

**Netherlands:** During 2024, the use of the pre-registration locations was continued. A new development was that some of the applicants staying at these locations had already undergone the registration process. Their stay was thus no longer due to backlogs in the registration process but due to a lack of reception capacity in regular Centre for Asylum Applicants (AZC).

A third country national that wishes to apply for asylum and who crosses the Dutch border by land has to register their wish for asylum in AC Ter Apel. The identification and registration of the applicant was, up until the end of 2024, conducted by either the AVIM (AC Ter Apel) or KMar (AC Schiphol). As of 1 January 2025, a new organisation has been set up to deal with the identification and registration process. This new organisation, the Asylum Seekers Identification and Screening Service (Dienst Identificatie en Screening Asielzoekers, DISA), will carry out the same obligations related to the identification and registration process as AVIM did before.

In 2022, 2023, and to a lesser degree 2024, there have been issues relating to the formal registration and the registration interview, because of the chaotic situation in Ter Apel. Because of this, asylum applicants had to wait up to several months after filing their application until they had their reporting interview.

**Spain:** There is no time limit prescribed for the authorities between the expression of intention to apply for asylum and the lodging of the application. The average time for registration of the application has increased steadily. Although the number of arrivals decreased in 2024 asylum seekers continued to wait for up to 20 days to lodge the application. The waiting period varied during the year, depending on the number of new arrivals, but people usually had to wait 3–20 days.

**Sweden:** There have been no problems reported for asylum seekers regarding the registration of their claims in practice in 2024.

### First instance procedure

**Belgium:** Between September 2023 and January 2024, the CGRS tested a pilot project named 'Tabula Rasa', aiming at experimenting with several new working methods to maximise the number of decisions and alleviate the backlog of cases. One of the measures includes sending preliminary questionnaires to applicants to obtain more information before the personal interview. After a positive evaluation, the CGRA plans to





incrementally introduce this new way of working in the whole organisation starting from February 2025. Several NGOs and lawyer associations have voiced their concerns about the current functioning of this new way of working. The new system entails a significant increase in the amount of work and responsibilities required from the applicant's lawyers, to help their client fill out the questionnaire. In case a lawyer is not capable or willing to take up this extra work, NGOs first line legal services have taken up this task. Concerns have been raised regarding their ability and resources for handling such responsibility.

**Bulgaria:** The law provides for mandatory audio or audio-video tape-recording of all eligibility interviews as the best safeguard against corruption and for unbiased claim assessment. The positive practice in this regard persisted in 2021, 2022, 2023 and 2024, as 100% of the monitored interviews were tape-recorded. This being said, the benefits of such a procedure are hindered by the fact that, in practice, caseworkers take a decision based on their own notes rather than the actual audio recording.

In 2024, in 9% of the monitored procedures the registration forms or the records from the interviews were not read out to asylum seekers, which was a progress in comparison to 2023, when this obligation was not respected in 22% of the monitored cases.

#### Length of first instance procedure

**Bulgaria:** In 2024, the SAR issued, on average, 675 monthly decisions, issued by 27 case workers. The average length of the procedure remained from 4 to 6 months. Several improvements in the standards and quality of the asylum procedure were also observed, which provided for better safeguards for asylum applicants pending the status determination.

In 2024, the general 6 months deadline for issuing an asylum decision was observed in all cases. According to the SAR, the average duration of asylum procedures on the merits ranges from 4 to 6 months, although according to the available independent reports a four-month duration of the procedure was observed in 98% of the monitored cases.

**Cyprus:** The average length of the first instance procedure in 2024 was 18-24 months.

**Germany:** The Average length of the first instance procedure in 2024 was 8.7 months. This figure encompasses both initial and subsequent applications across the entire country.

**Hungary:** In 2024, the NDGAP processed with priority 1 application from an UaSC and 3 applications from asylum seekers held in asylum detention.

In 2024, according to the HHC experience, the average length of a regular asylum procedure was 5-6 months.

**Ireland:** processing times under the ordinary procedure remained lengthy in view of the commitment by the Department of Justice to reduce the overall processing time to 6 months in line with the recommendations of the Expert Advisory Group.

**Netherlands:** The third extension of the time limit to issue an asylum decision was announced on 19 December 2023. This meant that the IND could take 15 months instead of the normal 6 months to decide on asylum requests during 2024. At the time of writing, no such extension has yet been issued for 2025. Whether these extensions were in accordance with the Asylum Procedures Directive is still uncertain, as preliminary questions have been referred to the CJEU regarding the conditions under which a Member State can use the power to extend the six-month decisionmaking period in the Asylum Procedures Directive if there is a large number of asylum applications at the same time. Even though the conclusion of the Advocate General in this case seems to point towards the unlawfulness of these particular measures, until the Court's judgment is





issued this cannot be said with certainty. As the IND still struggles with capacity problems and clearing the backlog of cases, it is not unthinkable that another extension will be issued for 2025.

The IND has published an overview of the average waiting times for the interviews in the different tracks, which it updates regularly. As of 30 December 2024, for Dublin Procedures (Track 1), asylum applicants have to wait on average thirteen weeks before their first interview. Asylum applicants from a safe country of origin or already benefiting from international protection in another Member State (Track 2) have to wait on average 15 weeks before they meet with the IND. In the Regular Procedure (Track 4) it takes on average five weeks before the registration interview takes place (note that theoretically, this interview should happen on the third day after the asylum request). After this interview, another 63 weeks elapse on average before the detailed interview takes place. This means that on average, the detailed interview takes place 16 months after the asylum request. However, after the detailed interview, the IND can also take several weeks or months to reach a decision, leading to a large amount of asylum applicants waiting for more than 15 months before a decision is issued. As the statistics show, the number of cases that have not been decided upon after 15 months has grown from 1,610 in November 2022 to 5,490 in November 2023. As of November 2024, this number has grown to 11,680.

In November 2024, the number of applicants in Track 4 (both AA and VA) that was still waiting for a decision after six months was 35,600. The number of applicants still waiting for a decision after 15 months was 11,680.

**Portugal:** CPR has further observed significant delays between the date of issuance of decisions and its notification to the asylum applicant. In some cases, this delay was of over one year. This continued in 2024; there are no known justifications for the delays, which can affect all applicants.

**Sweden:** The average length of the asylum procedure (i.e., for all tracks) in 2024 saw a small decrease of the average length (8 days), which led to a total length of 187 days.

### Backlog at first instance

**Belgium:** Overall, the caseload for asylum authorities has increased over the last year. The number of pending applications in front of the Immigration Office increased to 12,888 in December 2024, compared to 8,229 in December 2023. The CGRS reported 26,619 pending applications in December 2024 compared to 26,525 pending applications in December 2023. Overall, the combined number of pending applications increased from 34,754 in December 2023 to 39,507 in December 2024. In 2024 the CGRS applied several measures to increase the efficiency of its decision-making. Therefore, despite the significant increase of the number of applications in 2024 their backlog has remained relatively stable. Currently, the biggest increase of the backlog is situated at the Immigration Office. Because they transfer the file to the CGRS after Belgium has declared itself responsible for the treatment of the application, the backlog at the CGRS level is expected to increase. The CGRS indicated that it requires additional staff 'to clear the backlog given the high influx'.

As in previous years, the CGRS was unable to reduce the backlog of pending cases in 2024. It reached a peak of 28,554 pending files in April 2024. In December 2024 this number was at 26,119 pending files. The normal workload is considered to be 6,500 files. Hence, the backlog is considered to be 19,619 files. In order to reduce this backlog, the CGRS tried to increase its output in 2024. Among others, they launched a fast-track procedure for certain nationalities with a low recognition rate. In addition, they launched the project 'Tabula Rasa', aimed at experimenting with several new working methods to maximise the number of decisions. A third step to increase the output was the hiring of 58 additional caseworkers that will be integrated into a separate decision-making unit. Yet, the CGRA states that it needs additional caseworkers to further reduce the backlog, considering the overall elevated number of applications in Belgium.





**Bulgaria:** The backlog of pending cases increased in previous years, going from 2,021 cases in 2020, 7,556 cases in 2021, 8,000 cases at the beginning of 2022 and 11,951 pending cases at the end of 2023.

**Cyprus:** In December 2024, the number of pending appeals in both the regular and accelerated procedure were 6,583 corresponding to 6,986 persons.

As of 31 December 2024, the backlog was reduced to 17,244 cases concerning 20,576 applicants of which 13,793 were Syrian nationals due to the measure initiated in April 2024 to suspend the examination of cases of Syrian nationals.

**Germany:** The backlog of pending cases at first instance as of 31 December 2024 was 212,656 asylum cases pending.

**Greece:** The backlog of pending cases at first instance as of 31 December 2024 was 29,885.

**Hungary:** The backlog of pending cases at first instance as of 31 December 2024 was 16.

**Netherlands:** The backlog of asylum cases continues to grow, reaching more than 50,000 open applications in 2025. The number of cases that exceeds the maximum time limit for deciding of 21 months, also increases rapidly. The IND does not have the capacity to handle all the incoming asylum requests and tries to implement experimental procedural changes to increase the speed of the decision-making process and efficiency of the available personnel. Due to these 'pilots', problems arise with some nationalities receiving their decisions much faster, and more complicated asylum requests being decided upon after years of waiting. As a result of these pilots, the asylum procedure has become more chaotic and has resulted in less predictable interview and decision dates.

**Sweden:** At the end of January 2024 there was a backlog of 5,409 cases and at the end of December 2024 this number had decreased to 3,685 cases.

### Personal interview

**Bulgaria:** In 2024, considering all the cases in which the case-worker and the asylum seeker were of different gender, in 13% (9% in 2023) the asylum seeker was informed about the possibility to request that the interview be conducted by an interviewer of the same gender, and in 45% (20% in 2023) about the possibility to request an interpreter of the same gender.

**Cyprus:** If detained in Menogia, the interview usually takes place within 1-2 months. However, if detained in holding cells in a police station, the interview is often delayed, and cases are often identified to with cases in 2020, 2021 and 2022 found to have reached 6 months with no interview. In 2023 and 2024, delays still occurred.

**Greece:** Ongoing delays of months and in some cases of even more than a year in the conduct of asylum interviews on account of gaps in the provision of interpretations services were reported in Malakasa RIC and Ritsona camp as well as most of Regional Asylum Offices and Asylum Units in mainland Greece in 2024, with the gaps also impacting on applicants' ability to communicate their needs with the camp's and the asylum service staff.

**Hungary:** In 2023, an HHC colleague reported that a Constitutional Protection Office representative was present at asylum interviews, without prior announcement. The officer did not ask about the flight story but was asking questions regarding the activities in the country of origin and the travel and entry to Hungary. His role was to assess the security. In 2024 this practice ceased.





In 2024, the HHC lawyers did not have any videoconferences.

**Spain:** Due to the increase in asylum applications in Spain in recent years, which slowed down the functioning of the Spanish asylum system, applicants have to wait long periods of time before getting an appointment to be interviewed by the OAR. In 2021, a telematics system to request an interview was put in place at the Aluche police station in Madrid; some problems affecting such system were reported, due in particular to the limited places available for interviews, and to technical problems encountered when operating such system. The same problems persisted in 2024.

**Sweden:** In 2024, 430 out of 6,214 interviews were conducted by video.

### Decision making

**Cyprus:** In 2024, the Asylum Service issued a total of 17,244 decisions concerning 20,576 applicants for international protection, compared to 18,321 decisions concerning 20,159 applicants in 2023.

**Greece:** While recognition rates at first instance remain high (in terms of in-merit decisions), a number of first instance cases demonstrate the persistence of long-standing concerns vis-à-vis the “deterioration in quality at first instance”, inter alia due to the way in which interviews were conducted, the assessment of the asylum claims and/or the decisions delivered.” Examples of such cases in 2024 include:

- The case of a single man from Egypt, a “safe country of origin”, whose application was rejected due to a perceived lack of credibility. Specifically, even though the applicant submitted multiple evidence in support of his personal account, the asylum service rejected his claims simply by stating that they “lack coherence, clarity, precision and plausibility” despite the fact that according to information the asylum service cited in the decision, it is confirmed that the Egyptian security forces have arrested persons with the same or similar profile as the applicant.
- The case of a single mother and her infant child, originally from Eritrea, with a habitual residence in Ethiopia, whose second asylum claim was rejected on the merits without addressing any of the claims put forward by the legal representative of the family in the written briefs submitted to the asylum service.
- The case of a single man from Egypt, who was interviewed eight days after surviving the deadly shipwreck of Pylos. His interview, which took place without a lawyer present, lasted less than an hour. He was found non-vulnerable and his application was finally rejected a year after the interview took place.

**Netherlands:** A new method for assessing asylum claims, introduced on 1 July 2024 and also known as the ‘new credibility assessment’, requires applicants to provide ‘objective evidence’ to substantiate their asylum motives. This evidence must be authentic, original, and fully support the facts underlying the claim. If such evidence is not provided, the asylum motives can still be found to be credible, but applicants must meet five specific criteria to have their motives deemed credible without such evidence. The Dutch Council for Refugees has raised concerns that this approach imposes an excessive burden on asylum applicants, as obtaining documentary evidence is often difficult, and may not be in line with EU, ECHR, and international standards for evidence assessment in asylum law.

On 9 November 2023, the CJEU found that, to determine whether a case reaches the high threshold of ‘serious and individual threat to a civilian’s life or person by reason of indiscriminate violence in situations of international or internal armed conflict’ meriting subsidiary protection under Article 15(c) Qualification Directive, both the general situation in the area and the individual position and personal circumstances of





each applicant need always be taken into account. Following this judgment, the Regional Court of Den Bosch classified as a 'sliding scale' this concept that the more it appears that the individual situation of an applicant can increase the risk of becoming a victim of such 'indiscriminate violence', the lower the general level of violence in the area needs to be in order to merit subsidiary protection under Article 15(c) Qualification Directive. Following this judgment, two policy changes were made with respect to how Article 15(c) Qualification Directive is assessed in The Netherlands. First, the Minister determines whether an 'international or domestic armed conflict' exists in a region or country. Second, the magnitude of the conflict is classified in one of three levels of severity: (a) a conflict that reaches the threshold of Article 15(c) Qualification Directive on its own ('pure' 15(c) situation); (b) a 'high level of indiscriminate violence'; or (c) 'no sufficient high degree of indiscriminate violence'. The Minister initially decided to only apply the 'sliding scale' in the second level, essentially refraining from applying the 'sliding scale' if the conflict was said to have 'no sufficient high degree of indiscriminate violence'. However, the Council of State ruled on 17 July 2024 that this extra threshold was unlawful, and that the 'sliding scale' the CJEU judgment appears to establish must be applied in all situations, no matter the severity of the indiscriminate violence.

**Sweden:** The Government made six decisions under the Act concerning Special Controls in Respect of Aliens between 1 July 2023 and 30 June 2024, compared to five decisions in the previous corresponding period. Two of the decisions concerned a dismissal of an appeal against a decision of the Swedish Migration Agency regarding expulsion. The other four decisions were rejections of requests from the individual to reconsider expulsion decisions.

In 2024, the Swedish Migration Agency decided on 9,645 first time applications on international protection and 21,354 prolongation decisions where renewal of a temporary protection permit was requested.

During 2024, 903 cases were assigned to Track 1, 1,047 decisions were taken and 271 cases were still open at the end of the year.

### Safe country concepts

**Belgium:** Belgium approved an updated list of safe countries of origin that is applicable as of 27 May 2024. The following countries are currently considered safe countries of origin: Albania, Bosnia and Herzegovina, the Republic of North-Macedonia, Kosovo, Montenegro, Serbia, India and Moldova. These are the same countries as those listed in the previous Royal Decree, except for Moldova, which was added to the list in 2024.

**Bulgaria:** Prior to EU accession, national lists of safe countries of origin and third safe countries were adopted annually by the SAR and applied extensively to substantiate negative first instance decisions. The national courts adopted a practice that the concepts can only be applied as a rebuttable presumption that could be contested by the asylum seeker in every individual case. In 2007, the national law was amended to regulate the adoption of national lists on the basis of EU common lists under Article 29 of the 2005 Asylum Procedures Directive. As a result, since the adoption of this amendment safe countries' lists were not adopted for a period of nineteen years from 2005 until 2024. As a part of different institutional re-arrangements in effort to support the country's full Schengen accession, on 3 April 2024 the government adopted safe country of origin and safe third countries' lists.

Safe countries of origin include: Cuba, Bangladesh, Pakistan, India, Algeria, Morocco, Tunisia, Tanzania, Ghana, Senegal, Jordan, Kazakhstan, Azerbaijan, Armenia, Georgia, Türkiye, Albania, Bosnia and Herzegovina, Kosovo, Serbia, Montenegro, and North Macedonia.

Safe third countries include: Bangladesh, Iran and Türkiye.







**Germany:** As of 2024, the list of safe countries consists of: the member states of the European Union, Ghana, Senegal, Serbia, North Macedonia, Bosnia-Herzegovina, Albania, Kosovo, Montenegro, Georgia, Moldova.

In 2024, the debate surrounding the designation of "safe countries of origin" was not directly reintroduced but remained part of the broader conversation about migration restrictions, asylum law, and deportations.

The number of applications from asylum seekers from safe countries of origin significantly decreased in recent years and have remained on a low level since 2018. This notwithstanding, the BAMF received a total of 2,817 asylum applications from North Macedonia in 2024. 3,514 individuals from Georgia applied for asylum in 2024. Neither North Macedonia, nor Georgia was among the top 10 countries of origin for asylum applications in 2024, whereas both were in the top 10 in 2023.

**Greece:** In December 2024, JMD 305652 (ΦΕΚ Β 7117/27.12.2024) included Angola and Moldova in the list, reaching a total of 18 Safe Countries of Origin.

From January to November 2024, 1.142 "inadmissible/safe country of origin" decisions were issued by the Appeals Committee under the JMD 538595/2023. 10 of these decisions deemed Albania to be a STC 25 did for North Macedonia.

The milestone 4/10/2024 judgement of the CJEU does indeed seem to reverse the tide of rejecting decisions due to inadmissibility based on the Safe Third Country Concept. However, despite the judgment, which is binding for the Greek Authorities, until today GCR is aware of asylum applications that are rejected as inadmissible under the safe third country concept. As far as GCR is aware, no relevant instructions or guidance have been issued to the Asylum Service in order to ensure compliance with the CJEU judgment.

**Hungary:** In 2024, a Polish opposition politician Mr. Romanovski was granted refugee status by the Minister in charge of immigration. According to the Section 7(4) of the Asylum Act, in the absence of the conditions for granting refugee status, refugee status can nonetheless be granted under special and equitable circumstances to an alien where this is necessary on humanitarian grounds, insofar as there are no grounds for exclusion of the alien from refugee protection.

**Ireland:** In June 2023, the Department of Justice announced that it was to conduct a review of the list of so-called 'safe countries of origin', as established pursuant to the International Protection Act 2015 (Safe Countries of Origin) Order 2018. Under Irish law, a country may be designated as 'safe' whereby it can be demonstrated that there is no persecution, torture or inhumane or degrading treatment or punishment and no threat by reason of indiscriminate violence in situations of international or armed conflict. In January 2024, the Minister for Justice announced that, following the conclusion of the review process, two countries, Algeria and Botswana, would be added to the safe countries list. Subsequently, in July 2024, following a further review, an additional five countries were added to the safe countries list. These countries include Brazil, Egypt, India, Malawi and Morocco, bringing to 15 the total number of countries appearing on the safe countries list. The rationale for this, according to the Minister for Justice, was to make the international protection process more efficient and to deter people from using Ireland's asylum system as a route for 'economic migration.'

The United Kingdom was previously designated a 'safe country' by the State in December 2020. However, subsequently, in March 2024, a decision was issued by the High Court in the case of A v Minister for Justice, Ireland & Anor; B v International Protection Appeals Tribunal & Ors, in which it ruled that the legal basis for the designation was flawed as there was a gap between the legislation established in the International Protection Act and the EU legislation relevant to the case. Specifically, the national legislation failed to require that the Minister be satisfied that a person would not be subject to serious harm if returned to the United Kingdom, a requirement which is established pursuant to EU law. The case was one of a number of cases taken by individuals seeking to challenge their return to the UK following the resumption of removals





following the Covid-19 pandemic. Following the judgment, on the 30th April 2024, the Minister for Justice obtained Cabinet approval to progress legislative changes to allow the resumption of returns to the UK. The proposed amendments will include a provision to be added to the International Protection Act that will require consideration of serious harm to take place under the relevant sections of the Act. It will also allow for family and private life rights to be considered in the context of issuing a return order.

**Italy:** The list of safe countries has been expanded through a Ministerial Decree of 7 May 2024. The additional countries included are Bangladesh, Cameroon, Colombia, Egypt, Peru and Sri Lanka.

However, after the CJEU decision issued on 4 October 2024, clarifying that no countries with territorial exclusions could be kept on the list, through decree law 158/2024 a new safe countries of origin list was included directly in the Procedure Decree (Article 2 bis), deleting Colombia and Nigeria. Later, L. 187/2024, implementing DL 145/2024 and repealing DL 158/2024, confirmed the introduction of the new list in Article 2 bis of the Procedure Decree.

**Netherlands:** As per Dutch policy, certain countries are designated as a 'safe country of origin', meaning that the presumption exists that an asylum seeker from that country does not fear persecution or risk of a treatment contrary to Article 3 ECHR. Asylum seekers from those countries are subjected to the Accelerated Procedure (Track 2). Previously, certain countries were designated as being a safe country of origin with the exception of certain regions. However, on 4 October 2024, the CJEU ruled that a country can only be designated as such if the entire territory is deemed safe. As a result, India and Georgia were removed from the Dutch list of 'safe countries of origin', and asylum applicants from those countries were processed under the Regular Procedure (Track 4).

In November 2021, the Minister also decided to shorten the list of safe countries of origin in order to decrease the periodical efforts to reassess their situation. Twelve countries - from which an extremely limited number of asylum applicants arrived - were removed from the list: Andorra, Australia, Canada, Iceland, Japan, Liechtenstein, Monaco, New Zealand, Norway, San Marino, Vatican City and Switzerland. The United Kingdom and Trinidad and Tobago were also removed for this reason in February 2023 and June 2024, respectively.

**Slovenia:** In 2024 a total 4,478 nationals of countries designated as safe countries of origin applied for asylum in Slovenia (from Albania, Algeria, Bangladesh, Bosnia and Herzegovina, Egypt, Gambia, Georgia, Ghana, Kosovo, Morocco, Nepal, Senegal, North Macedonia, Serbia, Tunisia, Türkiye).

In 2024, the concept of 'safe country of origin' was used. If the concept is used, the application can only be rejected in the accelerated procedure as manifestly unfounded. In practice, applications are not rejected solely based on a 'safe country of origin' concept but together with other reasons for rejecting the application as manifestly unfounded.

**Sweden:** In June 2024 the Government asked the Swedish Migration Agency to strengthen its work with the concept of safe countries of origin, with the goal to add more countries to the list of safe countries of origin. The Government required regular updates of the Swedish Migration Agency's work in this regard. The Swedish Migration Agency reported to the Government in September 2024, explaining how it developed its work with the concept of safe countries of origin, and also suggesting additional countries that, after thorough analysis, could be added to the list. The Agency however holds the view that it, under current legislation, is not possible to consider a part of a country as safe, or a country safe except for certain parts of the population. It evaluates potential gains with an increased number of safe countries of origin, even when few applicants originate from the country in question, and costs for maintaining a list including more countries. The Agency concludes that it will continue develop its strategies for working with safe countries of origin and also order a number of countries of origin reports, which could, depending on the outcome, lead to further countries being considered safe.





## Recognition rates

**Bulgaria:** In 2024, the overall recognition rate decreased to 61%, from 66% in 2023 and 91% in 2022 of all decisions on the merits. Both refugee recognition and subsidiary protection rates continued to decrease. Refugee recognition decreased to 0.7% and subsidiary protection (humanitarian status) rates fell to 60% in 2024. The rejection rate reached 39%, when considering only decisions issued on the substance of asylum claims. Among the top 5 countries of origin of asylum seekers entering Bulgaria in 2024 remained Syria and Afghanistan. These two nationalities together represented 79% of the total arrivals, - 62% from Syria and 16% from Afghanistan. Except for Syrian nationals, over an extended period before 2022, recognition rates for other nationalities remained low. Applicants from Afghanistan and Türkiye faced discriminatory treatment, with their cases overwhelmingly classified as manifestly unfounded, leading to extremely low recognition rates. After more than a decade of being deemed non-credible applicants—briefly interrupted by a significant improvement in recognition rates in 2022—Afghan nationals once again faced reduced recognition in 2024, as in 2023, with an overall recognition rate of just 10% (0.3% refugee status and 9.7% subsidiary protection) and a 90% rejection rate. The majority (86%) of Afghan applicants continued to abscond before receiving a first instance decision, which was issued on the merits in 14% of the caseload. The recognition of Turkish applicants improved with 14% overall recognition rate (0% refugee recognition rate and 14% subsidiary protection rate), in comparison to the 100% rejection rate in 2023. The most radical change in recognition rates related to Syrian applicants. Since 2014, Syrian applicants have been treated as prima facie refugees with the majority of them granted subsidiary protection based on the understanding that they flee from internal armed conflict (see, Differential treatment of specific nationalities in the procedure). Starting from mid-2024 the SAR initiated individual assessment of Syrian applications, which resulted in a 19% rejection and 81% recognition rate (0.5% refugee recognition rate and 80% subsidiary protection). After the fall of Bashar Assad’s regime on 8 December 2024, the SAR halted the interviewing and status determination of Syrian applicants until 31 January 2025, when these were resumed on an individual assessment basis.

In 2024, SAR issued 15,390 decisions in total. Out of these, 57 were decisions granting refugee status, 4,951 decisions granting humanitarian status (i.e. subsidiary protection under the QD), 3,141 rejections and 7,299 decisions discontinuing the procedure, mainly due to absconding. Despite this, at the end of 2024 6,051 asylum cases were still pending. This was likely due to the fact that the backlog of pending cases increased in previous years, going from 2,021 cases in 2020, 7,556 cases in 2021, 8,000 cases at the beginning of 2022 and 11,951 pending cases at the end of 2023.

**Germany:** In 2024, a total of 36,135 Afghan nationals received protection status in Germany through various legal grounds. Among them, 538 individuals were granted protection under Article 16a of the Basic Law (Grundgesetz), i.e. constitutional asylum. The largest share, 13,891 applicants, obtained refugee status under §3 of the Asylum Act (Asylgesetz). Additionally, 775 individuals received subsidiary protection (§4 AsylG), which is granted when a person faces a real risk of serious harm, such as torture or inhumane treatment, but does not qualify for refugee status. Furthermore, 16,931 applicants were granted national removal bans (Abschiebungsverbote) under §60(5) or (7) of the Residence Act (AufenthG), which prevent deportation due to substantial threats to life, safety, or health in Afghanistan.

Following the protests and violent repressions in Iran, several Federal States declared a removal ban for Iran in October 2022. The Conference of Interior Ministers of the Federal States as well as the Federal level decided in December 2022 that no removals would take place to Iran, with exceptions for serious criminal offenders and persons posing a risk to security. The nationwide removal ban was originally prolonged in summer 2023 but was lifted from 1st January 2024 onwards. In 2024, asylum applications from Iranian nationals in Germany remained significant, with a total of 5,817 applications. The German authorities issued 7,914 decisions on Iranian asylum cases, resulting in 2,249 grants of protection status, 3,880 rejections, and 1,785 cases resolved through other means (anderweitige Erledigungen). Excluding formal decisions, the protection rate, i.e. the





share of positive outcomes among substantive decisions, stood at approximately 36.7% (2,249 grants out of 6,129 substantive decisions). This represents a sharp decline from 2023, when the overall protection rate for Iranian nationals was 45.5%, with 37.8% receiving refugee status, 3.3% subsidiary protection, and 1.6% a removal ban based on national law, while 54.5% of applications were rejected. The 2024 protection rate dropped by 8.8 percentage points.

In 2024, asylum applications from Russian nationals in Germany remained significant, with a total of 5,625 applications, reflecting a continued impact of Russia's war of aggression against Ukraine, military conscriptions, and political repression. The German authorities issued 8,003 decisions on Russian cases during the year, of which 415 resulted in protection grants and 3,652 in rejections, while 3,936 cases were resolved through other means. Excluding formal decisions, the protection rate (the share of positive outcomes among substantive decisions) stood at approximately 10.2% (415 grants out of 4,067 substantive decisions). As of December 2024, 4,598 applications were still pending (3,915 first-time and 683 subsequent applications). Compared to previous years, the 2024 protection rate reflects a sharp decline from 29.0% in 2023, which itself had risen from 24.0% in 2022 and 15.5% in 2021. Additionally, the number of Russian asylum applications dropped from 9,028 in 2023 – of which 7,663 were first-time applications – and from the peak observed immediately after Russia's full-scale invasion of Ukraine. In 2024, the practice of denying protection to Russians fleeing military service continued according to NGOs that speak of more than a dozen of denials. According to research by the Connection association, numerous asylum decisions contain text modules with a calculation that the statistical risk of conscription is "less than two or less than six percent" in view of the millions of reservists. According to the BAMF, this is too low to grant asylum. In the nearly three years since Russia invaded Ukraine, Russian men of conscription age have rarely received asylum in Germany. A formal reason is that Russians cannot enter Germany without a visa and must pass through other EU countries, which become responsible for their asylum claims under the Dublin III Regulation. As a result, more than half of all decisions since February 24, 2022, were classified as "other closures" (e.g., transfers or withdrawals). When excluding these procedural closures, the protection rate was 16%. However, Germany's decision-making practice has become significantly stricter recently: until mid-2023, 37% of Russian men of conscription age received protection, whereas from September 2023 to September 2024, only 11% were granted protection. During this second period, more asylum claims received substantive decisions than before, meaning the absolute number of rejections was also much higher than in the period up to mid-2023. According to Pro Asyl, the low recognition rate by the BAMF partly stems from outdated country of origin information on the prosecution of deserters and those who object to military service. The BAMF rejects this view and states that available reports on military service have been revised in autumn 2023 and are regularly updated. Recent rulings of 2024 and 2025 on the matter do not offer full clarity either.

In 2024, the protection rate for individuals from the Palestinian territories in Germany, based on decisions by the Federal Office for Migration and Refugees (BAMF), was approximately 82%. Out of a total of 478 decisions, 127 people received protection, 28 applications were denied.

**Spain:** Spain was the third country in the EU when looking at asylum applications lodged in 2023. Despite this, as noted by CEAR, the international protection recognition rate remained very low (12%) compared to the average rate at EU level (42% in 2023).

**Sweden:** At first instance, the recognition rate in cases decided on the merits was 40% in 2024.

In 2024, a total of 3,800 women (including girls) applied for asylum for the first time and the recognition rate was 42 % (compared to 4,590 women (including girls) and 40 % recognition rate in 2023 and 6,071 women and 44 % recognition rate in 2022).

### Differential treatment of nationalities in asylum procedures





**Belgium:** Throughout 2024, the CGRS has, on several occasions, decided to suspend the processing of cases or decision-making for applicants originating from certain countries due to instability and/or the need for research, and has resumed processing or decision-making regarding other countries:

- Resumption of processing of Russian files: On 1 February 2024, the CGRS communicated it would resume the processing of applications for international protection filed by Russian nationals, which were temporarily blocked due to the war in Ukraine. Considering the conflict as being in violation of international law, conscientious objectors might qualify for international protection, although a case-by-case examination to verify whether the refusal to fulfil military obligations is genuine, is deemed necessary.
- Resumption of processing of Sudanese files: After a suspension of the processing of Sudanese files and forced transfers to Sudan since mid-2023, decision-making in Sudanese cases of applicants from Darfur, Kordofan, Blue Nile and Khartoum was resumed on 26 February 2024. 250 Sudanese files were in the CGRS' workload at that time. At the time of writing, all Sudanese files are being processed again. CGRS provides subsidiary protection based on Article 15(c) of the Qualification Directive for these regions: Khartoum, Kordofan, Orduhan, Darfour, Sennar en Al Jazera. The overall recognition rate increased from 37% in 2023 to 87% in 2024.
- Temporary suspension of certain decisions regarding Lebanese files: Since October 2024 the CGRS temporarily suspended the notification of decisions granting or rejecting subsidiary protection status to Lebanese applicants.
- Temporary suspension of processing of Syrian files: Since December 2024, the CGRS temporarily suspended the processing of files of Syrian applicants, until it will have gathered sufficient objective information to accurately assess the security situation in Syria and the risk of persecution.
- Long processing times for Palestinian files: In October 2023, the CGRS announced it would suspend the granting or refusal of subsidiary protection for applicants of Gaza and West-Bank due to the war. In December 2023 the CGRS resumed all decisions for Palestinians from Gaza and West Bank. The Commissioner General stated that the situation in Gaza indicates a clear need for protection. Following this resumption of decision-making, CGRS had difficulties delivering a decision within the legal time limit of 6 months. On the one hand, Belgium saw an increase of Palestinian first-time applications from 2,963 in 2023 to 5,332 in 2024. On the other hand 'as a result of the volatile situation in Palestine, the CGRS had to reassess the processing of Palestinian cases on several occasions'. In order to deliver a decision within the maximum time limit of 21 months, 'the CGRS took several measures [...] to ensure that Palestinian cases are processed more quickly and that a decision can be taken within 21 months of the submission of the application for protection'. At that moment the CGRS sent a letter to all Palestinian applicants informing them of the long processing times. However, the letter did not include an estimation of the time frame in which applicants can reasonably expect a decision on their application. When asked about this timeframe, the CGRS did not reply.

In practice, the examination is prioritised for applicants in detention, applicants who have filed a subsequent application for international protection, unaccompanied minors, applicants who obtained a protection status in another EU Member State, and applicants from safe countries of origin. In 2024, the CGRS also prioritised the examination of specific profiles with a relatively high protection rate from certain countries of origin (mainly Eritrea, Syria and Burundi). For these countries, a positive decision without a CGRS interview can be taken when there are already sufficient elements in the application. These profiles are determined after an internal screening procedure. Not all applicants from these countries benefit from this prioritised treatment.







As of 1 February 2024, a 'fast track procedure' is applied for applicants from safe countries of origin and countries with a low recognition rate. These cases are treated with priority by the Immigration Office and the CGRS. The aim is to take a decision within 50 working days. After a first pilot phase, the project will be evaluated by the Secretary of State and adapted if needed. The nationalities on which the fast-track procedure will be applied can vary. In the first phase, the procedure will be applied to applicants from safe countries of origin (currently: Albania, Bosnia-Herzegovina, Northern-Macedonia, Kosovo, Serbia, Montenegro, and India) and the following countries with low recognition rates: Georgia, Moldova and DR Congo).

On 1 February 2024, the CGRS communicated it would resume all decision-making on applications of Russian citizens. According to the CGRS 'the conflict is in violation of international law. The CGRS will examine on a case-by-case basis whether the refusal to fulfil military obligations is genuine. There are also Chechen profiles among the applicants, but the CGRS will start with the processing of the cases of profiles of conscientious objectors'.

On 26 February 2024 the CGRS resumed decision-making for Sudanese cases from Darfur, Kordofan, Blue Nile and Khartoum. 250 Sudanese files were in the CGRS' workload at that time. CGRS grants subsidiary protection based on Article 15(c) of the Qualification Directive for these regions: Khartoum, Kordofan, Orduhan, Darfour, Sennar and Al Jazera. The overall recognition rate increased from 37% in 2023 to 87% in 2024.

In October 2024 the CGRS stated that it would no longer give a decision granting or rejecting subsidiary protection status to Lebanese applicants.

In December 2024 the CGRS stated that it would no longer process Syrian files. This means that planned interviews were cancelled and that no decisions are taken. According to the CGRS 'this suspension is only temporary and applies until the CGRS has sufficient objective information to accurately assess the security situation in Syria and the risk of persecution'.

**Bulgaria:** In 2024, the overall recognition rate decreased to 61% from 66% in 2023 (and 91% in 2022) of all decisions on the merits. Both refugee recognition and subsidiary protection rates continued to decrease. Refugee recognition decreased to 0.7% as well as subsidiary protection (humanitarian status) granting, which fell to 60% in 2024. The rejection rate reached 39%, when considering only decisions issued on the substance of asylum claims. Among the top 5 countries of origin of asylum seekers entering Bulgaria in 2024 remained Syria and Afghanistan. These two nationalities together represented 79% of the total arrivals (62% from Syria and 16% from Afghanistan). Except for Syrian nationals, over an extended period before 2022, recognition rates for other nationalities remained low. Applicants from Afghanistan and Türkiye were treated discriminatorily and their cases overwhelmingly considered as manifestly unfounded, which resulted in extremely low recognition rates. The most radical change in recognition rates related to Syrian applicants. Since 2014 Syrian applicants have been treated as prima facie refugees with the majority of them granted subsidiary protection based on the understanding that they flee from internal armed conflict. Starting from mid-2024 the SAR initiated individual assessment of Syrian applications, which resulted in a 19% rejection rate and 81% recognition (0.5% refugee recognition rate and 80% subsidiary protection). After the fall of Bashar Assad's regime on 8 December 2024, the SAR halted interviewing and status determination of Syrian applicants until 31 January 2025, when these were resumed on an individual assessment basis.

In both 2023 and 2024, recognition rates for Afghan nationals dropped significantly once again, with only 10% receiving protection (0.3% refugee recognition rate and 9.7% subsidiary protection rate), while the rejection rate surged to 90%. The majority (86%) of Afghan applicants continued to abscond before receiving a first instance decision, which was issued on the merits in 14% of cases.







In 2024, the recognition of Turkish applicants again improved, with a 14% overall recognition rate (0% refugee recognition rate and 14% subsidiary protection rate) and an 86% rejection rate. Presumably high rejection rates were among the reason for the high absconding rate of Turkish applicants, which in 2024 was 50%.

In 2024, Iraqi applications continued to be treated as manifestly unfounded in most cases. The recognition rate for these cases was of just 4.7% (0.2% refugee recognition and 4.5% subsidiary protection rates), with a 95.3% rejection rate.

In October-December 2024 when the SAR announced to have started applying an individual approach when assessing and determining Syrian asylum applications. During this period alone the SAR issued in total 1,125 refusals to Syrian asylum seekers. After the fall of Bashar Assad's regime on 8 December 2024 the SAR suspended until 31 January 2025 both to conduct interviews and issue decisions to Syrian nationals, however these were resumed in February 2025. In 2024, out of 7,646 Syrian applicants, who submitted asylum claims in Bulgaria, 81% (4,762 individuals) were granted protection, of whom 0,5% (24 individuals) were recognised as refugees, 80% (4,738 individuals) were granted subsidiary protection and 19% (1,125 individuals) were refused asylum.

**Cyprus:** In April 2024, due to the increase in arrivals of Syrian nationals, the government announced that the examination of asylum applications of Syrian nationals is suspended. From April 2024, onwards and still to date, the examination of asylum applications of Syrian nationals remains suspended with only a very low number of applications examined concerning vulnerable persons.

**Germany:** Procedures for the accelerated processing of asylum applications from countries with a low recognition rate – under 5% – were completed significantly more quickly in the first half of 2024. These accelerated procedures have been applied since December 2023 for asylum seekers from Georgia, Moldova, and the Western Balkan states, and since March 2024, they also apply to Morocco, Algeria, and Tunisia. The Federal Office aims to complete the accelerated procedures within three weeks. According to a response from the Federal Ministry of the Interior, this was achieved in 72 percent of cases for asylum seekers from Georgia, Moldova, and the Western Balkan states, and in 58 percent of cases for asylum seekers from Morocco, Algeria, and Tunisia.

Since a policy change in the first months of 2016, the BAMF has granted subsidiary protection instead of refugee protection in a high number of cases. This policy change affected Syrian nationals in particular, but also asylum applicants from Iraq or Eritrea. For instance, whereas 99.5% of Syrians had been granted refugee status in 2015, this rate dropped to 56.4% in 2016 and to 35% in 2017. In 2024, there were 79,433 asylum applications from Syrian nationals in Germany. By December 2024, the BAMF had made 43,808 decisions regarding Syrian nationals. 10,961 individuals were granted asylum or refugee status under Article 16a of the Basic Law (GG) and § 3 I of the Asylum Act (AsylG). A total of 70,431 individuals were granted subsidiary protection, while 341 received a deportation ban. Only 27 applications were rejected, and 15,937 cases were resolved under other procedures. As of December 2024, 47,500 first-instance cases and 1,256 subsequent cases were still pending. The 2024 numbers indicate a continued reliance on subsidiary protection as the dominant form of legal status granted to Syrians in Germany, with a relatively smaller proportion receiving refugee status and an even smaller proportion benefiting from a ban on deportation.

Following the fall of the Assad regime in December 2024, the Federal Office for Migration and Refugees (BAMF) announced a temporary suspension in the processing of asylum applications from Syrians, affecting 47,270 applications according to media reports.

As of 2024, of the approximately one million Syrians living in Germany, around 669,000 have a temporary residence permit. These individuals must regularly renew their residence permits: refugees under the Geneva Refugee Convention every three years, individuals with subsidiary protection either annually or every three





years, and those with a deportation ban annually. Around one-third of Syrians with some form of protection in Germany hold subsidiary protection. As of 2024, this protection was primarily granted due to the risks of torture or inhuman treatment, rather than the ongoing armed conflict in Syria. In the first quarter of 2024, only 39 Syrians received subsidiary protection under the "armed conflict" clause (§ 4 I No. 3 AsylG), a sharp decline compared to previous years. In contrast, 93% of decisions were based on the threat of torture or inhuman treatment under § 4 I No. 2 AsylG. Just 0.1% of Syrians received protection based on the "internal armed conflict" clause in the first quarter of 2024.

According to a response of the parliament of December 2024, the German Federal Office for Migration and Refugees (BAMF) has given particular attention to the evolving situation of Afghan women and girls in the country of origin. Since the Taliban's rise to power, the situation for these groups has been continuously worsening, according to the BAMF's assessments. This development has been reflected in the ongoing review and updates of the Herkunftslanderleitlinien (Country of Origin Information Guidelines - HKL-LS), which inform asylum decision-making in Germany. The updated guidelines now acknowledge that Afghan women and girls are generally at high risk of persecution, and as a result, they typically meet the criteria for either refugee status or subsidiary protection under German asylum law.

**Greece:** According to MoMA statistics, during the period between January and November 2024, a total of 3,237 inadmissibility decisions were issued pursuant to JMD 734214/06.12.2022. These include 2,095 first-instance inadmissibility decisions and 1,142 second-instance inadmissibility decisions. Of the latter, 1,107 inadmissibility decisions were issued under the border procedure based on the 'safe third country' concept, 10 inadmissibility decisions under the border procedure concerning Albania as a 'safe third country,' and 25 inadmissibility decisions under the border procedure concerning North Macedonia as a 'safe third country.'

In addition to the above, according to the official statistics of the Ministry of Migration and Asylum published in December 2024, 'Returns under the EU - Türkiye Joint Declaration have not been made since March 2020 due to Covid-19. It should be noted that despite the lifting of the Covid-19 measures the requests of missions-returns of the Greek authorities have not been answered'.

**Ireland:** Following the fall of the Assad regime, the International Protection Office announced that it was pausing final decisions with respect to international protection applications from Syrian nationals. Following the announcement, the Irish Refugee Council was contacted by approximately 140 Syrian nationals seeking clarification regarding the current situation. In a statement, the Irish Refugee Council queried the legal basis for the pausing of applications and further urged the International Protection Office to communicate to the 450 Syrian nationals currently in the protection process an approximate timeframe in which the issuing of decisions would resume. Additionally, the Irish Human Rights and Equality Commission wrote to Minister for Justice, Helen McEntee, seeking clarification regarding the nature of the proposed pause in the issuing of decisions. The Commission expressed significant concern regarding the decision, stating that the situation in Syria remains 'far from stable' and that international protection applicants from Syria remain entitled to a decision on their status with due expedition.

With effect from the 23rd of April 2024, the IPO began prioritising and accelerating the processing of applications from the country of origin with the highest number of applications in a given period. From April 2024, applications from Nigerian nationals were prioritised. In July 2024, the prioritisation process was reviewed and it was decided that the International Protection Office (IPO) would now prioritise cases from the two countries with the highest number of applicants in the last three months. Jordanian nationals were also subjected to the accelerated procedure from the 29th of July 2024. At the time of writing this input, Nigerian and Jordanian applicants continued to be subject to the accelerated procedure.

The Department of Justice has specified that applications from persons from Syria, Iraq, Afghanistan, Iran, Libya, Eritrea and Somalia may be prioritised on the basis 'of country of origin information, protection





determination rates in EU member states and UNHCR position papers indicating the likely well-foundedness of applications from such countries.’ Prioritisation of protection applicants from these states continued throughout 2024.

**Netherlands:** In 2023, there was a Postponement of Decision and Departure for Sudan (since 8 July 2023, and prolonged for 6 additional months on 8 January 2024). This ended as of July 2024.

Due to the current situation in Gaza, the State Secretary announced a Postponement of Decision and Departure for the Palestinian Territories (Gaza and Westbank) on 19 December 2023. The Dutch Council for Refugees has unsuccessfully called on the outgoing government to no longer postpone deciding on the asylum requests of Palestinian asylum applicants as they are entitled to protection according to international law and it is obvious that they are at risk in Gaza. On 24 April 2024, the Council of State ruled the Postponement of Decision and Departure for the Palestinian Territories to be unlawful pursuant to an injunction filed by the Dutch Council for Refugees. On 28 June 2024, a new country policy on the Palestinian Territories was published. The policy implemented the ruling of the Council of State. The Minister assumes there is an Article 15(c) Qualification Directive situation in Gaza, but not in the Westbank. It is also assumed that the UNRWA cannot meet its protection mandate in Gaza, while in the Westbank, this might be possible in individual cases.

In 2024 groups that have been identified as being at risk of group persecution are:

- Afghanistan: translators that have been working for international military or policy missions.
- China: Uyghurs and Tibetans subjected to repression.
- China: Active followers of religious and spiritual movements identified as xie jiao by the Chinese authorities.
- Iraq: LGBT.
- Iran: Christians who are active in 'new churches' or evangelize and/or members of house churches attending meetings.
- Russian Federation: LGBT individuals from Chechnya.
- Sudan: Masalit.

Before the first of July 2024, a group could also be qualified as a Group at Risk. This means that the Dutch authorities accept there is an elevated risk of persecution for members of this group in the country of origin. In theory, applicants being a member of a Group at Risk should have a lower burden of proof and it should be easier to qualify for international protection. In practice, the effect of being qualified as a Group at Risk on the protection rate varies greatly. A Group at Risk can consist of an ethnicity (for example Hazara in Afghanistan), a social group (for example LGBTQI+ in Egypt) or religious group (for example Christians in Libya and Pakistan). Some Groups at Risk have a very broad definition (for example 'journalists' in Libya and Burundi), others have a very narrow and specific definition (for example in Somalia one Group at Risk is defined as: 'Leaders of clans who support the government or elections, or other prominent persons with a large public reach and who openly spoke out against Al-Shabaab').

As of July 2024, Groups at Risk have been removed from the Aliens Circular as a category and replaced with the so-called 'Risk Profiles'. Being part of a Risk Profile does not entail a lower burden of proof and does not make it easier to qualify for international protection per se. It merely means that some these Risk Profiles may be subject to risk of persecution or treatment in the sense of Article 15b Qualification Directive. Most Groups at Risk have been transposed into Risk Profiles.

Before the first of July 2024, a group could also qualify as a Vulnerable Group. This means that the Dutch authorities accept that there is an elevated risk of serious harm for members of this group in the country of origin. In theory, applicants being a member of a Vulnerable Group should have a lower burden of proof and it should be easier to qualify for subsidiary protection. In practice, the effect of being qualified as a Vulnerable





group on the protection rate varies greatly. A Vulnerable Group can consist of an ethnicity (for example Yazidi in Iraq), a religious group (for example converted Christians in Afghanistan) or other groups (for example displaced (minor) women from Darfur, South Kordofan (including Abyei) and Blue Nile in Sudan). Just as with the 'Groups at Risk' set out above, the category of Vulnerable Groups has been replaced by 'Risk Profiles'. Being part of a Risk Profile does not entail a lower burden of proof. Most Vulnerable Groups have been Transposed to Risk Profiles.

There used to be an elaborate country policy for Afghanistan including extensive lists with groups of risk and vulnerable groups. In 2024, many of these groups were removed from the country policy.

With regard to women, the Aliens Circular states that the IND will assess whether women are able to conform to the norms set out by the Taliban regime and whether this non-conformity will lead to persecution. The Dutch policy regarding 'westernised' women has changed pursuant to the CJEU rulings on 16 January 2024<sup>6</sup> and 11 June 2024.<sup>7</sup> Before, as a rule, a Western lifestyle developed in the Netherlands could not, in itself, lead to refugee status or subsidiary protection. Adaptation to Afghanistan's customs may be required. There were two exceptions to this: if the Western behavior is an expression of a religious or political conviction, or if a woman has personal characteristics that are extremely difficult or virtually impossible to change and because of these characteristics she fears persecution or inhumane treatment in Afghanistan. This policy has been revoked pursuant to the aforementioned CJEU rulings. Women as a group, or sub-groups of women, can qualify as a social group in the sense of the Refugee Convention. It is no longer necessary for the behavior of the woman to be an expression of a religious or political conviction. In line with CJEU case law, it is now merely required that the woman believes in the fundamental value of equality between men and women.

**Slovenia:** Under the provisions of the IPA, the date of the personal interview is determined during the lodging of the application. The personal interview can be conducted immediately after the application is lodged only if: the application is processed in the border procedure; or if it is evident from the information, given at the lodging of the application, that the grounds for processing the application as inadmissible or manifestly unfounded are met. Notwithstanding the provisions of the IPA, the Ministry conducted personal interviews with Ukrainian asylum applicants immediately after they lodged the application for international protection in 2024. Their applications were not processed as inadmissible or manifestly unfounded as they were granted subsidiary protection.

**Sweden:** The Swedish Migration Agency have repealed their legal position to halt all deportations to Gaza, but no deportations were reported during 2024.

After the fall of the Syrian regime in early December 2024, the Swedish Migration Agency decided to halt all deportations and decisions on asylum applications for Syrian nationals. This decision expires on 10 March 2025.

Applicants from countries with a recognition rate below 15% are presumed to have their cases treated under the accelerated procedure ("Track 4B") even if cases are individually assessed before being placed in this procedure. The countries currently listed are: Albania, Algeria, Armenia, , Bolivia, Bosnia and Herzegovina, Brazil, Chile, Cuba, Georgia, India, Israel, Kosovo, North Macedonia, Mexico, Moldova, Mongolia, Peru, Serbia, South Africa, Thailand, USA, and Vietnam.

<sup>6</sup> CJEU, ECLI:EU:C:2024:47, 16 January 2024, available in English at: <https://bit.ly/4ahuVjZ>.

<sup>7</sup> CJEU, ECLI:EU:C:2024:487, 11 June 2024, available in English at: <https://bit.ly/40cJ11E>.





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

### Appeal authorities

**Bulgaria:** If the first instance appeal decision is negative, asylum seekers can bring their case to the second (final) appeal court, the Supreme Administrative Court (SAC); in this case, the appeal can only regard, points of law, and does not entail an in-merit examination of the case. At the end of 2019, the Chairperson of the Supreme administrative court took the controversial decision to move the asylum cases from the 3rd to 4th department. While the 3rd department of the SAC had been dealing with asylum cases for more than twenty-two years since the establishment of the Supreme Administrative Court in 1997, the 4th department had never been assigned such cases prior to the decision. The arrangement led to a deterioration of the quality of the decisions issued on asylum cases at this highest court instance, whose jurisprudence sets the standards for all lower national administrative courts. However, starting from the beginning of 2024 the SAC's 3rd department resumed to deal with the asylum cases.

**Greece:** The Appeals Authority consisted of 21 Independent Appeals Committees, which were reduced to 20 following JMD 109288/30.04.2024 (Gazette B' 2602/01.05.2024).

**Ireland:** In July 2024, the Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024 was signed into law, substituting s.62(2) of the International Protection Act 2015, and therefore amending a previous requirement that Members of the Tribunal possess not less than 5 years' experience as a practising barrister or practising solicitor. Section 12 the 2024 Act provides that legal academics, persons practicing law in EU member States, as well as those in non-EEA countries practicing "in a profession that corresponds substantially to the profession of solicitor or barrister" can now be appointed as Tribunal Members. The amendments were made with a view to expanding the capacity of the Tribunal as it seeks to increase its processing speeds.

### Second instance procedure

**France:** Regarding appeals, the January 2024 law introduced a major reform of the operation of the CNDA, the implementation of which started during 2024. The decree of 8 July 2024, which also covers the implementation of territorial chambers for the Court, allowed for the generalisation of the single judge system. The Court now comprises of 23 chambers, grouped into 6 sections, including 4 territorial chambers and 18 chambers at the Court's headquarters in Montreuil, next to Paris. The territorial chambers have been set up in Bordeaux, Lyon, Nancy and Toulouse, and began operating at the end of 2024, while territorial chambers in Nantes and Marseille will be established in 2025. Appeals from people from countries with complex geopolitical situations or who speak a rare language will continue to be heard in Montreuil.

In the editorial of the Court's 2024 activity report, its President was reassuring about the generalisation of the single-judge procedure, stating that 'in view of the issues that arise before the asylum judge, the majority of cases that come to hearing are still heard by a panel'. Over the year as a whole, there was no visible effect of this provision (which only came into force in mid-year), with the proportion of single-judge hearings as a percentage of all hearings rising from 22.6% in 2023 to 23.3% in 2024.

**Ireland:** The vast majority of appeals before the IPAT proceeded on a remote basis via audio-video link throughout 2024. In circumstances where an appeal was deemed unsuitable to proceed remotely, the appeal proceeded by way of an on-site oral hearing. This usually occurred in situations whereby to proceed with the





appeal remotely would be contrary to the interests of justice or whereby the applicant requested an onsite oral hearing.

**Romania:** In 2024, a total of 616 appeals against IGI-DAI decisions were filed before the Regional Courts. IGI-DAI statistics indicate that on average, appeal procedures lasted 60 days.

**Sweden:** The appeal is formally addressed to the Migration Court but is first sent to the Swedish Migration Agency, which has the legal obligation to review its decision based on any new evidence presented. When the Swedish Migration Agency does not change its decision, the appeal is forwarded to the Migration Court. In 2024, the total number of forwarded asylum cases decreased to 7,025 cases.

In 2024 a total of 5,067 appeals were made to the Migration Court of Appeal in asylum cases and the latter decided upon 5,132 cases.

In 2024, the Swedish Migration Agency received 7,128 appealed decisions in asylum cases. An appeal is initially sent to the Swedish Migration Agency, which reconsiders the decision. If the agency upholds its rejection decision, the appeal is then forwarded to one of the Migration Courts. Of the 7,128 cases, one was changed directly by the Migration Agency, and the remaining cases were sent to the Migration Court.

#### Length of second instance procedure

**Bulgaria:** First instance appeal courts must issue their decisions within one month. The Cassation Court is not bound by such deadline. However, even for the first instance court this deadline is indicative and therefore in the past it was not respected, with an average duration of an appeal procedure before the court at both judicial instances up to 12 months. In 2024, regional courts issued their decisions in a period of one month on average, while the Supreme administrative courts did it in a period between 1 to 3 months on average. If the court reverts the first instance decision back, the SAR has 3 months to issue a new decision, complying with the court's instructions on the application of the law. As in previous years, SAR did not fully observe these deadlines, although in 2024 it did not issue any repeated refusals going against the court's instructions. In the past, repeated appeal procedures against the second SAR negative decisions issued in breach of the court instructions, caused some asylum procedures to extend for over 2-3 years. Therefore, the fact that, in 2024, as in 2023 and 2022, SAR observed court instructions, significantly improved the effectiveness of the judicial control in particular, and in general the length of the asylum procedure.

**Hungary:** In 2024, according to the HHC's experience, the court procedures lasted around 3 months.

**Ireland:** The median waiting period for appeals before the IPAT was 5 months.

**Sweden:** The average processing time for the Migration Courts to adjudicate a case in 2024 was 9.6 months which can be compared to 9.5 months in 2023 and 2022.

#### Backlog at second instance

**Belgium:** On the level of the Council for Alien Law Litigation (CALL), 14,837 appeals were introduced in 2024 and the CALL processed 11,543 appeals. Therefore, the overall backlog of pending appeals nearly doubled from 4,634 in December 2023 to 8,224 in December 2024. This backlog consists of 4,696 appeals in the full jurisdiction procedure (applied for contestations of decisions of the CGRS) and 3,528 appeals in the annulment procedure (applied for contestation of all other decisions taken in application of migration legislation, including decisions by the Immigration Office in the context of the Dublin-procedure).







**Cyprus:** In 2024, 6,661 appeals concerning 6,339 applicants were registered (regular and accelerated procedure) and 4,672 decisions were issued, including rejections, positive decisions, order to review and implicit and explicit withdrawals. The top 5 nationalities registering an appeal were Cameroon, Nigeria, Democratic Republic of Congo, Sierra Leone and Liberia.

#### Oral hearings

**Hungary:** The HHC colleagues reported that in 2023 and in 2024 the courts almost never granted a personal hearing of an applicant.

**Sweden:** In 2023, the prevalence of oral hearings varied significantly across the migration courts. During 2024 the largest proportion was in Luleå (27.3%), followed by Gothenburg (24.4%), Malmö (23,9%) and Stockholm (13,9%). In 2024 there were 1,349 cases in the Migration Court where oral hearings were granted.

#### Appeal outcomes

**Bulgaria:** In 2024, the SAC issued negative decisions in 74% of the examined asylum cases, which still represents the majority of the asylum cases brought before the court. However, this still represents an improvement, as in 2023 this percentage was 86% of the caseload.

**Cyprus:** In 2024, the IPAC issued 25 decisions granting refugee status, 4 decisions granting subsidiary protection, and 40 decisions ordering review.

**Germany:** Between January and October 2024, in the airport procedure, 111 appeals were lodged before the administrative court, with 6 granted and 93 rejected. In comparison to 2023, where 108 appeals were lodged in the airport procedure, with 7 granted and 94 rejected, the numbers for 2024 show a slight increase in the number of appeals filed (111), but a slight decrease in the number of successful appeals (6). The rejection rate remains similar, with 93 appeals rejected in 2024 compared to 94 in 2023. This might also be partially attributed to the high standard required for a decision to halt a removal order. The enforcement of the BAMF decision may only be suspended if there are 'serious doubts about the legality' of the BAMF decision.

**Hungary:** The courts issued a total of 27 decisions in asylum cases in 2024. In 7 cases, the courts rejected the appeal of the asylum seekers while in 17 cases the courts annulled the decisions of NDGAP and ordered a new procedure.

### 10. Availability and use of country-of-origin information (including organisation, methodology, products, databases, fact-finding missions, cooperation between stakeholders)

N/A

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





## Statistics

**Ireland:** In January 2024, it was reported that there had been, according to Tusla, the child and family agency, an ‘unprecedented increase’ in the number of unaccompanied children presenting to its Separated Children Seeking International Protection Service (SCSIP Service). Subsequently, in April 2024, it was reported that Ireland has experienced a 500% increase in the number of unaccompanied children seeking international protection. According to figures released by Tusla’s Separated Children Seeking International Protection Team in April 2024, in the previous 15 months, 607 unaccompanied children were referred to the service. Of those, 243 minors arrived within the first 3 months of 2024.

**Portugal:** In 2024, of the 2,273 asylum applicants whose cases were communicated by the asylum authority, 567 were identified as vulnerable.

**Spain:** Following a parliamentary request, the Government informed that, from 2019 to 30 September 2024, a total of 20,332 UAM arrived in Spain.

According to figures released by the Canary Islands, in one year - from the 1st of August 2023 to the 1st of August 2024 – 9,984 children arrived in the archipelago, being the 91% out of them (9,097) those who arrived unaccompanied. The UNHCR estimated that the 55% of the UAMs arriving at the Canary Islands are in need of international protection.

In January 2024, Save the Children reported a 116.8% increase in the arrivals of UAMs to Spain in 2023 compared to the previous year. In addition, the organisation highlighted that changes occurred regarding the profile of the UAMs reaching Spain, notably as there were stronger vulnerability elements, i.e. very young boys and more girls.

**Sweden:** 276 unaccompanied children sought asylum in Sweden in 2024.

## Identification of vulnerabilities

**Bulgaria:** In 2024, both vulnerability assessment and identification, but most of all follow-ups on identified cases, remained substandard, to the point this represented the most significant violation of existing obligation in the context of the asylum procedure. SAR social workers conducted a total of 1,054 vulnerability assessments and identified 55 applicants with vulnerabilities or specific needs. SAR acknowledged to have dealt with 4,136 applicants with vulnerabilities as defined by the law in 2024. These figures obtained through monitoring indicated that just 25% of all asylum applicants with vulnerabilities received proper assessments of their needs. Moreover, SAR affirms that the social experts who carry out the vulnerability assessment do file their assessments and support plans in the case management registry for the case worker to be able to review and collect them into the respective individual file, while copies of these documents remain with the social experts for subsequent work with the vulnerable person, according to the planned activities. However, the monitoring of these processes established that only in 50% of the cases, an initial assessment form and the required subsequent plan were present in the file of asylum seekers who were falling within the vulnerability definition under national law. Thus, in practice the vulnerability assessment and support plans were still missing in 50% of the monitored cases of asylum seekers, who otherwise should have been assessed and supported as persons with specific needs or vulnerabilities. It also means that, due to the missing or misplaced vulnerability assessment documents, the responsible case workers were unable to properly account their specific situation when determining the asylum application. Therefore, in 2024 needs assessment as well as planning and provision of support measures with respect to applicants with identified vulnerabilities were still carried out more sporadically than systematically.





The most serious violation in this respect continued to affect unaccompanied children's files continue in many cases to lack the mandatory BID reports . Under the law, their best interest assessment and individual social report ought to be implemented by the statutory social workers from child protection services of the Agency for Social Assistance (ASA). The mandatory social reports with needs assessment were present in just 41% of the monitored children's files in 2024. At the same, whenever submitted, these reports continue to be entirely generic and formal, without any real risk or best interest assessment for the child concerned. In addition, the mandatory plan for necessary measures to adopt in the specific case was not established in any (0%) of the monitored cases. In 9% of the cases a notification by the ASA indicating that a support plan for the child has been prepared was included, but the plan in question could not be found in the file, which indicated that either it had not been communicated, or was not properly enclosed in case file of the child. If properly prepared and communicated, these social reports could play a vital role not only in the asylum procedure, but also after it to outline the measures which need to be taken with respect to the child depending on the outcome of the procedure – rejection or recognition. The failure of the statutory child protection services to implement this basic safeguard vis-à-vis unaccompanied asylum seeking and refugee children have continued for over a decade.

Although moderate, the efforts made for the vulnerability identification resulted in a notable increase in the absolute number of asylum seekers formally recognised to have special needs or vulnerabilities. While this concerned 797 asylum seekers in 2019; 1,259 in 2020, 3,928 asylum seekers in 2021 and 5,482 asylum seekers in 2022, and 6,155 asylum seekers in 2023. In 2024, this number dropped to 4,136 asylum seekers, or 34% of asylum applicants on the backdrop of a 45% decrease in the overall number of new applicants throughout the year. However, it has to be noted that 97% of them were children (2,601 unaccompanied children and 1,420 accompanied children), i.e. cases where the vulnerability identification is straightforward and almost automatic as it derives from the child's statement about his or her age, or from the identity documents, if available.

The SAR collects statistics on the number of asylum seekers identified as vulnerable at the end of any given month rather than cumulative data on the number of vulnerable persons applying for asylum in a given year. At the end of December 2024, the following vulnerable groups were identified among asylum seekers: Unaccompanied children (2,601), Accompanied children (1,420), Single parents (35), Pregnant women (5), Elderly persons (25), Disabled persons (13), Persons with chronic or serious illnesses (26), Persons with serious psychiatric issues (2), Victims of physical, psychological or sexual violence (1), Other (LGTBI) (8).

**Cyprus:** Based on the vulnerability assessments carried out in Pournara in 2024, 2,309 persons were identified as vulnerable during the registration of their asylum application.

**Germany:** The BeSAFE project, implemented from 2022 to 2024, developed a standardised approach for identifying vulnerable refugees in German reception centres. During this period, it facilitated improved cooperation between reception facilities and psychosocial services, enhancing support for at-risk individuals. The project concluded in late 2024 with the publication of practical tools and policy recommendations to promote the nationwide implementation of vulnerability identification measures. The working group continues its work, and the Federal government affirms that it supports those Federal States who are interested in implementing the guidelines. However, the guidelines are not legally binding, and the government does not systematically monitor the implementation of the guidelines in the Federal states.

**Greece:** During 2024, the medical and psychosocial division of the RIS in Lesvos remained understaffed, leaving individuals with obvious vulnerabilities unidentified. Moreover, references for understaffing concerned also interpretation provision services.

Unaccompanied children, are prohibited from exiting the "SAFE Zone", which is a fenced container section of the CCACs guarded by security personnel and where they are subject to "restriction of liberty" until their





placement and transfer to shelters for minors. During 2024, the waiting period for the placement of UAMs in a 'restriction of liberty status' in CCAC to shelters for minors was short. According to official data available, the average waiting time for the placement of UAMs in 'restriction of liberty' in the RIC/CCACs was 8.8 days. However, in practice, transfers from the CCAC to shelters for minors may be conducted with delay.

**Ireland:** At the end of January 2021, a pilot project to assess the vulnerability of applicants was established at Baleskin reception centre in Dublin. The pilot scheme was subsequently extended to all newly arrived international protection applicants, as well as existing applicants, and aimed to determine whether the applicant has special reception needs arising from any vulnerabilities identified.

On the 8th March 2024, IPAS announced that the pilot scheme would be suspended until further notice, citing ongoing demands on the Resident Welfare Team's service due to the increased numbers of arrivals of protection applicants in the State as well as constraints on available accommodation across the IPAS portfolio.

From March – November 2024, it is understood that no vulnerability assessments were conducted, however, vulnerability triage in respect of newly arrived single male applicants continued. In the interim, in April 2024, IPAS published a notice of request for tender with a view to outsourcing the vulnerability assessment process. Subsequently, in November 2024, it was announced that vulnerability assessments would resume and would be conducted by GoodPeople Staffing Solutions. According to IPAS, it is aimed to conduct 350 assessments a week, beginning with the existing backlog. Initially, vulnerability assessments were to be conducted at Citywest, with a view to expanding the service to the International Protection Office in the New Year. At the time of updating, the Irish Refugee Council was not aware of any service user having accessed the revised vulnerability assessment procedure.

**Netherlands:** In September 2024, Work Instruction 2024/9 was introduced as a replacement of Work Instruction 2021/12. The core structure of the new Work Instruction was the same as the old one, and contained only minor changes in the text. The most significant change between the two Work Instructions, however, deals with the question of what to do when an asylum applicant permanently cannot be heard about his asylum motives, and no information about the asylum motives has emerged through any other means. Under the previous Work Instruction, it was concluded that in such a case it was impossible to test these motives, while the new Work Instruction simply states that the asylum application can be decided (presumably rejected).

### Age assessment procedures

**Bulgaria:** In December 2023 a bilateral Age Assessment Instruction, was formally adopted by SAR and State Agency for Child Protection (SACP) and published in December 2023. The instruction, entered into force on 1 March 2024, introduced a structured multi-disciplinary age assessment rules and procedures and is the first ever formally adopted one in the European context. The Age Assessment Instruction was widely endorsed by all national stakeholders, including UNHCR and UNICEF. However, in 2024, the SAR continued to use predominantly X-ray medical age assessment, which was conducted in 34 cases, in 1 of them (3%) concluding that the applicant was an adult. Under the Age Assessment Instruction, the medical assessment ought to be conducted only if and when the non-medical ones failed to reach a conclusion about the age of the applicant. Just 3 non-medical assessments were conducted by the SACP's age assessment teams in 2024, all of them concluding applicants to be underage. Thus, despite the adoption of the instruction, the SAR overwhelmingly continued to conduct the age assessment by means of X-ray expertise of the wrist bone structure and without any evidence of prior consent by the children's representatives. Reports from medical organisations consider the X-ray as invasive but, more importantly, inaccurate with an approximate margin of error of 2 years.

**Greece:** In the mainland RICs of Diavata and Malakasa, the Medical and Psychosocial Support Unit was operated by EODY until the first half of 2024. There was, subsequently, a period with effective service





provision until early autumn 2024 when IPPOKRATIS' medical and psychosocial personnel was in place to conduct the age assessment procedures. However, given the lack of interpretation services, respective procedures were affected, causing delays in some cases.

**Hungary:** There was no age assessment procedure in 2024.

**Portugal:** According to the information available to CPR, a number of age assessment procedures were pending at the end of 2024. Applicants may be later determined to be adults including on the basis of their own statements, second-stage age assessment procedures requested by the Family and Juvenile Court, assessments made by AIMA, or based on information received from other EU Member States. The number of such cases regarding unaccompanied children who applied for asylum in 2024 remained minimal at the time of writing.

**Romania:** As of 2024, the Institute of Legal Medicine (IML) in Romania continues to primarily utilize bone measurements for age assessments. This approach involves radiographic analysis of skeletal development to estimate an individual's age. However, recent studies have explored alternative methods, such as analyzing Hounsfield Units (HU) from pelvic CT scans, which may offer non-invasive and potentially reliable means for age estimation in the Romanian population. Despite these advancements, the current legal framework in Romania does not mandate a multidisciplinary approach to age assessment. The law does not prescribe the possibility to challenge the age assessment decision. In summary, while bone measurement remains the standard procedure for age assessment in Romania as of 2024, there is a growing recognition of the need for a more holistic, multidisciplinary approach to align with international standards and improve the accuracy of such assessments.

**Slovenia:** In 2024, identification of unaccompanied minors in mixed migration flows posed a serious systematic issue. In practice, young children would identify as adults and adults would identify as unaccompanied minors. In both cases, they would be processed by the Police based on their statements even in cases when it was evident that the statements were false. Some were then identified as unaccompanied minors in the Asylum Home or its branch or during the asylum procedure.

**Spain:** In January 2024, the political group Sumar registered a set of questions to the Government at the Congress on age assessment of UAMs.

In February 2024, 5,500 migrant children are waiting for the result of their age assessment procedures.

In September, the Government of the Canary Islands adopted a protocol for the reception of and assistance to UAMs arriving in the archipelago, by establishing a set of intervention and measure to put in place by all the competent institutions. Nevertheless, the adoption of the protocol gave rise to criticisms, as it requires the identification of UAMs as an essential step for the administration of the archipelago to assume the guardianship and provide for the assistance of the children. The Public Prosecutor Office lodged an appeal at the Supreme Court of the Canary Islands asking for the provision's annulment. The NGO Red Española de Inmigración y Ayuda al Refugiado lodged an appeal on the same grounds. The Supreme Court of the Canary Islands suspended the protocol as a precautionary measure. Also, the Spanish Government appealed the protocol at the Constitutional Court.

**Sweden:** In 2024, there were 51 male and 18 female medical age assessments (Forensic opinions on age by the National Board of Forensic Medicine).

### Human trafficking victims





**Netherlands:** In January 2024, Work Instruction 2021/16 was replaced by Work Instruction 2024/1. It nearly stayed the same, but the most important adjustment is that the requirement of non-lawful residence for offering a cooling-off or 'reflection' period has been removed, following the ruling of the CJEU on 20 October 2022. In this ruling, the CJEU answered the preliminary questions asked by the District Court Zwolle about the cooling-off or reflection period that a victim of human trafficking is given to take a decision on cooperating in the prosecution of the perpetrators of human trafficking and Dublin transfers. The transfer decision in Dublin cases may be taken but not carried out during the cooling-off or reflection period.

**Slovenia:** If someone is identified as a victim of trafficking, the SOPs are conducted, during which a plan for further action and support is made and the victim is offered additional support. In 2024, Društvo Ključ conducted 741 individual and 345 group information sessions. In 2024 SOPs were conducted 13 times during which 16 cases were discussed.

**Spain:** In April 2021, the Government launched a public consultation for the adoption of a law on trafficking, focusing on the sexual exploitation of women and girls. In 2022 the Government, through the Minister of Justice, designed and approved a proposal for a comprehensive law to address trafficking in all its forms and in relation to all victims. Due to the general elections held in 2023 and the negotiations to form a new Government, the proposal was not adopted. In March 2024, the Council of Ministers adopted a new comprehensive law proposal.

In October 2024, the European Court of Human Rights condemned Spain for not adequately investigating and protecting a victim of human trafficking.

**Sweden:** In 2024, 684 cases of suspected human trafficking were identified at the Migration Agency, including 181216 women and 503 360 men. 11 were children, out of which 5 girls and 6 boys. The Migration Agency provided information to the regional coordinators at the Gender Equality Agency and to the Police Authority. The Migration Agency does not always require the consent of the applicant to do so. In 133 cases the applicant gave consent and the Swedish Migration Agency has reported to the Police Authority on 219 occasions. A police report can include several potential victims. According to Chapter 5 Section 15 of the Aliens Act a temporary residence permit should be granted to witnesses upon the investigative leader's request. In 2024, a total of 56 persons were granted such temporary residence permits, out of which 30 women and 26 men (1 boy).

#### Legal representation of unaccompanied children

**Belgium:** The reported shortage of guardians for non-accompanied minors has been resolved. On the one hand, this is due to a decrease of the number of non-accompanied minors arriving in Belgium. On the other hand, the Guardianship Service did a successful campaign to try and find more guardians. Currently there are 681 active guardians, compared to 551 active guardians in October 2022. As a result, the Guardianship Service is able to assign a guardian within the legal timeframe of eight weeks.

**Bulgaria:** Despite the 2015 reform of the law which stripped the statutory social workers of the child protection services from the responsibility to represent unaccompanied children in asylum procedures, their obligation to provide a social report with an opinion on the best interests of the child concerned in every individual case remains nonetheless under the provisions of general child care legislation. In 59% of the cases monitored in 2024, these reports were either not produced, or not communicated to the SAR's caseworkers for further consideration. In addition, in 55% of the monitored cases the statutory social workers of the ASA have carried out any intervention during the interview they attended, while in the remaining 45% of the cases their presence has been without any actions, participation or intervention carried out to clarify the case or support the child.







In February 2024, NLAB recruited 20 additional lawyers (18 in Sofia and 2 in Haskovo). A follow-up training, also organized and funded by UNHCR, was held in December 2024. In September 2023, the non-governmental organisation Bulgarian Helsinki Committee communicated its first annual report assessing the quality of the representation provided by Article 25 legal aid lawyers. The general feedback from children remained predominantly positive with respect to legal aid lawyers acting in Sofia reception centres, while it was mainly negative with respect to legal aid lawyers acting in Harmanli reception centre. The monitoring was extended in 2024, based on a formal agreement between the Ministry of Justice and UNICEF. The next report, due in March 2025 has to provide both general findings about the overall quality of the legal representation as well as individual assessment of acting legal aid lawyers. On 14 March 2024 the NLAB Executive Committee decided that quality assessments of legal aid providers ought to be introduced in the law in order to allow striking of underperforming representatives out of the limited Article 25 list. Such amendments had been already proposed and included in the draft law, submitted by SAR in February 2024, however the draft never made to the Parliament due to the continued constitutional crisis experienced by the country since mid-2022.

In 2024 the timely appointment of a representative to unaccompanied children was again delayed, this time by SAR which communicated to NLAB its appointment requests up to 15 days following the registration of the children. In total, NLAB appointed a legal aid representative for 91% (2,392 out of all 2,601) of the unaccompanied children who applied for asylum in that year. This was improvement in comparison to 2023, when a legal aid representative has been appointed for 72% of the children. However, the representation of 2,458 of these children was discontinued due to their abandonment of the procedure and absconding the country. Therefore, in reality just 214 unaccompanied asylum-seeking children were represented by NLAB legal aid lawyers from start to end of their status determination.

The immediate and written provision of information to unaccompanied children regarding the appointment of the respective representative and their contact details is a legal obligation of the SAR. Fully omitted until the very end of 2021, when such information began to be partially provided in Ovcha Kupel and Voenna Rampa safe-zones, in 2024 in 89% of the relevant cases monitored, children were duly and timely informed about the appointment of their representative. This represented an improvement in comparison to the 2023 practice, when 81% of unaccompanied children were duly provided this information, but still worse than 2022 with 96% of the children duly informed about their legal aid appointment.

Since mid-2022 the SAR has been actively searching for opportunities to accommodate unaccompanied children in licensed family-type children's centres (ЛHCT). During the procedure such efforts were undertaken with regard mainly to minor asylum-seeking children, children with special needs or such identified as being at increased risk of trafficking or harm. After the recognition, these efforts targeted all unaccompanied children, excluding those in family reunification procedures, whom were allowed to wait the reunification with their parents or other family members in SAR reception centres. As a result of this positive practice, throughout 2024 62 unaccompanied children were accommodated in specialized childcare centres. Out of the total, 4 were asylum seeking children and 58 children who had been granted international protection. In this respect, it can be noted that the children positively impacted by these measures continued to gradually increase with more of them able to benefit by this most appropriate type of accommodation compared to previous years. Altogether thirteen licensed childcare centres have engaged in this practice in localities across the country, namely in Sofia, Burgas, Vidin, Ruse, Kardzhali, Novo Selo and Zvanichevo. At the same time the lack of specialized training of the childcare centre's staff to work with unaccompanied children seeking or granted protection should be acknowledged and taken into account as well as the lack of secured interpretation at least for the initial period of accommodation and adjustment.

The number of unaccompanied child applicants decreased to 2,601 in 2024, compared to 3,843 in 2023. Out of all unaccompanied children whose asylum claims were assessed on the merits in 2024, 1 child was recognised as a refugee, 77 were granted subsidiary protection, 136 received a reject decisions and 2,458 children absconded prior to being notified the decision, and therefore their procedures were terminated.





In 2024, the Ludovika University of Public Service held a conference on child protection in cooperation with the National Police Headquarters and the University of Leuven. The conference was held mainly for judges, prosecutors and child protection workers, and the main topic was the method of hearing (vulnerable) children in court or by the police, including disabled, foreign and refugee children. It was very practical, for example with participants like a Belgian policeman, who explained how they interrogate minors as witnesses in criminal proceedings.

**Cyprus:** The number of refugee children in Cyprus, either accompanied by family members or unaccompanied/separated, is high. Gaps remain in the protection of minors, particularly in the First Reception Centre of Pournara and some of the shelters for UASC. Children remain without adequate guardianship, and are as such exposed to various risks, such as trafficking, sexual or labour exploitation. Procedures regulating the assessment of the child's best interest are also lacking.

**Hungary:** In 2023 there were several significant delays in appointing guardians to UaSCs which implied a period of 3 to 4 weeks. The delay in appointing the guardians was also an issue in 2024. Legal guardians are employed by the TEGYESZ. Obstacles with regard to children's effective access to their legal guardians remained a problem in 2023 and 2024.

#### Reception of vulnerable applicants and specialised reception facilities

**Bulgaria:** The two safe zones for unaccompanied children at the Sofia reception centre continued to be maintained under an IOM project, funded by AMIF until the end of 2024. In May 2024, a third safe zone with a capacity for 58 children was opened in the biggest reception center in Harmanli, following a collaboration with UNICEF and IOM, funded by the Swiss State Secretariat for Migration (SEM). Overall, the conditions in the safe zones were better compared to all other SAR accommodation premises. The abovementioned serious security problems existing in reception centres and their surroundings in 2024 however also affected the overall safety of unaccompanied children. However, improvements in this respect are expected following the security being handed over to the police (see, the paragraph above). In 2024, the number of unaccompanied children who sought protection in Bulgaria decreased by 48%. Nonetheless, the capacity of the three safe zones, totalling 386 places, would be insufficient to accommodate all newcomers if not for the exceptionally high absconding rate of 92%. Starting in 2022, SAR began to invest systematic efforts in providing unaccompanied children with accommodation in specialized child care facilities. By 2024, the number of children benefiting from this most suitable form of care continued to gradually increase.

The asylum authority, SAR, continued to actively search opportunities to accommodate unaccompanied children in licensed family-type children's centres (ЦХТ). During the asylum procedure such efforts were undertaken mainly regarding minor asylum-seeking children, children with special needs or such identified as being at increased risk of trafficking or harm. After recognition, these efforts targeted all unaccompanied children, excluding those in family reunification procedures, who were allowed to wait for the reunification with their parents or other family members in SAR reception centres. As a result of this positive practice, a total of 62 unaccompanied children were accommodated during the course of the year in specialized childcare centres, of whom 4 were asylum seeking children and 58 children granted international protection. At the same time, it is important to acknowledge and consider the lack of specialized training among the childcare centre's staff for working with unaccompanied children seeking or granted protection, as well as the absence of secure interpretation services, at least during the initial period of accommodation and adjustment.

**Cyprus:** In 2022 due to the increase in arrivals of UASC and lack of capacity to house them in the UASC shelters, hotels have been used as a temporary accommodation measure. The conditions in the hotels are not considered up to standard. The use of hotels continued in 2023 and in 2024.





In 2023, families could be accommodated in the safe Zone of the Pournara (first reception) centre, however in most cases they would be accommodated in the main section of the Centre, as men, including fathers with children are not allowed to stay in the Safe Zone and the families choose not to be separated. However, single mothers with children who have significant vulnerabilities may be accommodated in the Safe Zone. In 2024, families were accommodated in a section of the Emergency Zone.

For all residents, freedom of movement is restricted while staying in Pournara. In 2024, even with the decreased numbers of arrivals the average stay was 90 days for adults and 120 for UASC. There is no legal basis for the restriction of movement during this time leading to a situation of de facto detention. In 2024, the total number of UASC throughout the year was 628 children. No improvements were observed with regards to the length of stay, which was on average 120 days. Furthermore, toward the end of 2024, the SWS has refrained from facilitating the exit of UASC from Pournara to UASC shelters. As a result, the only UASC exiting Pournara are those who can secure accommodation with extended family members or adult friends. This has resulted in UASC without any network, becoming the residents with the longest stay in Pournara, some remaining in the Center from September 2024. In early 2025, the Commissioner for Human Rights published a Report stating that the duration of stay in closed centers is not consistent with the international legal framework concerning the protection and safeguarding of the rights of the child, and deprives these minors of fundamental rights.

**Greece:** On 5 February 2024, the European Court of Human Rights granted Interim Measures with regards to a single woman asylum applicant and her infant child, who resided in inhuman conditions in the Samos Closed Controlled Access Centre (CCAC) ordering Greek authorities to provide her with safe and suitable accommodation.

By 15 December 2024, despite for example the 2021 Decision of the European Committee on Social Rights indicating immediate measures and inter alia ordering the Greek Authorities to ensure that migrant children in RICs are provided with immediate access to age-appropriate shelters, 31% of those residing in the island CCACs were children.

The total number of referrals of unaccompanied children received by the SGVP in 2024 were reported at 6,222, according to the sum of respective monthly statistics, marking a 23% increase compared to the same period in 2023 (5,043). At the same time, the number of accommodation positions in spaces, specifically designated for unaccompanied minors remained stable, reaching a total of 1,930 places by the end of 2024, as opposed to 2,030 by the end of 2023. Of these, almost 93% (1,775) were long-term accommodation (including SILs), while the rest (155) were temporary/emergency accommodation under the relevant mechanism established by the MoMA in April 2021. Based on updates by EKKA, by the year's end, the majority of referrals were for UAMs from Egypt (48%), Somalia (15%), Syria (14%) and Afghanistan (10%).

In December 2024, the average waiting period for the placement of unaccompanied minors residing in island RICs to suitable accommodation places for UAMs was 8,88 days. Lastly, the average time for the placement of UAM in a shelter was 13.45 days.

Of the total UAM that were placed in , 4,037 were boys, in most cases older than 17 (2,554), while 341 were girls, in most cases similarly older than 17 (230).

Nevertheless, challenges remained regarding the proper identification of UAM upon arrival, and consequently, cases where UAM have been accommodated alongside the adult population continued to be observed in 2024, at least on the islands.





As per data provided by the General Secretariat for Vulnerable Persons & Institutional Protection operating under the MoMA, out of the 1,930 total available places for unaccompanied children in Greece by the end of 2024, 1,537 were in 60 shelters, 238 were in 60 Supported Independent Living apartments (SILs) for UAM over the age of 16, and 155 places were in 4 emergency accommodation facilities operating under the National Emergency Response Mechanism (NERM).

As per the same data, during the same time (31.12.2024), out of the total 2,408 UAM estimated to be in Greece on 1 January 2025, the 1,778 are already residing in special accommodation spaces. Particularly, 1,434 resided in shelters, 215 in SILs, 129 in emergency accommodation under the NERM, and 630 in (mainland) RICs and (island) CCACs, highlighting an ongoing divergence between the available, dedicated places for UAM and those actually in use.

According to the data provided by the General Secretariat for Vulnerable Persons & Institutional Protection regarding the period 1.1.2024-31.12.2024, the total number of placement's requests of UAMs that NERM received was 2606. From them 1965 minors were finally placed in special accommodation places but at the same time 641 of them were not completed.

According to the data provided by the General Secretariat for Vulnerable Persons & Institutional Protection regarding the period 1.1.2024-31.12.2024, the average waiting time for the placement of UAMs to a shelter was 8,8 days .

**Hungary:** Fót hosts UaSCs whose asylum procedure is still ongoing, recipients of refugee status, subsidiary protection and tolerated status, as well as those who are under the effect of an alien policing procedure. The Children's Home's closure was announced in 2016, however it remains open. On 31 December 2024, there were 2 unaccompanied asylum seekers present, 5 with temporary protection status and 5 with international protection status in the aftercare.

In Fót UaSC receive 5 meals per day.

In Fót there are a developmental teacher, psychologist and educators. They also organize leisure programs.

In 2024, the Cordelia Foundation was present in Fót. In 2024 Menedék had a regular presence in Fót - 1h/week.

In 2023 and still in 2024, a very significant problem which was reported implies that there is no gender-segregated placement.

**Ireland:** Concerns were raised throughout 2024 regarding the use of unregulated Special Emergency Accommodation for unaccompanied minors in the care of the State. In February 2024, reports emerged that a care home utilised by Tusla had fabricated pre-employment checks of staff, including Garda vetting, therefore posing a significant risk to vulnerable children in its care. An internal report conducted by Tusla determined that Garda vetting files providing clearance for staff to work for the company running the care home had been altered, while pre-employment checks carried out in respect of prospective staff were reportedly falsified.

Concerns continued to be raised regarding the number of unaccompanied children seeking international protection missing from state care. In July 2024, it was reported that there were 39 children missing from State care. 22 of these children were unaccompanied minors seeking international protection.

Capacity in Direct Provision continued to be a significant issue throughout 2023. Despite a commitment by the Minister for Children, Equality, Disability, Integration and Youth to decommission the use of emergency accommodation prior to the end of 2022, the number of emergency accommodation centres increased to





from 79 centres in January 2023 to 216 centres in February 2024. A total of 18,702 international protection applicants, 3,942 of which were children resided in these centres located throughout the country. As of February 2025, there were a total of 265 emergency centres accommodating 24,974 international protection applicants, 7,031 of whom were children.

**Netherlands:** A report from the Dutch Council of Refugees in which 20 (crisis) emergency locations were visited concluded that in 11 locations vulnerable people whose (medical) needs could not be met were present. This includes pregnant women, chronically ill individuals and survivors of physical and sexual violence. Three prominent healthcare NGOs reported that despite medical screenings, applicants with special reception needs are still regularly placed in (crisis) emergency locations that cannot fulfil their needs. Children's rights NGOs report that in 2024 there are 65% more children residing in (crisis) emergency locations compared to 2023. The Minister has admitted that due to the current lack of reception capacity, it is not possible to adhere to the premise that children should not reside at emergency locations.

Reports regarding the overcrowding of the facilities for unaccompanied minors in Ter Apel continued in 2024. Unaccompanied minors need to wait in Ter Apel in order to be transferred to one of the few facilities for unaccompanied minors in the country. In January 2024, the Minister already expressed her concern for the shortage of sufficient structural reception places for unaccompanied minors. In December, the Minister stressed that, in the context of the broader lack of reception capacity, there is also a serious lack of reception places for unaccompanied minors.

In 2024, the occupation continued to surpass the capacity. At the start of the year, the Minister already expressed her concern for the shortage of sufficient structural reception places for unaccompanied minors, and in December the Minister continued to stress this problem, indicating that it is caused by the more general lack of asylum reception capacity in the Netherlands.

In 2024, the Ministry of Justice and Safety provided municipalities with a new guide on managing TGOs. Both guides state that very vulnerable people such as pregnant women, babies and elderly people should not be placed in CNOs – however, vulnerable people are still placed at these locations. In 2022, the Dutch Council of Refugees published a report for which 22 (crisis) emergency locations were visited, and concluded that on 17 locations vulnerable people whose (medical) needs could not be taken care of were present. This concerns individuals with severe physical or mental conditions, chronically ill individuals, and pregnant women. A particularly distressing case involved a man with cancer undergoing chemotherapy while staying in a (crisis) shelter in an event hall.

Children's rights NGOs report that in 2024 there are 65% more children residing in (crisis) emergency locations compared to last year: 5,556 in July 2024 compared to 3,378 in July 2023.

In 2024 there was less explicit attention to the overcrowding of the housing of unaccompanied minors in Ter Apel, but the occupation still continued to surpass the capacity. At the start of the year, the Minister already expressed her concern for the shortage of sufficient structural reception places for unaccompanied minors. In December 2024, the Minister stressed that, in the context of the broader lack of reception capacity, there is also a serious lack of reception places for unaccompanied minors.

The COA had accommodated 5,212 unaccompanied children by the end of 2024, almost twice the number registered at the end of 2022 (3,246) but a slightly less than the number registered at the end of 2023 (5,557).

**Poland:** The Office for Foreigners plans to open a new centre for single women and women with children in Jachranka. As of December 2024 the centre had not open yet.





Currently, unaccompanied asylum-seeking children can be placed in youth care facilities throughout the country.

Finding a place in youth care facilities for unaccompanied asylum-seeking children can be challenging. In 2024, there were situations where an emergency shelter or a youth care facility for crisis situations refused to accept a child brought by police or border guards on an intervention basis. Media reported on a situation where children from the Polish-Belarusian border were placed in a retirement home for priests because no other facility was willing to accept them. There are justified doubts as to whether this was done in accordance with the law, as well as whether the place met the required standards. The problem concerns particularly children who crossed the Polish – Belarusian border. In 2024 The Ombudsman and the Ombudsman for Children Rights issued a joint statement in which they indicated that situations where, for many days, the responsible institutions are unable to identify a facility that a child with refugee experience could benefit from are unacceptable. Therefore, the Ombudsmen pointed to the urgent need to introduce new forms of foster care into the law, such as emergency shelters, where only unaccompanied foreign minors would be placed.

**Slovenia:** Identified unaccompanied children are accommodated in Postojna, the first and only centre for unaccompanied children, that was established in April 2024, or Logatec which is a little bit more suitable for children.

In April 2024 a separate accommodation centre for systemic accommodation of unaccompanied children was opened in Postojna. One of the systematic shortcomings of the asylum system is the lack of appropriate separate accommodation for unaccompanied children who are recognised as potential or identified victims of trafficking. In Slovenia accommodation for such children can be provided by so called “crisis centres” or NGOs. In practice, the national centres for “crisis accommodation” of children refuse to accommodate unaccompanied asylum-seeking children and the NGOs providing accommodation to victims of trafficking do not have appropriate accommodation for children. Therefore, unaccompanied asylum-seeking children who were identified as potential victims of trafficking were also accommodated in Postojna during 2024. As the accommodation centre in Postojna is an open centre known to the general public it does not provide safe accommodation to children who are potential victims of trafficking.

In the beginning of 2024, the decision was made to move temporary protection holders in other UOIM facilities in order to get additional capacity for asylum applicants. The new accommodation centre for unaccompanied minors in Postojna was established in April 2024, and so the student dormitory is no longer used.

**Spain:** In November 2024, the Minister of Inclusion, Social Security and Migration announced that a total of 772 offices of the Social Security started to function as ‘Purple Points’ (Puntos Violeta) for the assistance to victims of gender-based violence.

In September 2024, the Government started to draft a contingency plan with the EU with the aim of easing the pressure on reception centres for UAMs in Ceuta and the Canary Islands. . In addition, the Council of Ministers approved a first budget allocation of €35 million for the protection of and assistance to UAMs in Ceuta, Melilla and the Canary Islands in 2024, as well as for the transfer of UAMs from these regions to other Spanish Autonomous Communities. In October, UNICEF and the Andalusian School of Public Health (Escuela Andaluza de Salud Pública - EASP) signed a collaboration agreement to foster access to mental health support for children. The annual report published by Caminando Fronteras underlined an increase of UAMs in the main migratory routes to Spain in 2024. The organisation denounced that UAMs continued to face the lack of protection and guarantees from the authorities. In addition, it underlined that UAMs are treated as migrants rather than as children, so they are the target both of the political propaganda and of hate speeches. Particularly critical is, according to the organisation, the situation in the Canary Islands, where children who are not identified as such are accommodated in reception facilities together with adults.







During 2024, the Government of the Canary Islands reiterated its calls to the central Government to provide for the responsibility-sharing with the other Autonomous Communities in the reception of and assistance to UAMs arrived in the archipelago. The Spanish Ombudsperson advocated for supporting the Canary Islands and called the Government to change the legislation in order to make the distribution of UAMs among Autonomous Communities compulsory. Different Ministers met in April to discuss the issue, and the central Government called the Autonomous Communities to be involved in the reception of UAMs arrived to the Canary Islands. The State-Secretary for Migration called for an agreement between the central Government and the Autonomous Communities for the distribution of 6,000 UAMs that cannot be assisted by the Canary Islands because the system is overwhelmed (its capacity is for 2,000 UAMs). Similarly, UNHCR, Save the Children and the Spanish Ombudsperson called for the solidarity-sharing among the Autonomous Communities for the proper protection of UAMs. The Spanish Ombudsperson also urged the Government of the Canary Islands to open new facilities for the reception of UAMs. After months of negotiations, the central Government presented to the Government of the Canary Islands its plan for the distribution of 2,500 UAMs to other Autonomous Communities. The Plan obtain an agreement between the two Governments and was also welcomed by NGOs. Unfortunately, the Plan prepared by the central Government for the compulsory distribution of UAMs from the Canary Islands to the other Autonomous Communities was not approved by the Congress in July, due to the contrary votes of the Popular Party, Vox and Junts.

At the end of July 2024, the Government of the Canary Islands adopted an emergency plan to assist UAMs, which foresees the allocation of €2 million and to urgently hire 39 professionals.

At the end of November, the Minister of Youth and Childhood affirmed that the vast majority of UAMs arriving to the Canary Islands can be granted international protection. For this, she is working with EU institutions to tackle this issue and discuss options regarding their reception.

A report on the human rights violations occurred in the context of arrivals to the Canary Islands denounced the lack of adequate protections and rights' guarantees that UAMs face in the archipelago, and recommended to create a better coordination mechanism among all actors involved in their protection and assistance. The publication also recommended to urgently adopt measures necessary to avoid that no UAM is accommodated in centre for adults, including in prisons.

In December, the Government of the Canary Islands urged the central Government to solve the situation regarding UAMs in need of international protection. The central Government resumed the negotiations to tackle and solve it, but the political party PP (Partido Popular) paralysed the negotiations and conditioned their continuation to a change in the State migration policy.

In view of the summit of the Autonomous Communities' Presidents, Save the Children called for the adoption of a comprehensive strategy to guarantee an affective inclusion of children and youth.

In August, UNICEF and the Government of the Canary Islands signed a protocol to guarantee the healthcare and social assistance to UAMs.

In a report published in February, UNICEF asked the Government to provide a quick and effective response to the needs of the 5,500 unaccompanied migrant children in the Canary Islands, as it did for the children displaced from Ukraine.

In June, the UNHCR and the Government of the Canary Islands signed a protocol for the protection and assistance to UAMs in need of international protection.





Some relevant steps towards the adoption of a State Pact on Child Poverty were taken during the fall of 2024, when the Ministry of Youths and Children met with different organisations (i.e. the Platform for Childhood, UNICEF, EAPN-ES, the Spanish Red Cross, etc.). To draft the Plan, an assessment on the situation of child poverty in Spain was carried out. The study indicated that migrant children, Roma children and children belonging to single parent families are the most affected by poverty.

In August, UNICEF and the Government of the Canary Islands signed a protocol to guarantee the healthcare and social assistance to UAMs.

In October, the UNHCR and the regional Government of Andalucía signed a protocol for the identification and the assistance to UAMs in need of international protection. A similar protocol was elaborated by UNHCR together with the Government of the Canary Islands.

In September, the Minister of Youth and Childhood announced the intention of adopting a strategic plan for the protection and assistance of UAMs.

In October, the Spanish Government proposed to the Government of the Canary Islands a new method for the distribution of UAMs among the Autonomous Communities, based on the number of the population in each region. During the same month, the Public Prosecutor for Children at the Supreme Court called for more agility in the assistance to UAMs and in the interagency coordination, with the aim of providing a quick and smooth response to their protection needs. The Council of the Government of the Canary Islands approved a request of €157 million to the central Government, for the assistance provided to UAMs by the Canary Islands in previous years.

**Sweden:** Throughout the year 2024, a total average of 22,678 women were registered in the reception system.

#### Asylum procedures of vulnerable applicants

**Bulgaria:** At the beginning of 2023, the new SAR management introduced an interview set of questions adapted for asylum seeking children, including unaccompanied ones. In 2024 these adapted questions were applied in practice only in 55% cases of interviewed children, while the interviews with the rest 45% of them were conducted using questions prepared for adult applicants. The monitoring demonstrated that in the majority of the cases the use of interviewing template was counterproductive, as case-workers not only limited the investigation of the case to the pre-set list of questions, but also did not in general provided applicants an opportunity to present their accounts freely and without interruptions.

Although 55 asylum seekers were identified as vulnerable or with specific needs by SAR in 2024, none of them, or any other applicants, was assisted to get free legal aid at the first instance, with the only exclusion of the statutory representation of unaccompanied asylum-seeking children based on Article 25 LAR provision. Over the last two years, this continued to be the most significant deterioration of national practices in this respect, vis-a-vis 50 vulnerable adult applicants assisted with state provided legal aid at first instance in 2021, and 818 vulnerable adult applicants in 2020.

Although in 2024 a needs assessment was carried out in 50% of the monitored vulnerable cases, such assessment was missing for the other remaining half (50%) of the monitored cases of asylum seekers, who were falling within the definition of the law. Thus, in practice the vulnerability assessment and support plans were missing in half of the monitored cases. It also means that due to the missing or misplaced vulnerability assessment documents the case workers were unable to properly account their specific situation when determining the asylum application. Therefore, these circumstances could be easily omitted and not taken into consideration by caseworkers in their decision-making process.





Similar to 2022 and 2023, in 2024, beyond unaccompanied children, legal aid was not provided to any other vulnerable asylum seekers at first instance. This represents a deterioration in comparison to 2021, when 50 asylum seekers were provided legal aid, and 2020, when 818 asylum seekers were provided aid. Other asylum seekers, i.e. who are not considered as vulnerable, did not enjoy access to legal aid at the first instance of the asylum procedure.

**Germany:** As of April 2024, there is no systematic exemption of vulnerable applicants from the accelerated procedure provided by the law with the exception of unaccompanied minors, who are the only ones by law exempted from the procedure. Thus, all other vulnerable asylum applicants can be subject to the accelerated procedure.

**Hungary:** According to Section 35(7) of the Asylum Act, cases of UaSCs should be prioritised. However, this prioritisation is not applied in practice. According to HHC lawyers and attorneys working with UaSCs, still in 2024 in cases the decision-making procedure took the same length as in the cases of adults and the former IAO and the NDGAP used up the 60 days.

#### **Detention of vulnerable applicants.**

**Bulgaria:** Not all persons who apply for international protection when apprehended at the border or inland are directly detained. For example, an exception is applied to unaccompanied children from July 2018, when a referral mechanism was included in the law, although in practice the police apply it only with respect to unaccompanied children who are visibly minor and below 14 years of age. In 2024, the Border police referred 70 children to childcare services, while children referred by the Migration Police were just 5 children. The UN CAT Committee in its 2021 report pointed an amendment in Internal Instruction 81213-78 which provided that the child protection services with the Agency for Social Assistance (ASA) should be notified when an unaccompanied child has been identified by the immigration police in the detention centre. In practice, however, this rule is not implemented, and in 2024 as during previous years the staff of detention centres still opted for the quicker solution to assist unaccompanied children to apply for asylum in order to be able to transport them to and hand them over to SAR reception centres.

In 2024, the Border and Migration Police only referred 75 children to respective child protection services with the Agency for Social Assistance, while in the same period 809 children were identified as unaccompanied in both national detention centre.

In 2024, 70 unaccompanied children were referred to child protection services without detention, all by the Border Police and 5 by the Migration Police. Children are assisted by the police and child care services to apply for asylum, thus ensuring their free and direct access to asylum procedure. This was also acknowledged by the UN CAT Subcommittee's report in 2021.

In 2024, 1,187 children were detained in pre-removal detention centres. Among them, the Bulgarian Helsinki Committee identified 809 unaccompanied children, including children detained as "attached" to an adult or wrongly registered as adults. However, another 1,792 unaccompanied children were safeguarded from detention. Thus, 69% of all unaccompanied children, who arrived in the country, were safeguarded from detention vs. 31% who unduly suffered it (2023: 22% detained vs. 78% who avoided detention; 2022: 24% detained vs. 76% who avoided detention; 2021: 28% detained vs. 72% who avoided detention; 2020: 37% detained vs. 63% who avoided detention).

The LAR provides for access to education and leisure activities for children in closed asylum facilities, but there is no relevant practice yet, as children have not been placed in closed reception centres in 2024.





**Greece:** A number of 385 unaccompanied children have been detained in PRDCs during 2024, prior to their placement in a shelter for UAMs.

Since the start of the implementation of the new legislation, unaccompanied children as a rule do not remain in administrative detention and they are transferred to reception facilities. However, even in 2024, a small number of unaccompanied children, according to official statistics, has been detained, albeit for very short periods. At the end of 2024, only 1 unaccompanied child was detained. In total, 385 unaccompanied children were kept in PRDCs countrywide during 2024.

However, it should be mentioned that in particular during the second half of 2024, a significant number of UAMs remain in de facto detention in Malakasa RIC on the mainland and in CCACs on the islands for significant prolonged periods exceeding one, two or three months depending on the case, awaiting their placement in a shelter for UAMs. In practise this measure is a significant backtrack on the protection of unaccompanied children and the abolition of protective custody. For example, in November 2024 a number of about 200 UAMs remained in Malakasa RIC and additionally a number of about 200 UAMS in Kos CCAC for prolonged periods. Following a GCR intervention, the Greek Ombudsman has underlined that "there is a strong concern about whether the conditions of their accommodation meet the required security and protection" and that "the image of the RICs and CCACs, based on the observed security features (double NATO-type barbed wire fences, turnstiles, surveillance systems, etc.), is more like a detention center than a reception and accommodation facility and may have a negative impact on the mental health of the residents, especially the vulnerable persons".

A number of cases of unaccompanied children detained as adults were identified by GCR during 2024.

**Hungary:** There was no person with vulnerability in asylum detention in 2024.

**Poland:** In 2024, there were several cases of detention of unaccompanied children who were considered to be an adult following age assessment. In one case, the second instance court released the child, rising doubts about the age assessment procedure followed. In the second case, the child was released by the Border Guards in Biała Podlaska, after 2 months of detention, as his identity was confirmed by the Embassy.

As of 2024, in general detention decisions still did not consider the best interest of the child and the individual situation of the child.

**Romania:** According to the NGO CNRR, in 2024 they did not encounter cases of vulnerable asylum seekers detained. Unaccompanied or separated children are not detained.

**Sweden:** Figures by the Swedish Migration Agency for 2024 show that 6 children were detained, 1 girl and 5 boys. The average time of stay for girls where 1 days and for boys 5 days.

## 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)

### Residence permits

**Bulgaria:** During the period 1 January 2014 to 31 December 2024, the Ministry of Interior issued 10,192 refugee identity cards and 21,539 humanitarian identity cards.





**Cyprus:** In 2024, 2,004 residence permits were issued for persons granted refugee status. As of December 2024, 3,678 residence permits for persons granted refugee status were valid.

In 2024, 9,281 residence permits were issued for persons granted subsidiary protection status. Furthermore, as of December 2024, 13,220 residence permits for persons granted subsidiary protection status were valid.

In 2023, the CRMD in order to address the issue, initiated a practice by which they grant humanitarian status to the spouse and/or parent of BIP. The “special residence permit” is valid for 12 months, granting the right to remain, access to health under the same conditions as an asylum applicant and access to the labour market but subject to the authorisation of the Labour Department. Furthermore, the residence permit will be issued only once and before the expiration of the 12 months, the applicant has to apply for a residence permit for employment reasons, which requires a specific employer to support the application. Since the introduction of the practice and throughout 2024, very few such decisions have been issued and as a result many spouses/parents of BIP are left undocumented with no access to rights. Furthermore, in 2024, cases of male spouses/parents were recorded that were arrested and placed in detention. In such cases, the spouses were released from detention with the intervention of NGO or a lawyer but even when released they were not provided with a status. In certain cases, the parent in detention was requested to undergo a DNA test, the cost of which they had to cover, to prove that they are the biological parent of the BIP even though they were registered on the birth certificate and there was no evident reason to question this. In 2024, the UN Economic and Social Council recommended that Cyprus reviews the right to family residence permits for the spouses and children of beneficiaries of international protection where the family was formed in Cyprus.

**Greece:** during 2024, 418 applications for renewal of residence permits of refugees were submitted before the Headquarters of the Hellenic Police, of which 361 applications were granted positive decisions, 1 application was rejected, while 56 are still pending. Furthermore, during 2024, 196 applications for renewal of residence permits of beneficiaries of subsidiary protection were submitted before the Headquarters of the Hellenic Police, of which 163 applications were granted positive decisions, 3 applications were rejected, while 30 applications are still pending.

The relevant statistics of MoMA are included in the Law Migration chapter and not in the one of International Protection. Furthermore, a total number of valid ADETs for beneficiaries of international protection is given, without any specification whether they concern recognised refugees or beneficiaries of subsidiary protection, whether they concern initial issuance of ADETs or renewals. However, in Annex B, the same number refers only to recognised refugees. In any case, the total number of valid ADETs until November 2024 is 82,568.

**Italy:** The renewal of the residence permit for asylum is done by filling out the appropriate form and sending it through the post office. After the application for renewal has been submitted, people have to wait a long time up to several months to know the outcome of the request and to obtain the new permit. The delay seems to be due to the chronic problems of organization and lack of personnel of Immigration Offices throughout Italy, but lately the waiting time for the whole procedure can reach sixteen to eighteen months, as for other categories of permits. During this time, the beneficiary of international protection holds only a receipt, released by the post office as proof of the renewal application, which in theory substitutes the permit for every purpose. In practice however, after the first months, the receipt is not considered a valid document and beneficiaries of international protection experience great difficulties, for example, obtaining or renewing a work contract, renewing the registration to the national healthcare system, or obtaining a driving license. In 2024, the Ministry of Interiors issued a circular stating that the receipt has a validity of 9 months. As a consequence of the circular, after the ninth month many beneficiaries (as well as the holders of other permits) experience many difficulties and obstacles in maintaining access to the benefits connected to their status.





**Netherlands:** There is a backlog in registration at the BRP-straat. This problem continues in 2024, having gone on for a few years, since the period of COVID-19. The 'BRP-straat' was temporarily closed on several occasions in 2020 and from that time on there has been always a backlog. Due to limited capacity, logistical problems (the COA must transport people from the reception centres to the 'BRP-straat', but the service is not functioning well, so people cannot reach the 'BRP-straat' for their appointments), the duration of the asylum procedure (people are waiting longer so the identification process of the IND takes place at a later moment than before), the backlog was still present at 2024. The Dutch authorities are trying to reduce the backlog by increasing the capacity of the BRP-straat and by presenting a better process of planning the appointments. In 2024, the government made more money available for the registration of asylum applicants and beneficiaries with a permit in the BRP straat. Two new BRP straten have been opened and since November, attempts have been made to eliminate the backlog. At the reference date of 1 October 2024, approximately 15,600 asylum applicants who have lived in the Netherlands for more than six months still had to be registered. At the reference date of 1 October 2024, approximately 1,700 beneficiaries with a permit still had to be registered in the BRP.

In 2024 there were no big delays in the issue of residence documents by the IND.

**Portugal:** In November 2023, the Government amended Decree-Law 10-A/2020, determining, inter alia, that:

- Visas and documents related to the residency of foreign nationals expired since the entry into force of the Decree-Law, or within the previous 15 days, are accepted as valid until 30 June 2024;
- After 30 June 2024, such documents will continue to be accepted providing the holder has an appointment for its renewal;
- This regime does not apply to documents concerning temporary protection.

It was further amended in June 2024, extending the above-mentioned deadline until 30 June 2025.

**Sweden:** 571 first time applicants were granted permits for exceptionally distressing circumstances in 2024.

In 2024 the Swedish Migration Agency granted residence permits in 3,459 first time asylum applications.

The vast majority of beneficiaries of international protection applying for a renewal of their temporary residence permits have had it granted. In 2024, the Swedish Migration Agency received 56,363 applications and took decisions in 66,431 cases. However, this statistic includes 35,011 decisions to renew temporary protection permits. The acceptance rates in cases examined on the merits was 99%. Besides Ukrainians, who were granted temporary protection, the majority of decisions concerned Syrians (10,602 decisions, of which 10,117 were granted, or 99% of those tried on the merits), Afghans (5,119 decisions, of which 4,498 were granted, or 91% of those tried on the merits), Eritreans (3,427 decisions, of which 3,271 were granted, or 99% of those tried on the merits), Iraqi (1,737 decisions, of which 1,617 were granted, or 97% of those tried on the merits). The average processing time for applications to extend residence permits based on protection status was 137 days in 2024.

### Civil registration

**Bulgaria:** To be registered in the national database, any beneficiary of international protection has to indicate, inter alia, a domicile. Following the peak of arrivals and recognitions in 2014-2016 the newly recognised beneficiaries who have lived in reception centres were no longer permitted by the SAR to state the address of the respective reception centre as domicile. Therefore, since the end of 2016 beneficiaries of international protection could not provide a valid address or domicile in order to be registered in national civil registrations database and obtain national ID number, which is a prerequisite to be issued a valid identity document. This legal 'catch 22' has led to continuous malpractice, including false renting and address registrations for the sake of enabling beneficiaries to obtain identity documents, as the valid identity document is a pre-condition







to exercising their rights. Following extensive advocacy efforts from civil society organisations, the law was amended in October 2024, to enable the newly recognised refugees and subsidiary protection holders who cannot state a domicile address when registering for the first time in the population register, or submitting an application for a permanent or current address, to be registered at an officially prescribed service address by the municipality where they have established their habitual residence. This provision entered into force on 8 December 2024, with all municipalities obliged until 8 January 2025 to assign service address or addresses to be able to implement the new arrangement.

**Hungary:** Menedék Association points out that by 2023-2024, the (first) application for an ID card by a beneficiary of international protection has become quite rare, given the number of asylum seekers and recognised refugees.

Menedék Association reported another issue with regard to birth registration in 2023 and in 2024: birth registration is difficult when the father and mother are not married and or if the father is not in Hungary or is already deceased at the time of birth. This causes problems if the mother wants the child to bear the father's surname.

Menedék Association furthermore reported a problematic 2024 case concerning an Afghan beneficiary of subsidiary protection newborn. In the case the registry office requested a recent official certificate of the parents' international protection status in order to issue a birth certificate for the baby. In addition, the registry office also requested a certificate from NDGAP that the parents were married - although the NDGAP could not change the marital status after the status had been obtained, even if it changed and the client notified them. The registry office asking for both certificates poses disproportionate administrative difficulties for the parents. NDGAP also found problematic that the parents' apartment rental contract did not include the newborn, the address declaration completed and signed by the owner was not sufficient, and the parents had to write a separate declaration stating that the child was living with them in the property they were renting. All of this meant that the newborn was without any documents for 8 months (+1 month before the decision on recognition arrived at the competent government office and the identity card and address card were issued).

**Spain:** In September 2024, the organisation CEAR denounced the obstacles – in terms of the documentation required and long waiting times up to 1 year- that migrants and asylum seekers face in enrolling to the municipal register (*padrón municipal*) in Valencia and the negative consequences this has on their possibility to access basic rights (i.e. education, health, public housing, vocational trainings, etc.). The Ombudsperson of the Autonomous Community of Valencia (*Síndic des Greuges*) opened an investigation on the issue. With the aim of denouncing the lack of access to basic rights (i.e. health, education, financial support like the unemployment subsidies, etc.) that migrants face for the impossibility to enrol in the municipality register, and to recall the public administration that the enrolment is a right, in October a coalition of sixteen groups of Madrid launched the campaign *Invisibles, padrón por derecho*.

### Long term residence

**Cyprus:** There has been no official information available on the number of BIPs receiving the Long-Term Residence status. However, since it was introduced in 2007 it seems that only one refugee has ever received it. In 2024 it was confirmed that no BIP received the status.

**Greece:** According to Article 144 para. 1 L. 5038/2023 (Immigration Code), which entered into force on 31 March 2024, , third-country nationals are eligible for long-term residence if they have resided in Greece lawfully for five consecutive years before the application is filed. For beneficiaries of international protection, the calculation of the five-year residence period includes half of the period between the lodging of the asylum application and the grant of protection, or the full period if the asylum procedure exceeded 18 months.





Absence periods are not taken into account for the determination of the five-year period, provided that they do not exceed six consecutive months and 10 months in total, within the five-year period. A fee of €150 is also required.

According to the guidelines of the Directorate of Legal Support, Asylum and Reception of the Ministry of Migration and Asylum issued on 16 December 2024, the competent Office cancels the residence permit (ADET), which is placed in the beneficiary's file. The beneficiary of international protection who holds a long-term residence permit shall not be entitled either to hold an international protection residence permit or to apply for its renewal. In the event that the Asylum Service is informed that a beneficiary of international protection is in possession of two residence permits, it shall ask them to hand over the international protection residence permit immediately, which is subsequently cancelled.

**Netherlands:** On 24 December 2024, the Dutch government published a draft of the legislative proposal for abolishing the permanent asylum permit. This proposal still needs to be approved by Parliament.

10 EU long-term residence permits were issued to beneficiaries of international protection in 2024.

**Poland:** The authority responsible for the issuance of the EU long-term residence permit and a permanent residence permit is Voivode having jurisdiction over the current place of stay of the applicant. The Head of the Office for Foreigners is a second instance administrative body competent to handle appeals against first instance decisions.

Since 29 January 2022, the procedure should last 6 months (instead of 3) at the first instance and additionally, a maximum of 3 months (instead of 2) if an appeal was lodged. In reaction to the war in Ukraine and the large numbers of people seeking temporary protection in Poland, all the time limits in the cases already considered by Voivodes and the Office for Foreigners were suspended. In new cases, the time limits did not start to run. In 2024, this suspension was prolonged until 30 September 2025. This affected the third-country nationals' right to complain regarding the excessive length of their proceedings.

**Romania:** In 2024, IGI-DAI issued 320 long-term residence permits in accordance with Directive 2003/109/EC, including 155 valid permits for refugees and 165 valid permits for subsidiary protection beneficiaries as of December 31, 2024.

**Sweden:** The number of long-term residence permits issued to beneficiaries in 2024 was 2,960, including all applicants, not only BIP.

### Naturalisation / nationality

**Bulgaria:** From 2014 to 2024, Bulgaria granted citizenship to 715 beneficiaries of international protection, namely 279 refugee status holders and 436 subsidiary protection holders.

**Cyprus:** The 2023 amendments to the Law, which increased the requirements for applying for naturalisation, have made it extremely difficult if not impossible for BIPs to satisfy. This includes BIPs that came to Cyprus at a young age and grew up in Cyprus or were born in Cyprus. Specifically, the required years of residence have been increased from 5 years to 8 years and the years as an applicant for international protection, holder of subsidiary protection, or temporary protection are not counted. This will be an obstacle for the majority of BIPs as they are subsidiary protection holders, including Syrian nationals. Furthermore, the majority of BIPs enter in an irregular manner, which is considered under the amended Law as an indication of not 'good character'. Finally, the majority of BIPs will have received at some point financial assistance either as an applicant of international protection or later as a BIP which is considered as an indication that the applicant does not have sufficient financial resources.





Naturalisation for BIPs has always been problematic, as the procedures are extremely slow and lack transparency, and naturalisation of BIPs have never been facilitated in any way other than being able to apply after completing 5 years instead of 7 years of stay as is the case for other TCNs. Furthermore, children are not naturalised when born in the country, under any circumstances, which limits access further. In 2021, 11 BIPs were granted citizenship and in 2022, a slight rise was noted with 27 BIPs granted. In 2023, no information was provided on the number of BIPs granted citizenship, however it is expected to be low. In 2024, no BIPs were granted citizenship.

In December 2024, the Commissioner for Administration and the Protection of Human Rights issued a Report on the issue of children born in Cyprus with one parent that is Cypriot and the other non-Cypriot, focusing on cases where the non-Cypriot parent is not a national of Türkiye. The Commissioner acknowledged that children who are not able to access Cypriot nationality are likely to have their access to basic rights excluded or restricted and that in many such cases where the non-Cypriot parent is a BIP or asylum seeker, they are not able to access the authorities of their country and proceed with the relevant procedures for acquiring citizenship. The Commissioner recommends that cases should be assessed and completed within a reasonable time. For cases that are not approved, the applicants should be informed promptly and in writing of the reasons why their request cannot be approved.

**Greece:** Law 4735/2020 introduced a substantial reform in the naturalisation procedure for third country nationals by providing for the Certificate of Adequacy of Knowledge for Naturalisation (Πιστοποιητικό Επάρκειας Γνώσεων για Πολιτογράφηση (ΠΕΓΠ)), as a prerequisite for applying for naturalisation. The examination procedure is written, as, according to the General Secretary of Citizenship of the Ministry of Interior ‘the written test was introduced in order to apply objective evaluation criteria ensuring reliability and transparency, to safeguard the integrity of the process of acquiring Greek citizenship and to harmonize this practice with the practices of other countries at European and international level’. The exams take place twice per year, in May and in November. A pool of questions for the acquisition of the Certificate of Adequacy of Knowledge for Naturalisation and information on the respective exams were posted on the webpage of the Ministry of Interior. As regards the applicants who are over 62 years old, those who are unable to take a written test due to learning difficulties, and those with a disability certificate of more than 67% (i.e., 68% or more), the Adequacy of Knowledge for Naturalisation examinations can be oral. On February 2022, a circular was issued providing more details on the procedure of the exams. According to the statistics of the General Secretariat of the Ministry of Interior provided on 6 December 2024, in April 2024, 58,82% of the applicants succeeded in the exams and in November 2024, the percentage of the successful applicants was 59,45%.

GCR noticed that, in 2024, the competent Directorates of Citizenship of the Prefectures accepted applications for naturalisation only by post and additional documents either by post or by email according to the instruction of the caseworkers. . Afterwards, the protocol numbers were sent to the beneficiaries of international protection via email up to 15 days and only upon written request by the beneficiaries.

**Hungary:** In 2024, 16 citizenship grants were provided to beneficiaries of international protection in Hungary.

Menedék Association points out that reasons of rejection of citizenship applications were still not transparent in 2024.

According to data provided by the Government Office of Budapest, no child was granted citizenship by declaration in 2024.

In 2024, 79 beneficiaries of international protection applied for Hungarian citizenship (50 refugees and 29 beneficiaries of subsidiary protection). In the same year, 8 refugees (2 Nigerian and 2 stateless/Palestine, 1 Libyan, 1 Cameroonian, 1 Ethiopian, 1 Afghan ) and 8 beneficiaries of subsidiary protection (2 Afghan, 2 Cuban,





1 Ethiopian, 1 Syrian, 1 Pakistani, 1 Libyan) obtained citizenship. Out of the 16 people, 2 former refugees (2 Nigerian nationals) were minors. The applications of beneficiaries of international protection were rejected in 42 cases: the applications of 21 refugees (breakdown by the three main nationalities: 6 Afghans, 3 Iranians, 2-2-2 Armenian, Iraqi and Turkish) and 8 beneficiaries of subsidiary protection (breakdown by the nationalities: 2 Afghans, 2 Cubans, 1-1-1-1 Pakistani, Syrian, Libyan, Egyptian). The number of applicants is approximately the same as it was in 2023 (80).

**Ireland:** On 23rd of July 2024, changes were made to the process for revocation of citizenship for naturalised citizens in accordance with the Court, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024. These amendments follow a 2021 Supreme Court decision, *Damache v. Minister for Justice*, in which it was concluded that the current revocation process was unconstitutional as it was not sufficiently independent and lacked appropriate safeguards for those who were subject to revocation.

Previously, where an individual was informed of the Minister's intention to revoke their certificate of naturalisation, they had a right to request a committee of inquiry to examine the decision. This committee reported the findings to the Minister, but the Minister was not obligated to accept the committee's findings. On the basis that the Minister both proposed revocation and made the final decision regarding the revocation, the revocation process was found by the Supreme Court to be lacking an impartial and independent decision-maker.

Under the new procedure outlined in the Act, where the Minister decides to revoke citizenship (following a procedure of informing the individual and receiving representations), an individual may seek a review by a committee of inquiry and the decision-making process of this committee will operate independently of the Minister. The committee will be able to affirm or reject the decision of the Minister.

In 2024, almost 31,000 applications for citizenship were processed in 2024 and the median processing time was reduced to 8 months.

**Netherlands:** To fulfil the conditions for Dutch citizenship, a beneficiary must, among others, be sufficiently integrated. This means that they can read, write speak and understand Dutch. It is possible to get an exemption on non-medical grounds for example in case of illiteracy. Therefore, the person needs to prove that they made sufficient efforts to pass the civic integration examination. In 2024, the following elements are considered:

- Showing participation for at least 600 hours in a civic integration course; a combination of a civic integration course and a (adult) literacy course and at least 200 hours of attending a civic integration course; a course preparing for the State Exam Dutch as a second language (NT-2), level I or II, or a combination of both courses. The course must have been taken at a language institution with a quality mark of an organisation called *Blik op Werk* and that the person has not passed parts of the civic integration examination at least 3 - times. Maximum two of those parts can be parts of the State Exam Dutch as a second language (NT-2), level I or II;
- Showing participation for at least 600 hours in a (adult) literacy course at an institution with a quality mark of *Blik op Werk* and having demonstrated through a learning ability test taken by the Education Executive Agency (DUO) that he or she does not have the learning ability to pass the civic integration examination.
- Showing participation for at least 600 hours in an (adult) literacy course and a following civic integration course, both at a language institution with a quality mark of *Blik op Werk*. At least 300 hours of attending a (adult) literacy course and it has been demonstrated - with a learning ability test taken by DUO, that the person does not have the learning ability to pass the civic integration examination.





- In addition to the existing assessment criteria, DUO may issue a recommendation for exemption in the context of customisation on the basis of Article 6 paragraph 4 of the Dutch Naturalisation Test Regulations, if there is a combination of demonstrably significant efforts with very special personal circumstances. In this case, other possibilities for exemption or other customised solutions must have been exhausted.

**Sweden:** On 14 January 2025, an inquiry presented a report on the subject of stricter requirements for Swedish citizenship. The inquiry's proposals include, among other measures, a longer period of residence in Sweden and more stringent requirements for demonstrating good conduct in order to acquire Swedish citizenship. The proposed new period of residence is eight years, replacing the current five-year requirement. Additionally, a requirement for financial self-support is proposed as a condition for acquiring citizenship. The proposal has been circulated for consultation. The legislative changes are proposed to take effect on 1 June 2026.

The total number of citizenship grants in 2024 was 58,037. The number of citizenships through naturalisation in 2024 was 43,703.

On 1 October 2024, new conditions were introduced for children over 15 years. Citizenship will not be provided to persons over 15 years of age if the person

- is suspected on reasonable grounds of a serious offence
- has been convicted of a serious offence or repeated offences
- is a threat to Swedish security or public safety; or
- has links to groups or organisations that commit abuses against other people.

In September 2023 the Government instructed an official report of the Government to suggest new and more restrictive conditions for Swedish citizenship, including a longer habitual residency in Sweden and stricter demands for a good character. In June 2024 the Government decided to give additional instructions to this report: it shall also propose how the notification procedure could be abolished, propose further requirements for acquiring citizenship for adults born in Sweden and stateless since birth; and consider limiting the possibility to be granted an exemption from the naturalisation conditions due to special reasons. In January 2025 the report presented its findings, proposing that:

- The applicant must have had a habitual residency in Sweden during eight years. Children should have had residency in at least three years, for stateless children two years, five years for stateless adults and seven years habitual residency for refugees. If an applicant cannot prove their identity, a habitual residence of ten years for adults or seven years for children is required.
- The conditions regarding good conduct and lifestyle should be stricter applied, for example it is clarified that having committed crimes outside of Sweden should be considered, that non-contact orders is a form of misconduct, and that the waiting time after committing an offence should be longer than it is today (today the waiting time varies depending on the type of misconduct).
- The notification procedure for citizenship should be withdrawn for children and young adults aged 18–20. Children acquiring Swedish citizenship should be conditional on them having resided in Sweden for a certain period, holding a permanent residence permit and having proved their identity. The notification procedure would still apply to children and young adults aged 18–20 who have been stateless since birth and were born in Sweden.
- The applicant must fulfil an income requirement, with earnings from employment or self-employment. The income level is based on the standard minimum level of maintenance used by the Enforcement Agency. Exceptions can be made for applicants studying at Upper Secondary





- School (gymnasium) or receiving retirement pension. In addition, it should be required that applicants for Swedish citizenship have not received income support under the Social Services Act for a period totalling more than six months in the three years prior to application.
- A previous official report (SOU 2021:2) proposed that applicants must pass exam in Swedish language and the Swedish society. The new proposal includes further details on the content of the exam on the subject of Swedish society and Swedish culture.
  - The changes should enter into force on 1 June 2025.

In 2024, the Swedish Migration Agency registered 49,580 new applications for Swedish citizenship (naturalisation applications). A total of 58,037 first instance decisions were issued in 2024, out of which 77% were granted citizenship. The Swedish Migration Agency had 88,954 requests pending at the end of the year.

The average number of days from application to decision at first instance was 425 in 2024, compared to 435 in 2023.

### Cessation procedures

**Bulgaria:** In 2024, a total of 142 cessations were made.

**Greece:** According to data provided by the Headquarters of the Hellenic Police in response to GCR's request, four (4) non-renewal decisions were issued in 2024, three (3) concerning beneficiaries of subsidiary protection and one (1) a beneficiary of international protection. Data on the cessation of international protection status have not been provided by the MoMa and are not publicly available.

### Withdrawal procedures

**Bulgaria:** In 2024, a total of 57 withdrawals were made.

**Cyprus:** In 2024, refugee status was withdrawn in 15 cases, concerning 25 persons and subsidiary protection was withdrawn in 151 cases, concerning 313 persons.

**Greece:** The most important development regarding the revocation of refugee status for reasons of national security is the introduction of the application for annulment AK714/2024 under the pilot procedure before the Council of State.<sup>8</sup> This case concerns a Syrian refugee represented by GCR and according to the Council of State, legal issues of general interest which have consequences for a wider circle of persons arise. In particular, a) the interpretation of Article 76(4) L. 4939/2022, which transposed Article 23(1)(b) of the Directive 2013/32/EU into national law, where the decision revoking refugee status is taken on the basis of confidential documents, without the person concerned having knowledge of them at any stage of the procedure, and b) the compatibility of the provisions of Article 100(10) L. 4939/2022 with the provisions of Article 5 of Directive 2008/115/EC, according to which the adoption of a return decision is precluded where the principle of non-refoulement is infringed. This case concerns a Syrian refugee whose refugee status was revoked as it was held that "*there are grounds for considering the applicant to be reasonably considered a danger to national security*". The dismissal decision was based solely on a confidential document, the content of which and/or the essential elements of the file and/or at least the essential content of the grounds on which the withdrawal of the status granted was based, were not communicated to him or to his lawyer. As a result, it was impossible for the refugee to exercise effectively the right of defence and the right to an effective remedy.<sup>9</sup>

<sup>8</sup> Council of State, Διαδικασία άρθρου 1 παρ. 1 και 3 του ν. 3900/2010 (Α' 213) - Γνωστοποίηση της υπ' αριθμ. 18/21.10.2024 πράξης της Επιτροπής του άρθρου 1 του ν. 3900/2010, available in Greek [here](#).

<sup>9</sup> Decision no. IP/433248/18.7.2024 of the 3<sup>rd</sup> Independent Appeals Committee.







During 2024, were issued five (5) decisions for the revocation of refugee status while no decision was issued for the revocation of subsidiary protection status.

**Hungary:** The NDGAP opened a status-review procedure in 273 cases in 2024 (breakdown of the five main nationalities: 129 Afghans, 49 Syrians, 45 Iraqi, 13 Iranians, 5 Palestine) and issued a decision on termination/revocation in zero case.

The difference between the status review and withdrawal procedure is essentially a difference of terminology, but not of substance in terms of content and outcome.

The NDGAP initiated the withdrawal of international protection status of 18 persons and issued a decision on withdrawal in the case of 50 persons (breakdown of the five main nationalities: 10 Syrian, 8 Afghans, 6 Turkish, 6 Yugoslav, 5 Somali) in 2024, which is a huge decrease compared to 2021-2022, but approximates to the number of 2023 (42). The NDGAP did not provide a breakdown of the type of international protection status.

As for re-availment of protection of the refugee's country of origin, a report of EMN published in November 2019 states that 'any trip to the country of origin could be considered to provide sufficient reason to presume that the individual had re-availed him/herself of the protection of his/her country of origin.' The asylum authority furthermore considers any type of contact with authorities of the country of origin as re-availment of protection of the country of origin. According to the report, in case Hungarian authorities become aware of the contact, this would automatically lead to cessation of refugee protection. In practice, a more sophisticated approach is followed: the HHC had a case in 2024 where the procedure started because the government office responsible for citizenship applications flagged to the NDGAP that the client's marriage certificate, which he submitted with a citizenship application, was issued by the Afghan consulate in Peshawar. In the hearing, the applicant explained that his brother contacted the Afghan consulate on his behalf and arranged his marriage certificate back in 2007. The NDGAP terminated the procedure in ca. 1,5 months, without withdrawing protection. A positive example of 2023 may also be highlighted: the HHC represented an Afghan client with subsidiary protection who travelled to Pakistan and was deported back to Afghanistan from there. He spent a year in Afghanistan and then got back to Hungary with the help of the Hungarian Embassy in Iran. The NDGAP initiated a status withdrawal procedure but eventually did not withdrew the client's status. However, they only made a decision to terminate the procedure due to issues regarding the coordination of the department's work. The HHC nonetheless argued the client's lack of accountability in going back to Afghanistan, his recorded mental illness, and the likelihood that his family members in Afghanistan would be targeted by the Taliban.

**Netherlands:** Revocation of status on the grounds of 'danger to the public order or national security': Although the CJEU ruled on 6 July 2023 that the degree of seriousness of a crime cannot be attained by a combination of separate offences, none of which constitutes a particularly serious crime on its own, the Aliens Circular still states that the assessment of a 'particularly serious crime' is based on whether the total sum of imposed sentences is at least 10 months.

110 temporary asylum permits and 10 permanent asylum permits have been revoked because of false information in 2024. In 2024, 70 asylum permits (temporary and permanent) have been revoked because of ceased circumstances.

**Sweden:** In a Government Bill in November 2023, the Government proposed that it shall be possible to withdraw a residence permit if it can be assumed that the person will engage in corporate espionage conducted by a foreign state or activity relating to terrorism. This proposal was approved by the Parliament and came into force on 1 March 2024.





In 2024, the Swedish Migration Agency withdrew international protection status for 1,003 individuals (712 refugee status, 291 subsidiary protection).

### Family reunification

**Austria:** In May 2024, the Ministry of the Interior halted family reunifications that were already underway and postulated that they should be checked more strictly to prevent abuse, and that DNA tests were to be used more frequently. Family reunifications that had already been approved were interrupted and were to be re-examined. Many families were affected, including families who had already purchased flight tickets. Visas for family reunification were granted again from August/September 2024. However, the number of people arriving each month has fallen compared to the beginning of 2024. While there were around 250-300 people per month at the beginning of the year, in September there were around 100-150 people per month.

The reason for the large number of applications and authorisations was the end of the Covid 19 pandemic, during which hardly any family reunifications were possible, as well as the fact that beneficiaries of subsidiary protection can reunite with their families after 3 years. In addition, it became apparent that the responsible ministries, such as the Ministry of the Interior, the Ministry of Foreign Affairs and the Ministry of Education and Social Affairs, were not in dialogue with each other, preventing future-oriented planning for all ministries in order to prevent the overload.

**Bulgaria:** Since 2022, beneficiaries of international protection, mainly from Syria began reporting that their family members experienced serious problems to even approach the Bulgarian consulate services in Istanbul, Ankara and Bursa in Türkiye in order to apply for reunification visas or laissez-passers. A joint NGO communication to MFA raised concerns and requested transparent rules of work to be adopted by these services, however no answer or measures were undertaken in this respect until the end of 2024. In attempt to support the family members in February 2024 the SAR issued a leaflet with useful information on visa application in most common Bulgarian consulates where the family members of refugees and humanitarian status holders apply for their entry visas. The leaflet was prepared and translated in Arabic, Farsi, Dari and Pashto languages by the non-governmental organisation Bulgarian Helsinki Committee, funded by UNHCR. In 2024, a total of 1,118 family reunification applications were submitted to the SAR, out of which 1,148 were approved and 70 rejected.

**Cyprus:** Access to family reunification remains a lengthy procedure for refugees. Beneficiaries of subsidiary protection (98% of Syrians present in the country) are not eligible for family reunification and often resort to irregular means to obtain reunification with family members.

In 2024, the UN Economic and Social Council recommended that Cyprus reviews the right to family reunification for beneficiaries of subsidiary protection.

**Greece:** According to the response of the Ministry of Foreign Affairs to GCR's request in December 2024, "in 2024, nine (9) temporary travel documents were provided following family reunification applications, while any travel document of the Red Cross namely Emergency Travel Document (ETD) was issued to family members for family reunification".

According to the data provided by the Ministry of Foreign Affairs – DC4Directorate, during 2024, out of 206 applications for issuance of family reunification visas, 194 were granted.

**Hungary:** In 2024, 16 family members (among them 10 children) from 7 families were able to lawfully and safely join their family members living in Hungary with the support of the HHC.





**Ireland:** Throughout 2024, there were persistent delays in the processing of family reunification applications. These delays occurred both in the Issuing of questionnaires, and in the acknowledgment and processing of applications, meaning that in many cases, applicants were required to wait lengthy periods for a decision to be issued in respect of their application. In the experience of the Irish Refugee Council, such delays have a detrimental impact on the enjoyment of family life for both applicants and their family members, who continue to face separation for prolonged periods. This is particularly concerning in cases whereby family members were vulnerable or facing persecution in their country of origin.

As of February 2025, 856 family reunification applications were in progress under the Act, accounting for 5,988 family members. In 2024, the Family Reunification Unit received 1,467 family reunification sponsor applications accounting for 4,433 family members. In 2024, 879 family members were approved and 145 refused; 752 were found to be ineligible under the terms of the 2015 Act and a further 99 withdrew their applications. The average processing time for applications throughout 2024 was not available at the time of updating in February 2025, however, in the experience of the Irish Refugee Council, processing times were often at least 18 months and in some cases, up to 28 months.

**Netherlands:** On 16 July 2024 a new, stricter policy for family reunification with adult children came into effect. For applications submitted on or after 16th of July, an adult child is eligible for family reunification with their parent(s) if they are genuinely dependent on the parent within the meaning of Article 10 (2) of the Family Reunification Directive. This means that the child is unable to support themselves and the sponsor (the parent) actually provides the necessary material support for the adult child, or that the sponsor appears as the family member most able to provide the required material support required.

The Alien's Act and policy rules contain a provision for family reunification of a parent (sponsor) with their adult child. Until 16 July 2024, this was the young adult policy. On 16 July 2024 a new, stricter policy for adult children came into effect.

**Young adult children policy (until 16 July 2024):** For applications submitted before 16 July 2024, young adult children and special-need adult children are eligible for family reunification in accordance with the young adult children policy. A young adult is eligible for family reunification if they (1) are a young adult, (2) live/lived with the family at the time the sponsor entered the Netherlands, (3) do not provide for their own income, and (4) have not formed their own family or take care of a child. If one of these conditions are not fulfilled, the young adult policy does not apply, unless this is caused by reasons beyond the child's control, such as a forced flight of the person involved. However, the Council of State ruled that the State Secretary (now Minister) may also consider a family tie to be broken if a young adult child – who was forced to flee – has been living separately for a long time and has been able to 'shape' their life independently without too much effort. An adult child with special needs that does not meet the requirements of the young adult children policy is eligible for family reunification if there are additional elements of dependency with the parent within the meaning of Article 8 ECHR.

**Adult children policy (since 16 July 2024):** For applications submitted on or after 16 July 2024, an adult child is eligible for family reunification with the parent(s) if they are genuinely dependent on the parent within the meaning of Article 10 (2) of the Family Reunification Directive. This means that child is unable to support themselves and the sponsor (the parent) actually provides the necessary material support for the adult child, or that the sponsor appears as the family member most able to provide the material support required.

The IND made public the general instructions for handling applications for family reunification by holders of an asylum permit, in order to become more transparent. This Work instruction 2023/2 includes also the instruction that a late submission (exceeding the three-month time-limit) may be considered excusable. Factors taken into account are: the number of days of exceedance (less than two weeks is excusable), the efforts the sponsor has demonstrated to file the application and the exceptional circumstances causing the





late submission. With regard to the young adult policy, the Council of State ruled that the State Secretary may also consider a family tie to be broken if a young adult child has been living separately for a long time and has been proven to 'shape' their life independently, even in the situation where the young adult was initially forced to leave their family. Finally, the Council of State has ruled that the mere fact that a family member has entered and stays in the Netherlands during the family reunification procedure, is not a ground to reject the application for family reunification. In other words, the family reunification procedure continues and may lead to approval and issuance of the derived asylum permit to the family member.

In 2024 there was also an enormous backlog of IND regarding applications for family reunification. The IND is currently not able to process applications for family reunification within the decision period of 3 months (which can be extended to 6 months). This has caused an enormous backlog. As of November 2024, there are 42,630 outstanding applications for family reunification filed by beneficiaries of international protection under the favorable framework, 30,250 of which have exceeded the maximum decision period of 6 months. On two web pages, the IND provides an estimate of the expected waiting period before the start of the procedure: On the webpage 'Asylum: latest developments', the IND states that the average waiting time for family reunification is currently 87 weeks until the IND starts processing the application. On the webpage 'When will the IND start with my application for family reunification?', this information is translated into a set month. Currently it shows that IND will start processing applications that were filed in June 2023, in February 2025. Applications that were filed in November 2024, are expected to be processed starting April 2027.

**Sweden:** In 2024, a total of 45,743 applications for residence permits based on family ties were lodged (of which 23,672 were first time applications). The Swedish Migration Agency issued a total of 50,075 decisions (of which 29,999 were first time applications). 56 % of the first-time applications and 93 % of subsequent applications were approved. By the end of the year 2024, a total of 36,888 family reunification applications were pending (of which 24,496 first time applications). Across all instances, 1,754 residence permits were granted in first time application cases of family reunification where the person in Sweden was a former asylum seeker.

### Travel documents

**Cyprus:** In 2024, 657 travel document were issued for persons with refugee status.

**Greece:** During 2024, in total 36 travel documents were issued and 301 travel documents were renewed by the Headquarters of the Hellenic Police.

Moreover, according to a survey conducted by UNHCR from 01.02.2022 until 14.03.2024, 487 (48%) beneficiaries of international protection had received their travel documents, while 340 (33%) were waiting for their travel documents.

**Hungary:** According to the statistics of NDGAP there were 894 travel documents issued for beneficiaries of international protection in 2024.

**Sweden:** A total of 22,656 travel documents were issued in 2024.

Persons granted subsidiary protection can under certain circumstances be granted an Aliens passport. In 2024, a total of 10,489 Aliens passports were issued.

### Housing

**Bulgaria:** The asylum authority, SAR, continued to actively search opportunities to accommodate unaccompanied children in licensed family-type children's centres (ЛЧТ). During the asylum procedure such





efforts were undertaken mainly regarding minor asylum-seeking children, children with special needs or such identified as being at increased risk of trafficking or harm. After recognition, these efforts targeted all unaccompanied children, excluding those in family reunification procedures, who were allowed to wait for the reunification with their parents or other family members in SAR reception centres. As a result of this positive practice, a total of 62 unaccompanied children were accommodated during the course of the year in specialized childcare centres, of whom 4 were asylum seeking children and 58 children granted international protection. At the same time, it is important to acknowledge and consider the lack of specialized training among the childcare centre's staff for working with unaccompanied children seeking or granted protection, as well as the absence of secure interpretation services, at least during the initial period of accommodation and adjustment.

At the end of 2024, the number of beneficiaries staying in reception centres was 43.

**Cyprus:** In 2024, as was the case in 2023, securing private accommodation remained difficult for refugees who have recently been granted protection, as well as refugees living in the community. Although instances of homelessness are much more frequent among asylum applicants, BIPs also face this risk and assistance and guidance are required in order to secure shelter. The risk is higher for BIPs that lack community support in the country and vulnerable persons.

**Greece:** There is limited accommodation for homeless people in Greece and no shelters are dedicated to recognised refugees or beneficiaries of subsidiary protection. There is no provision for financial support for living costs. In Athens, for example, there are only seven public shelters for homeless people, including Greek citizens and third-country nationals lawfully on the territory. At these shelters, beneficiaries of international protection can apply for accommodation, but it is extremely difficult to be admitted given that these shelters are always overcrowded, have a long waiting list since they are constantly receiving new applications for housing and most of the time, the language barrier arises, excluding them from their admission. For example, Multi-Purpose Centre of the Centre for Reception and Solidarity of Athens Municipality (KYADA) only accepts Greek or English speakers due to a lack of interpretation services and does not admit families or single women. Over 20,000 beneficiaries who had previously been included in the programme have stopped receiving rental subsidies, since the number of households currently benefitting from HELIOS subsidies is 1,612, corresponding to 2,961 persons. Furthermore, it has to be noted that, in order to be admitted to these shelters, they must first undergo medical examinations to ensure that they are free of communicable diseases. An active AMKA is required for these examinations. From 1 April 2024, recognised refugees will have to be employed in order for their AMKA to be activated.

**Hungary:** Recognised refugees and beneficiaries of subsidiary protection can stay in the reception centre up to 30 days after receiving the decision on their status. On 31 December 2024 no beneficiary of international protection was accommodated in Vámoszabadi. In Balassagyarmat, 13 persons were placed on that day, of which 4 have been asylum-seekers and 9 persons have been subjected to aliens policing procedure, but none of them was a beneficiary of international protection. Throughout the year, the highest number of persons that were accommodated at the same time in Balassagyarmat was 28 (in October). In Vámoszabadi, only one person was placed there in April (asylum seeker). Besides accommodation, people are entitled to receive food during their 30-day stay.

Menedék Association reiterated that in 2024 beneficiaries of international protection could still not rely on any state support regarding more permanent housing. The Association points out that it is not realistic to find housing solutions within 30 days after receiving the international protection status and that there are no other options than live in rented accommodation on market basis and in temporary homeless shelters. Specifically for 2024, Menedék Association highlights that another problem for their refugee clients was that they could not be included in the housing programme for beneficiaries of international protection because they had been living in Hungary under another legal status for years prior to recognition - this remains the





case as the Asylum, Migration and Integration Fund Plus is designed to support the social integration of "new arrivals", and housing support is only available within 18, and in some cases 36, months of arrival in Hungary. Longer-term integration and inclusion is supported by other EU funds (Operational Programmes supported by the European Social Fund Plus), but these do not target refugees and migrants (Moreover, following the full-scale military offensive launched by Russia against Ukraine, many programmes specifically targeted refugees from Ukraine, others did not).

In the autumn of 2024, the JRS assessed the needs of their beneficiaries. They found that respondents consistently indicated a need for financial support (87%), food (64%) and long-term accommodation (49%). Rapid price increases have exacerbated the financial burden on refugees, making it difficult to afford basic necessities. The importance of health services has increased compared to 2023, which also highlights the increasing number of vulnerable people with serious health problems among JRS beneficiaries. They found that refugees from Ukraine are increasingly open to discussing mental health challenges and seeking psychological support. The responses revealed that the housing situation of Ukrainian refugees in Hungary remained precarious, exacerbated by high rents and limited supply. Despite ongoing efforts by NGOs and support agencies, there is a lack of affordable and stable housing options. Long-term housing, meanwhile, was among the top five most pressing issues for respondents, with older respondents reporting a greater need for stable housing, as did single mothers. Housing stability remained a concern, with more than half of respondents unsure how long they would be able to stay in their current place of residence. Discrimination experienced by clients in their search for housing remained a recurring issue.

**Ireland:** IPAS provides accommodation for applicants up to their return to their country of origin following a negative decision. However, the increasing numbers of people remaining in Direct Provision after being granted status is causing significant strain on IPAS in the context of stretched capacity. In February 2024, it was confirmed by IPAS that persons residing in Direct Provision who had been granted status would be given 12 months in which to access private rented accommodation (24-months for families), prior to being transferred to alternative IPAS accommodation, typically usually to emergency or tented accommodation.

The number of beneficiaries staying in reception centres as of December 2024 was 5,960.

Throughout 2024, many individuals with international protection status or humanitarian leave to remain who were residing in Direct Provision accommodation after receiving their status were served with notice to source their own accommodation or failing this, be transferred to alternative IPAS accommodation, usually to emergency or tented accommodation. The purpose of the policy was to release accommodation capacity for those in the international protection process who were awaiting determination on their application. However, transfers of this nature gave rise to significant issues for those affected. In the experience of the Irish Refugee Council, many people who received transfer notices left Direct Provision without arranging a sustainable tenancy. Many stayed with friends or family temporarily and given the precariousness of such arrangements, this often led to homelessness. Whereby individuals took up the transfers, progress in education and employment, as well as other integration indicators, were lost when people were transferred. Many people were transferred several hours away from where they worked or had educational opportunities, or indeed where they have made local connections in the community, to an isolated, unknown area. This meant that they lost the social capital which could assist them when searching for somewhere to live. The Irish Refugee Council wrote to IPAS and the Department of Housing to outline these concerns, however, at the time of providing this input, the policy continued to operate.

**Netherlands:** In 2024, a quarter of the people entitled to receive reception by COA were beneficiaries of international protection (18,651).

At the end of the first half of 2024, the backlog consisted of 10,800 beneficiaries of international protection waiting in COA facilities to be housed by a municipality.<sup>52</sup> There is a backlog in housing for beneficiaries of







international protection. At the end of the first half of 2024, the backlog consisted of 10,800 beneficiaries of international protection waiting in COA facilities to be housed by a municipality. The main reason for the backlog is a shortage of social rental housing.

On January 2025, there were 18,651 refugees with a permit residing in COA reception centres.

The Minister announced in a letter dated 18 December 2024 that the HAR will be extended until 1 January 2026. The arrangement and conditions under which the HAR can be used have remained the same. Beneficiaries with a permit are now obliged to make a personal contribution to the temporary accommodation during temporary accommodation - just like people in asylum reception. They report their income and assets to the COA. Furthermore, the maximum number of beneficiaries per six months who can receive temporary accommodation through the HAR has been reduced to 2,000.

In 2024, a new method was introduced to temporarily house refugees with a residence permit in a municipality responsible for their regular housing. These are called 'transit locations' (doorstroomlocaties). Refugees can stay there for a maximum of one year. After that, the municipality must have arranged permanent housing. Refugees staying in a transit location fall under the municipality's provisions. The municipality can choose which building they want to use as a transit location. The location must meet the requirements for buildings with a residential function. These requirements are outlined in the Building Decree. There are no statistics available on how many refugees with a residence permit are staying in a transit location.

**Sweden:** In 2024, a total of 32,693 persons were assigned to be received in municipalities throughout Sweden after receiving a residence permit, including 826 who were resettled, 14,345 who had been staying in reception centres, 15,719 who had been residing in accommodation that they had arranged themselves and 948 relatives and 855 "other".

The average time between the granting of a permit and being settled in a municipality was 62 days in 2023, the same as in 2021, and just above the two-month deadline for leaving Migration Agency accommodation. A total of 647 beneficiaries with residence permits were living in Migration Agency accommodation at the end of 2024, down from 1,006 in 2023.

### Access to the labour market

**Cyprus:** Employers are not adequately familiarised with BIPs rights of full access to the labour market, which places an additional obstacle for beneficiaries to find a job. In order to address this gap, the Cyprus Refugee Council in collaboration with the UNHCR Representation in Cyprus has launched an online platform 'HelpRefugeesWork' that connects employers and training providers with beneficiaries and acts as an advocacy tool to familiarise employers with BIPs' rights of full access to the labour market and engage them to collaborations that promote refugee labour integration. Between 2018 and 2024, more than 1200 International Protection Holders registered in the platform, applied for jobs and received employment-related guidance and support, whereas more than 350 well-known businesses covering a wide spectrum of employment sectors have registered in the platform.

**Hungary:** According to the statistics available, in 2024, 11 refugees and 3 beneficiaries of temporary protection were registered as job-seekers.

**Netherlands:** On 29 January 2024, the Dutch government announced that five municipalities and regions have initiated a pilot program to offer paid employment directly to status holders (recognized refugees) as they transition from asylum centers to their new municipalities. The aim of this initiative is to enhance integration by enabling status holders to participate in the workforce immediately, facilitating language acquisition and





improving their position in the labor market. Lessons learned will be shared with other municipalities to promote similar employment opportunities for status holders nationwide. This effort is part of the 'Plan van aanpak Statushouders aan het werk' (Action Plan: Status Holders to Work), funded by the Ministry of Social Affairs and Employment.

**Spain:** In June 2024, the Government and IKEA signed a protocol to foster refugees' employability, which includes, among others, certification of professional competences, access to the job market, learning of Spanish, etc.

**Sweden:** In December 2024, a total of 11,055 persons were attending The Public Employment Service (Arbetsförmedlingen) "etableringsprogram".

In 2024, the general unemployment rate increased to 8.4%, compared to 7.7% in 2023. However, when it comes to individuals born abroad, it is higher. In 2024, the unemployment rate was 16.2%.

### Access to education

**Greece:** According to UNICEF's Annual Report on Greece for 2023, it was estimated that by October 2023, there were 25,000 refugee and migrant children in Greece, including 7,000 children from Ukraine, while by the end of 2024 the number of unaccompanied and separated children in the country was 2,414. According to the available data provided by the Ministry of Education, as of 30 May 2024, out of the total 13,617 children enrolled in mainstream public schools, 12,197 actually attended. Regarding the data on refugee reception (DYEP) evening classes in public schools the situation is worse, as there are 3,153 registered children with only 1,849 (58,6%) attending. For the coordination of the education of refugee students, 107 Refugee Education Coordinators (RECs) were appointed and 2,106 teachers were recruited for the Reception Classes and DYEPs.

**Hungary:** The teaching of Hungarian as a foreign language was still one of the main elements of the JRS activities in 2024. In addition to adults, they worked with 35 primary and secondary school age students on a weekly basis, studying in 5 different schools in Budapest. Monitoring the progress of enrolled students was also one of their core services, as was maintaining intensive contact with all stakeholders. In the summer of 2024, they organized 5 multi-day day-care sessions, two of which focused on the English language, one focused on theatre and drama, and two were for the youngest, with a story week and a series of school preparation sessions. Compared to 2023, the age distribution was wider; in 2024, they welcomed not only secondary school students, but also primary school students in addition to kindergarten students. They also continued the teacher clubs launched in 2023, which support teachers who work with children with refugee and migrant backgrounds. The charity organisation offered weekly Hungarian language as a foreign language classes and informal supportive conversations for unaccompanied minor children in the Károlyi István Children's Home in Fót.

According to the JRS, educational institutions have a fundamentally inclusive and supportive attitude towards their clients, although they often face significant capacity shortages. Typically, places are available in Hungarian kindergartens, but enrolment challenges remain, mainly due to underfunding and limited resources for language support. Schools still do not have a package of teaching materials and tools that would enable the gradual acquisition of the Hungarian language and local curriculum, which would also support the integration of non-Hungarian speaking children into school. Institutions are not well equipped to deal with very special needs - this concerns autistic and mentally disabled school-age children, whose placement is not only a challenge for the Hungarian system, but in their case the lack of Hungarian language skills is an additional aggravating circumstance. The needs assessment also highlighted that children with disabilities face additional challenges. The slowness of diagnostic processes - and sometimes high fees - limits timely access to special education and health resources, and the lack of recognition of disability further complicates





access to support. Parents reported a lack of resources for children with special education and upbringing needs, such as personalized materials and services, both in schools and other institutions. There are few classes specifically designed for children with neuro-atypical development in schools, and if they exist, they are mostly inaccessible to refugee/asylum-seeking children. For them, private paid solutions are generally out of the question. The secondary school admission system makes it difficult to continue children's education appropriately and there is no alternative. There is no mandatory language support available to third-country students not coming from Ukraine. In many places, there is no distinction in the level of expectations from Hungarian-speaking students, so continuous failure leads to further lagging behind, lack of motivation, and school stress. 2024 needs assessment showed that education remains a significant concern among refugee families in Hungary. The phenomenon of students studying exclusively through distance learning or combining distance and face-to-face education continued in 2024. Occasional bullying further complicates the children's school experience.

The Jesuit Refugee Service with the help of volunteers also provided Hungarian language coaching for adults throughout 2024.

**Spain:** In May 2024, the department of Education of the Autonomous Community of Valencia published a call for applications for university scholarships for a total budget of 22 million Euros. The call also simplified the conditions to obtain the scholarship for persons with disabilities, asylum seekers, beneficiaries of international protection and stateless persons, and foresaw to allocate 0.5% (i.e. 110,000 Euros) of the total budget to these categories of applicants.

### Healthcare

**Bulgaria:** In 2024, both beneficiaries for international protection and asylum seekers had unrestricted access to vaccination against COVID-19.

**Cyprus:** In 2024, the UN Economic and Social Council raised concerns about reports of inadequate access to mental health care, including for refugees, asylum-seekers and migrants and recommended Cyprus ensures funding to improve mental health care services at both the preventive and the treatment levels, including by providing community-based services and programmes, in particular for refugees, asylum-seekers and migrants.

**Germany:** As of June 2024, accessing therapeutic support remained extremely difficult for refugees in Germany.

**Greece:** On 01.04.2024, the Circular no. Φ80320/25192/01.04.2024 on the JMD was issued. The competent authorities, on the basis of the above-mentioned JMD and the Circular, require the cumulative submission of the above documents for the activation of the AMKA, making access to public health and medical care dependent in reality on the possession of a travel document and the existence of an active employment relationship/self-employment.

**Ireland:** Throughout 2024, beneficiaries of international protection, along with Irish citizens, faced difficulties in accessing medical care on the basis of a shortage of available places for medical card holders in GP practices. Whereby a medical card applicant approaches three different GPs and are notified that the GP is unable to accept them on their patient list, the applicant can request that the HSE assign them to a GP who does have capacity. However, in the experience of the Irish Refugee Council, applicants may be left waiting for several months until capacity becomes available and a GP is assigned.

**Netherlands:** Beneficiaries are entitled to the same health care as nationals. Like every national, beneficiaries have to pay health insurance fees. In order to compensate the paid fees, beneficiaries are entitled to health





care benefits in 2024, provided that their income does not reach a threshold of an annual income of € 34,496 per year. The threshold for a household (2 partners) is € 47,368 per year.

**Spain:** In May 2024, the Government adopted the law establishing the universality of the National Health System, which reintroduced the access to the health system to any person residing in Spain, independently of their residence status.

In October, the Autonomous Community of Castilla La Mancha published a guide on the intercultural health mediation in the assistance to migrants, addressed to health professionals.

In January 2025, the Autonomous Community of Andalucía launched the Red Isir, a network of health professionals aiming at improving their knowledge and tools in the assistance to migrants.

### Social welfare

**Cyprus:** During 2024, delays related to Guaranteed Minimum Income (GMI); and delays to open a bank account, although still observed, were reduced.

In 2024, the time required to examine a GMI application including the rental allowance was reduced from 12 months to 6-7 months, however the period remained challenging for BIPs. Even in cases of vulnerable persons or homeless persons, it is rare the application is examined faster.

In 2024, 161 applications were submitted for GMI by persons with refugee status and 145 applications by persons with subsidiary protection status (each application is submitted by the family head and represents the whole family unit). A total of 31 new applications by persons with refugee and/or subsidiary protection status were approved in 2024. Overall, in 2024, a total of 167 beneficiaries (families) with refugee status and 348 with subsidiary protection status (families) received the GMI benefit.

**Greece:** According to the European Commission, the EU Charter of Fundamental Rights, and in particular Articles 1 and 4 on human dignity and inhuman and degrading treatment, applies equally to asylum seekers, rejected asylum seekers and beneficiaries of international protection temporarily residing in camps. The need to ensure basic means of subsistence, such as the provision of food, applies to all persons in need, in particular vulnerable persons such as the sick, pregnant women and women who recently gave birth. It is thus concluded that food must be guaranteed for all persons residing in camps, irrespective of their legal status. Similarly, the Greek Ombudsman has expressed its concerns on this matter twice in 2024.

A total of 47,753 beneficiaries enrolled into HELIOS since the programme first started being implemented (2019) and up to October 2024. Of those, 2,503 were reported as having enrolled into the programme during 2024 (47,7% female and 53,3% - male). Concerning specifically the programme's rental subsidies, between 2019 and October 2024, a total of 24,509 individuals were able to benefit from the programme's specific component.

As of the end of February 2024, 45,688 beneficiaries of international and temporary protection had been registered in the HELIOS programme since its launch. 14% of the total enrolments still concern Ukrainian nationals covered by temporary protection. According to the latest data, the aforementioned percentage was increased to 14,8% by October 2024.

A major development in 2024 was the hindrance of access to all social benefits, since the activation of the Social Security Number (AMKA) required for these benefits, depends on the existence of a valid employment contract or self-employment. It is stressed that beneficiaries of international protection, who cannot work due to their health condition, are excluded from access to the social assistance system in violation of article





29 of L. 4939/2022, as the possession of an active AMKA is necessary for access to the benefits of the Organisation of Welfare Benefits and Social Solidarity (OPEKA).

**Sweden:** In 2024 the Swedish Migration Agency granted applications for subsidies for 33 individuals. For family members of persons with subsidiary protection, during 2024 the Swedish Red Cross was able to assist 9 families (representing a total of 45 individuals) to reunite in Sweden.

### Integration

**Bulgaria:** In 2024, the Vitosha and Oborishte districts of the metropolitan municipality remained the only ones to sign integration agreements with newly recognized refugees in Bulgaria. In 2024, 2 integration agreements were concluded with respect to family members. No other integration measures or activities were planned, funded or available to individuals granted international protection – refugee or humanitarian status. No program for the integration of displaced persons from Ukraine under temporary protection was adopted throughout 2024. Thus, Bulgaria marked its 11th year of the national “zero integration” policy.

Since 2013 and up to 2024, Bulgaria followed a “zero integration policy”. The first National Programme for the Integration of Refugees (NPIR) was adopted and applied until the end of 2013, but since then all beneficiaries of international protection have been left without any integration support. This resulted in extremely limited access or ability by these individuals to enjoy even the most basic social, labour and health rights, while their willingness to permanently settle in Bulgaria was reported to have decreased to a minimum. In 2024, 47% of asylum applicants abandoned their status determination procedures - which were subsequently terminated - in Bulgaria. In comparison, this percentage was 46% in 2023, 45% in 2022 and 26% in 2021.

Following relentless advocacy efforts by UNHCR, the Refugee Council and the Red Cross with the support of the SAR, in 2021 and 2022 the Vitosha and Oborishte Districts (Sofia municipality) provided this integration support. The support itself consisted of rent expenses covered by the municipalities and the fee for the Bulgarian language courses, covered by the Red Cross. In 2023, just 22 individuals benefitted from these integration agreements, while in 2024 this number was even lower, with just 8 individuals from two families benefitting from the agreements.

### Croatia:

#### National level:

The previous Action plan for the integration of beneficiaries of international protection, which covered the period from 2017-2019 expired at the end of 2019. By the end of 2024, the new Action Plan was still not adopted.

In 2024, OHRNM started with the implementation of the project SINERGY – „Ensuring a synergistic approach to the integration of citizens of third countries”, co-financed by the AMIF. In July 2024, the initial conference of the project was held, where the project activities were presented. The main goals of the project are to reduce administrative obstacles in accessing guaranteed rights and services by providing translation services into the languages most often used by persons granted international protection and other third-country nationals, to strengthen the coordination capacities of the integration system through intensifying cooperation with local self-government units, third-country nationals and civil society organizations, to increase the awareness of key stakeholders and the general population regarding legal migration and the contribution of third-country nationals to the development of society and to improve the process of drafting, monitoring implementation, and reporting on the results of the implementation and evaluation of the impact





of the implementation of measures from the strategic acts for integration from the perspective of the implementation holder and user.

In the second half of 2024, the OHRNM completed preparations for the establishment of a centralized electronic database of interpreters/translators for the languages most often used by persons granted international protection and other third-country nationals. The database will provide easier access to quality translation services for all users who need translation assistance. Users of the database will be state and public administration bodies, local and regional self-government units, and other institutions that provide services to persons granted international protection (doctors, school teachers, social workers, ...).

Local level:

As part of the UNITES project, which was financed through AMIF, in 2024 the research was carried i.e. mapping the needs of refugees and migrants in Zagreb, which will be the basis for the development of a new strategic integration document of city of Zagreb.

In September 2024, a cooperation agreement between the City of Zagreb and UNHCR Croatia was signed and the Welcome Center (One Stop Shop) was opened in Zagreb. The One Stop Shop is envisaged as a unique central point for informing applicants for international protection, individuals granted international or temporary protection, and foreign workers with residence and work permits – the first service of this kind in Croatia. In the Welcome Centre beneficiaries can get information from the field of social protection and health in the jurisdiction of the City, information on enrolment in kindergarten, primary and secondary schools, opportunities to obtain scholarships for pupils and students with granted international and temporary protection, general legal information, information on regulating civil status (marriage, registration of life partnership, registration of birth, etc.), information on the performance of economic activities through trades, information on enrolment in Croatian language courses and information on all other integration activities (educations, workshops, cultural mediation, etc.).

In addition to providing information about all available services and rights under the responsibility of the City of Zagreb, clients will also be able to receive information about the implementation and inclusion in other integration activities carried out by the City of Zagreb within its Action Plan.

In July 2024, Integration Coordinators at the local level were appointed as part of the SINERGY project led by OHRNM. A total of ten coordinators were appointed from the following cities: City of Gospić, City of Karlovac, City of Osijek, City of Pazin, City of Rijeka, City of Sisak, City of Split, City of Sveta Nedjelja, City of Varaždin and City of Zagreb. During the SINERGY project, five meetings of Integration Coordinators will be held at the local level with the aim of exchanging experiences and strengthening local self-government in the integration of persons granted international protection. The first two meetings were held in September and December 2024.

A Croatian language course, organized by the City of Zagreb, was held in 2024 for applicants for international protection, persons granted international or temporary protection, and foreign workers with residence and work permits, with the possibility of taking an exam and obtaining a certificate of knowledge of the Croatian language. In addition, the Croatian language course was conducted by 6 civil society organizations selected through a public call for expressions of interest of civil society organizations to participate in the implementation of the Action Plan of the City of Zagreb. The participants mostly attended language courses at the entry level (A1, A2 and B1). The free Croatian language course was attended by 443 participants, while 10 people passed the verified exam without attending the course. In addition, a public call for financial support for the education of high school students and students with granted international or temporary protection for the year 2024 was published by the City of Zagreb. 75 grants in the amount of EUR 2,000.00 per student were foreseen. Subsidies were paid once from the Budget of the City of Zagreb for 2024.







**Cyprus:** The lack of integration opportunities remains one of the weakest elements of the national asylum system. A new integration plan, which was developed under EU funding with the aim of adopting a multi-year integration strategy, was finalised but eventually abandoned. In 2024 there were reports of the integration plan being revised but it has yet to be published.

During 2024, the stay of BIPs was significantly reduced due to efforts conducted by center staff providing integration services to the residents, primarily through job and housing placements.

**France:** The national AGIR scheme, designed to provide comprehensive, individualised support for refugees at local level, was rolled out for the first time in 2022 and was supposed to be extended to all of France by the end of 2024. Its rollout is due to continue into early 2025 in the few départements not yet covered. However, the main takeaway from 2024 was the step back taken by the authorities on this scheme: while the scheme was initially intended to cover all refugees in a given area, it became subject to prioritisation criteria from the summer of 2024 onwards. The public authorities highlighted budgetary constraints, being required to comply with a set budget that could not cover all needs. The prioritisation process was implemented gradually, in a disparate and not very transparent way in the various territories and continues to be a topic of conversation between operators and the authorities at the beginning of 2025.

**Greece:** HELIOS Bridge ended on November 30th 2024. New enrollments in the Project and new lease agreements were accepted until 31 August 2024. Project services such as integration monitoring, job counselling, integration courses, house search support, accommodation workshops have been discontinued as of 1 September 2024, while from 1 September until 30 November 2024, only the provision of rental subsidies continued for beneficiaries who were already receiving rental subsidies.

**Hungary:** In 2024, Menedék within their complex integration program continued helping foreigners living in Hungary, including beneficiaries of international protection and asylum seekers, to find employment,

**Spain:** Whereas some EU countries were announcing measures to tighten their borders against migrants, already in October Spanish Prime Minister Pedro Sánchez announced measures to facilitate migrants' settlement in Spain, underlining the importance of migrants for the growing of Spanish economy.

In March 2023, the municipal public transport entity 'ETM' of Valencia launched, together with the NGO 'CEAR' the initiative 'ETM Refugio', consisting in the provision of free passes for public transports to asylum seekers and refugees, with the aim of improving their social and labour inclusion. In April 2024, the validity of the initiative was extended until April 2025.

### 13. Return of former applicants for international protection

**Belgium:** On 10 May 2024 a new law for a 'proactive return policy' was adopted by the Belgian Parliament and is in effect since 20 July 2024. Among other things, the bill enshrines in the Aliens Act, 1) the duty to cooperate in the organisation of transfer, expulsion, return or removal, including an extensive list of situations in which the person is presumed to be 'absconding' and the obligation of cooperating with medical examinations with the possibility of imposing medical examinations under constraint in certain circumstances; 2) individual follow up ('case-management' or ICAM) of foreigners who have been ordered to leave the territory; 3) an expansion of the list of competent escorts; 4) a listing of the preventive measures and the less coercive measures that can be taken by the authorities, including some new 'alternatives to detention'; and 5) the prohibition of detention of families with minor children in closed centres. Several civil society organisations from both the sectors of migrants' and medical rights have voiced their concerns and





have introduced an appeal at the Constitutional Court, denouncing a violation of constitutional rights and European and international law by several Articles of the new law and requesting their annulment.

**Bulgaria:** Under the general immigration law LARB return orders are issued automatically to any migrant at the very moment of their identification as irregular. Therefore, the overwhelming majority of the asylum seekers in Bulgaria apply for asylum after they have been apprehended by the police upon entry, exit or inside the country's territory, and served a return order. The LARB envisages that a return or expulsion order can be issued by the police authorities – border, immigration or regular police -, or the State Agency for the National Security (SANS). Presently, the asylum agency SAR does not have competence to issue return orders. If a return order is issued prior to an applicant prior the submission of his asylum application or during the asylum procedure, its implementation is automatically suspended by virtue of the law (ex lege) until the asylum procedure is completed with a final decision. If this decision is granting asylum the return order is again automatically considered revoked by the virtue of the law. The asylum law LAR explicitly envisage that when applicants whose decision for a refusal, cessation or exclusion from asylum, or termination of the procedure has become final should be considered falling within the scope of the general immigration law, rules and procedures. The asylum agency (SAR) has an obligation to inform police authorities that a certain applicant is no longer under the protection of the asylum law.

In general, the national return rates are not significant. In 2024, the MOI returned 1,015 migrants while during the previous years the implemented returns were, respectively: 565 returned migrants in 2023, 582 returned migrants in 2022, 770 returned migrants in 2021 and 428 returned migrants in 2020.

**Cyprus:** In 2024, Cyprus has recorded the highest ratio of departures to arrivals among EU member states, with a rate of 179%. A total of 10,941 people left the country in 2024, according to figures released by the Ministry of Interior and the Deputy Minister of Migration and International Protection. A voluntary return programme offering incentives between 1,000 and 1,500 euros contributed to 8,213 voluntary returns in 2024, compared to 4,636 in 2022. Additionally, 2,517 individuals were relocated to other EU member states.

**Germany:** Between January and November 2024, a total of 18,384 individuals (this concerns all persons, not only former asylum applicants) were deported from Germany. This represents an increase of approximately 21% compared to the same period in the previous year. Among these deportations, 5,827 individuals were transferred to other European Union countries under the provisions of the Dublin III Regulation. The five most frequent third-country destinations for deported individuals during this period were: Georgia, with 1,650 persons deported, North Macedonia, with 1,274 persons, Albania, with 1,034 persons, Türkiye, with 993 persons, and Serbia, with 957 persons.

During the same period, 9,180 individuals voluntarily left Germany under the REAG/GARP federal-state return assistance program. In total, approximately 25,100 individuals who were required to leave Germany departed voluntarily with a Grenzübertrittsbescheinigung (Border Crossing Certificate). This marks an increase of around 10% compared to the same period in the previous year.

The methods and circumstances of deportations from Germany in the first half of 2024 varied, with some individuals removed without escorts and others under the supervision of law enforcement authorities or security personnel from destination countries. In the first half of 2024, a total of 4,664 individuals were deported without any escort. In addition to these, several deportations took place under the supervision of law enforcement authorities, categorised as follows: 3,641 individuals were deported under escort by officers from the Federal Police, involving a total of 6,408 federal police officers. 94 individuals were deported under escort by officers from state police forces or other national authorities, with the involvement of 188 officers from these agencies. 896 individuals were deported under escort by security personnel from the destination countries. In the same period, a total of 1,725 minors were deported from Germany.





In January 2024, the German Bundestag passed the so-called Rückführungsverbesserungsgesetz (Law on Improving Deportation Procedures), supported by the SPD, FDP, and — with some exceptions — Bündnis 90/Die Grünen. The law, which came into effect on February 21, 2024, introduces significant changes to deportation practices, including expanded search powers and an extension of pre-deportation detention (Ausreisegewahrsam). A key amendment concerns subsequent asylum applications (Folgeanträge). Under the new § 30 of the Asylum Act (AsylG), a subsequent asylum application can be classified as "manifestly unfounded" if the applicant has already undergone a further asylum procedure following a previous application. Additionally, § 71 AsylG now stipulates that if a subsequent application was filed solely to delay or obstruct deportation, or if a new application is submitted after a final rejection, deportation may proceed immediately, provided the Federal Office for Migration and Refugees (BAMF) confirms that no new grounds for protection exist. However, deportation must be suspended if the applicant files an appeal under § 80(5) of the Administrative Court Procedure Act (Verwaltungsgerichtsordnung) until the court rejects the appeal or the appeal period under § 74(1) AsylG has expired. According to the object and purpose of the law, this reform aims to accelerate deportation procedures and curb misuse of the asylum system, but it has sparked criticism from human rights organizations over potential risks to procedural fairness and protection standards.

As of February 2023, the Federal Government declared that it currently sees no possibilities for removals to Syria. The same remains true for 2024 – even though the government announced in December 2024 that the situation in Syria will be re-evaluated following the Islamist HTS militia taking over power.

On August 30, 2024, Germany conducted its first deportations of Afghan nationals since August 2021. The individuals deported were persons having been convicted for criminal offences without residency rights, subject to expulsion orders. The federal government, with support from regional authorities, pursued significant efforts in recent months to resume deportations in such cases. NGOs have raised concerns over the potential risks faced by deported individuals and urge a review of Germany's policies on returns to Afghanistan. Persons without a protection status regularly receive a toleration status (Duldung).

Since the beginning of the war against Ukraine, deportations to Russia have only been carried out in serious individual cases, via third countries such as Georgia or Serbia. In the first half of 2023 no person was removed to Russia and no person with Russian nationality was removed involuntarily from Germany. According to the Federal Ministry of the Interior, 66 people were deported back to Russia in 2024.

**Greece:** Although the number of persons detained during the past few years remains high, this has not been mirrored by a corresponding increase in the number of forced returns. With a total number of 19,148 detention orders following a removal decision issued in 2024, the total number of forced returns was 2,550 in 2024 (13.31%).

**Ireland:** In October 2024, Minister for Justice Helen McEntee noted in a brief to cabinet that the number of deportation orders signed from January 2024 up to the 27th of October 2024 was 1,792, an increase of approximately 140% on the same period in 2023. Additionally, in the same period, a total of 98 deportation orders were enforced, an increase of 165% compared with 2023. The number of voluntary returns also increased significantly from 175 in 2023 to 648 in 2024. Additionally, it was announced that a procurement process to secure charter flights was set to conclude at year-end, with a view to significantly increasing capacity to conduct further enforced deportations.

**Netherlands:** As a novelty introduced into the Aliens Act, rejections of asylum applications always are emitted together with the corresponding return decision.

**Sweden:** On 17 December 2024, the Government of Sweden presented a bill introducing prolonging the time a return decision is statute-barred, extended re-entry bans, and the deletion of the possibility to switch from an asylum application to a work permit application. One of the consequences of the proposal to extend the





time a return decision is statute-barred is that the return decision will be valid as long as the person remains in Sweden. The law has not yet been adopted. It has been proposed for it to enter into force on 1 April 2025. On 26 November 2024, an inquiry regarding reinforcing return operations and internal controls of foreign nationals was completed. The inquiry proposes to increase the reporting obligations of certain authorities when they come into contact with individuals they suspect are not entitled to remain in Sweden. The inquiry recommended exempting healthcare services, schools, and social services from the reporting obligation due to the negative consequences they would have for children. The inquiry's proposal also includes expanded powers for coercive measures and internal immigration checks. The proposal is currently under consultation, and the suggested measures are intended to take effect on 1 July 2026, concomitantly to the date of applicability of all Pact legislative instruments.

A committee tasked with examining incentive structures for voluntary repatriation presented its findings on 13 August 2024. The committee concluded that high financial incentives for repatriation could increase the rate of repatriation but simultaneously risk undermining integration efforts. In its 2025 budget proposal, the Government of Sweden proposed a substantial increase in the repatriation grant for 2026, up to SEK 350,000 per person. The report has not yet resulted in any legislative changes.

In 2024, there were 517 decisions made under Chapter 12, Section 18 of the Aliens Act regarding impediments to enforcement. Of these, 491 were granted due to other special reasons, 6 because the receiving country refused entry, 6 involved recognition as Convention refugees, 9 were granted on subsidiary protection grounds, 2 concerned other protection needs, 1 was based on humanitarian or medical grounds, and 2 fell under unspecified reasons.

#### 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)

##### Resettlement

**Belgium:** Belgium initially pledged to resettle 1,250 persons in 2022, 1,400 in 2023 and 1,500 in 2024. The pledges for 2023 and 2024 were afterwards lowered to 500 in both years, due to the reception crisis. For 2025, Belgium pledged to resettle 1,000 persons.

**Bulgaria:** No resettlements were implemented in 2024.

**Croatia:** Under the pledges to the EC by Member States for 2024-2025, Croatia has pledged to resettle 100 persons over the period 2024-2025.

**Germany:** Germany's resettlement and humanitarian intake for 2024 and 2025's combined aims were to admit a total of 13,100 refugees, with 6,540 places in 2024 and 6,560 in 2025. The program prioritises vulnerable individuals, particularly those from countries experiencing crises like Afghanistan, Syria, Sudan, and Somalia. The selection process considers protection needs, family reunification, and integration prospects, while maintaining security checks. The individuals eligible for resettlement include nationals from Afghanistan, Syria, Iraq, Sudan, South Sudan, Somalia, Yemen, the Congo, Burundi, and Eritrea. Additionally, people from other countries in need of protection, as well as stateless individuals, can also be considered. Germany also has an "Unallocated Quota" for urgent cases, providing up to 50 spots per year for emergency situations and cases with ties to Germany, as referred by UNHCR. This allows for resettlement from countries not previously designated for intake. The resettlement places for 2024 and 2025 are allocated as follows: up





to 3,240 federal resettlement spots per year for refugees currently in Egypt, Jordan, Kenya, Lebanon, Pakistan, and Libya, including up to 200 places for the "Neustart im Team (NesT)" program; up to 3,000 places for Syrian and stateless refugees from Türkiye under the EU-Turkey Agreement; up to 100 places for Berlin's state program; and 200 places for Brandenburg's state program in 2024.

Germany pledged a total of 6,500 resettlement places in 2023, which is higher than in previous years. Out of the 6,500 places, up to 3,000 places are allocated to the national resettlement programme, up to 200 places are foreseen for the NesT programme, up to 3,000 places are allocated for admission of Syrian nationals from Türkiye under the EU Türkiye statement, and 500 places are allocated to admission programmes of the Federal states of Berlin (300) and Brandenburg (200). A total of 4,614 (as of 15/04/24) people were admitted in 2023. Out of these, 2,078 persons were admitted under the national resettlement programmes, 438 through admission programmes of the Federal states of Berlin and Brandenburg; 16 in the scheme of the aforementioned NesT programme and 21 persons under an "unallocated quota". Through the resettlement programme with Türkiye, 2,098 Syrian nationals were admitted. According to the BAMF, several persons admitted through the resettlement programs for 2023 will actually enter Germany in 2024.

In July 2024, reports showed that several Afghans who had previously been granted resettlement to Germany, saw their approvals abruptly withdrawn without clear explanations. The German government cited new security interviews, introduced after the initial approvals, as grounds for the reversals.

**Ireland:** Ireland's pledge for resettlement and humanitarian admissions, along with forecasted resettlement numbers for 2024-2025 was submitted to the European Commission on the 7th of October 2023. Ireland has pledged to support the arrival of 1,200 refugees under the UNHCR resettlement process from Lebanon and Jordan, with a further 100 humanitarian admissions from Afghanistan.

**Netherlands:** In 2024, the Netherlands pledged to resettle 2,000 refugees over a two-year period, of which 1,000 are part of the EU-Türkiye agreement. At the end of November 2024, 493 refugees had been resettled, of which 336 were Syrian.

**Portugal:** Within the context of the 2024-2025 EU resettlement and humanitarian admission scheme, Portugal has pledged to resettle 600 persons and to receive 400 persons on humanitarian grounds throughout 2024 and 2025.

**Spain:** In December 2023 the Government allocated 1.8 million Euros for the resettlement of 1,200 refugees from Costa Rica, Lebanon and Türkiye. In February 2024, the Government announced the programme's enlargement, with the aim of including other 1,500 refugees coming from Central and South America in 2024 and 2025.

In 2023 UNHCR continued to support the implementation of Spain's resettlement programme through participation in the national resettlement coordination group. In the context of resettlement, Spain achieved a 92% implementation rate of its committed quota of 1,200 places, comprising 302 Syrians from Türkiye and Lebanon and 96 Nicaraguans from Costa Rica. UNHCR advocated for Spain's participation in resettlement initiatives from the American continent, resulting in the resettlement of Nicaraguans from Costa Rica. Another 72 resettled Nicaraguans arrived from Costa Rica under a labour mobility pilot project, which was linked to Spain's participation in the Safe Mobility Offices Initiative. This pilot program continued and in December 2024 other 202 resettled Nicaraguan refugees arrived in Spain from Costa Rica, with a labour contract.

Spain responded swiftly to UNHCR's call for prompt resettlement upon the tragic earthquakes in Türkiye, by executing an urgent resettlement operation, providing assistance to 302 earthquake affected refugees, with UNHCR promoted resettlement coordination group playing a crucial role.





In January 2024 the Government approved the National Programme for the Resettlement of Refugees in Spain, with the commitment to resettle 1,200 refugees in Spain during 2024.

In June 2024, the Spanish Government (concretely the Minister of Inclusion, Social Security and Migration) has been chosen by the UNHCR to chair the 2025 annual Consultations on Resettlement and Complementary Pathways, which will be co-chaired also by the Spanish NGO Accem.

**Sweden:** As decided in the Tidö Agreement, Sweden lowered the number of resettled refugees accepted from 5,000 in 2022 to 900 the per year the consecutive years. 959 refugees were resettled to Sweden during 2024, a significant increase from 297 in 2023.

### Humanitarian Admission Programmes

**Germany:** As of July 2024, the actual admission numbers under the Federal Admission Program for Afghanistan remain far below the initial targets. A total of 3,071 individuals have received admission commitments, including 915 principal applicants and 2,156 family members. However, only 540 people have entered Germany—well short of the target of 21,000 admissions. The International Rescue Committee explains that the program faces severe delays due to its complex and bureaucratic structure. The lack of sufficient resources for key actors has caused avoidable backlogs, with the Federal Office for Migration and Refugees and the German embassy's visa section in Pakistan emerging as major bottlenecks.

Humanitarian organizations criticise the German government's decision to halt new admission commitments for people from Afghanistan under the BAP Afghanistan program since summer 2024. According to the government, this suspension will remain in place until the end of the legislative term. NGOs warn that the program is likely to be terminated entirely following the upcoming elections in February 2025, leaving vulnerable Afghans without crucial pathways to protection.

**Hungary:** There have been no applications in the Embassy in Kyiv in 2021, nor in 2022, and 2023 and 2024. In 2024 none was granted a single-entry permit to apply for asylum in Hungary, after submitting their statement of intent at an Embassy.

**Ireland:** In January 2024, the Department of Justice stated, in response to a Parliamentary Question, that it was working in conjunction with the Department of Foreign Affairs to 'ensure a coordinated national response' to the evolving situation in Gaza. This included 'work to evacuate Irish citizens and their families' from the region. Additionally, the Department of Justice stated that it is in regular contact with the Embassy of Ireland in Israel regarding a number of visa applications from residents of Gaza. According to the Department of Justice, the Embassy are actively engaging with applicants to gather the required documents so as to ensure that the Visa Division have everything required to progress such applications. It was also implied that no specific visa scheme or humanitarian programme would be established with a view to providing temporary Irish residence to persons affected by the ongoing offensive. The Department of Justice's stance with regard to Gaza continued throughout 2024.

**Netherlands:** During the military evacuations between 15 and 26 August 2021, 1,860 people were evacuated (both Dutch and Afghan nationals who worked for the Dutch government). Between 26 August 2021 and 12 September 2024, a total of 2,746 people were transferred from Afghanistan to the Netherlands. On 12 September 2024, 64 persons were still being considered for transfer to the Netherlands, but their transfer was deemed exceedingly difficult due to (most of) them not possessing a valid travel document.

In 2023 and 2024 there was also some political discussion regarding Afghan guards who worked for the Dutch military, the Dutch embassy or EUPOL and whose requests for evacuation were rejected. In October 2023 a critical evaluation report of the Dutch evacuation process was published. Subsequently, the Dutch







government announced in two letters of December 2023 that they would propose new criteria for the evacuation of the guards. In June 2024, they stated that they would transfer a group of guards working for the Dutch military and the Dutch embassy. They would not transfer the EUPOL guards. However, on 27 September 2024, the new Dutch government reversed its decision, confirming that neither the military nor the embassy guards would be transferred.

**Spain:** In December 2024, the organisation CEAR launched the campaign 'El abrazo más esperado' to raise awareness and advocate for family reunification, as one of the safe and legal pathways to obtain protection according to Spanish legislation.

At the beginning of 2024, Accem started running the Gaza Project, funded by the Directorate-General of Spanish Citizens Abroad and Return Policies of the Spanish Ministry for Inclusion, Social Security and Migration, and aimed at Spanish citizens returning from Gaza. In early 2024, the project involved a total of 119 people, mostly women (54%) and children (43%). Accem provides reception, legal assistance, Spanish lessons, access to the job market, as well as access to other services, with the aim of fostering their reintegration. As of 14 August 2024, 3 of the 119 persons had been granted subsidiary protection, one was granted international protection, and 18 applied for international protection, while the other four applied for residence permits and Spanish nationality. Twenty were left undocumented. However, it is important to note that, since the beginning of the project, the administrative situation of some beneficiaries has changed, or may change.

In June, following an appeal by the World Health Organisation, the Spanish Government announced it was planning to set up a special mechanism for the reception and health care of Gazan children affected by oncological pathologies or severe trauma resulting from the war, accompanied by their families or guardians. This is a coordinated action mechanism through the Emergency Response Coordination Centre, in which several ministries participate: the Ministry of Foreign Affairs, European Union and Cooperation; the Ministry of the Interior; the Ministry of Defence; the Ministry of Health; and the Ministry of Inclusion, Social Security and Migration. The MISSM (Ministry of Inclusion, Social Security and Migration), through the Directorate General of Migration Management of the Secretariat of State for Migration, will manage the reception and psychosocial care of children and their families in Spain, a task that has been entrusted to Accem under the Cunina Project ("Psychosocial care for families with children in need of urgent health care from Gaza"). The main objective is to promote the welfare of children and their families in Spain, guaranteeing the coverage of basic needs and psychosocial accompaniment, facilitating the development and provision of relevant social care. Accem will manage the provision of different services and actions for the children and their families: temporary shelter: accommodation, food and coverage of basic needs; comprehensive care: information and guidance, social accompaniment; psychological care; legal support; translation and interpretation services. Patients and their families arrived in Spain on 24 July 2024 from Cairo (Egypt), and the project is expected to last approximately three months. The project is aimed at a group of 12 Gazan families whose children require urgent health care due to serious pathologies (cancer patients and severe trauma). There are 43 people: 16 patients (15 children and one adult), and 27 accompanying persons. Patients will be cared for in hospitals in the regions of the Basque Country (Barakaldo and Donostia), Castilla-La Mancha (Toledo), Asturias (Oviedo), Navarre (Pamplona) and Madrid (Gómez Ulla Central Defence Hospital). Accem will accompany and provide psychosocial care to children and their families through specialised teams, coordinated from the organisation's headquarters in Madrid. By the end of 2024, Accem supported a total of 14 families.

In July 2024, a young Saharawi activist applied for asylum at Bilbao Airport. After his asylum application was rejected, the organisation CEAR appealed against the return order to Morocco he was issued, and supported him in applying for the statelessness status. Besides, the Ministry of Youth and Children asked the Ministry of Interior to grant him access to the territory for humanitarian reasons. After 14 days being detained at the airport, the young activist has been allowed to access the Spanish territory.





At the beginning of August, two Saharawi brothers living with disabilities were authorised to entry Spain from the airport transit area, after her layer challenged the rejection of their asylum applications.

### 15. Relocation (ad hoc, emergency relocation; developments in activities organised under national schemes or on a bilateral basis)

**Bulgaria:** No relocations were implemented in 2024.

**Cyprus:** In December 2021, following a visit by Pope Francis to Cyprus, 50 persons were relocated to Italy. Since then, the Vatican continues to relocate small numbers of asylum applicants from Cyprus, also in 2024.

**Poland:** The Polish government announced on 1 June 2023 that it will not cooperate with the mandatory migrant relocation scheme proposed in the EU Pact on Migration and Asylum. In April 2024, the new government expressed its support for this position.

### 16. National jurisprudence on international protection in 2023 (please include a link to the relevant case law and/or submit cases to the EUAA Case Law Database)

#### General

**Germany:** On 16 February 2023, the Federal Administrative Court ruled against the practice of screening applicants' smartphones, after the Gesellschaft für Freiheitsrechte (GFF, an NGO focused on strategic litigation for fundamental and civic rights) had filed several lawsuits.<sup>10</sup> The court ruled that the screening interferes with the fundamental right to guarantee the confidentiality and integrity of information technology systems and that it is not lawful when less severe means are available to the BAMF to establish applicants' identity, such as other certificates and documents (e. g. marriage certificates), register comparisons and inquiries with the translator about linguistic abnormalities. Nevertheless, the Federal Government has passed a law for 'improved removal' in January 2024 that shall enable authorities to read out mobile devices and thus disregards the ruling of the High Court.<sup>11</sup>

**Netherlands:** On 9 November 2023, the CJEU found that, to determine whether a case reaches the high threshold of '*serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict*' meriting subsidiary protection under Article 15(c) Qualification Directive, both the general situation in the area and the individual position and personal circumstances of each applicant need always be taken into account.<sup>12</sup> Following this judgment, the Regional Court of Den Bosch classified as a 'sliding scale' this concept that the more it appears that the individual situation of an applicant can increase the risk of becoming a victim of such 'indiscriminate violence', the lower the general level of violence in the area needs to be in order to merit subsidiary protection under Article 15(c)

<sup>10</sup> Federal Administrative Court, Case 1 C 19.21, 16 February 2023. A summary of the decision can be found at <http://bit.ly/40r5Jlh>. See also GFF, *BAMF-Handydaten-auswertungen*, available in German at: <http://bit.ly/3kVPBZo>.

<sup>11</sup> Recommendation for a resolution and report of the Committee on Home Affairs and Community (4th Committee) on the Federal Government's draft bill of the Act to Improve Removals (Entwurf eines Gesetzes zur Verbesserung der Rückführung (Rückführungsverbesserungsgesetz)), available in German at: <https://bit.ly/3T2zNT7>.

<sup>12</sup> CJEU, judgment in case C-125/22 *Staatsecretaris van Justitie en Veiligheid*, of 9 November 2023; available at: <https://curia.europa.eu/juris/document/document.jsf?text=&docid=279488&pageIndex=0&doclang=EN&mode=lst&dir=&oc=first&part=1&cid=27986651>.





Qualification Directive.<sup>13</sup> Following this judgment, two policy changes were made with respect to how Article 15(c) Qualification Directive is assessed in The Netherlands. First, the Minister determines whether an ‘international or domestic armed conflict’ exists in a region or country. Second, the magnitude of the conflict is classified in one of three levels of severity: (a) a conflict that reaches the threshold of Article 15(c) Qualification Directive on its own (‘pure’ 15(c) situation); (b) a ‘high level of indiscriminate violence’; or (c) ‘no sufficient high degree of indiscriminate violence’. The Minister initially decided to only apply the ‘sliding scale’ in the second level, essentially refraining from applying the ‘sliding scale’ if the conflict was said to have ‘no sufficient high degree of indiscriminate violence’. However, the Council of State ruled on 17 July 2024 that this extra threshold was unlawful, and that the ‘sliding scale’ the CJEU judgment appears to establish must be applied in all situations, no matter the severity of the indiscriminate violence.<sup>14</sup>

On 26 March 2024, the Council of State ruled that third country nationals with visa-free travel to the Netherlands are not exempted from the border procedure. The Council of State found such persons, by applying for asylum, are in fact requesting legal stay of more than 90 days in the sense of Article 6 (1) Schengen Borders Code. Therefore, they do not have legal stay and may be subject to the border procedure if they apply for asylum at the border.<sup>15</sup>

On 30 October 2024, the Council of State ruled that Ukrainian asylum applicants are not allowed to be subjected to the border procedure. This is due to the fact that border detention in the Netherlands is an implementation of Article 8(1)(c) Reception Conditions Directive, and that subparagraph 3 of this Article provides that this Directive is not applicable if the applicant is subject to the Temporary Protection Directive.<sup>16</sup>

**Spain:** In October 2024, the European Court of Human Rights condemned Spain for not adequately investigating and protecting a victim of human trafficking.<sup>17</sup>

#### Access to territory

**Germany:** On October 15, 2024 the European Court of Human Rights found in the case *H.T. v. Germany and Greece*, regarding the agreement with Greece, that the automatic removal of the applicant from Germany to Greece was unlawful, due in part to the lack of protections in administrative agreements like the Seehofer deal, which bypass essential safeguards for asylum seekers.<sup>18</sup> The Court underscored states’ obligations to ensure that asylum seekers are protected by legal safeguards before removal.<sup>19</sup> H.T., had filed a complaint against Germany and Greece in March 2019, arguing that his treatment and detention in Greece, along with his forced return by Germany, breached Article 3 (prohibition of torture and inhuman treatment), Article 5 (right to liberty), and Article 13 (right to an effective remedy) of the European Convention on Human Rights (ECHR).<sup>20</sup> The Court found Germany violated Article 3 by failing to inform H.T. about his removal's destination, legal basis, or appeal options, while also denying him access to legal counsel and translation services. The administrative agreement with Greece lacked necessary guarantees, and Germany failed to confirm that H.T.

<sup>13</sup> District Court of The Hague, sitting in ‘s-Hertogenbosch, judgment in cases NL20.16879 and NL20.16880, of 20 December 2023; available at: <https://uitspraken.rechtspraak.nl/details?id=ECLI:NL:RBDHA:2023:20195>.

<sup>14</sup> Council of State, ECLI:NL:RVS:2024:2927, 17 July 2024, available in Dutch at: <https://bit.ly/40mdLyn>.

<sup>15</sup> Council of State, ECLI:NL:RVS:2024:1228, 26 March 2024, available in Dutch at: <https://bit.ly/3DMMmwI>.

<sup>16</sup> Council of State, ECLI:NL:RVS:2024:4292, 30 October 2024, available in Dutch at: <https://bit.ly/4abBftr>.

<sup>17</sup> El Diario, ‘El Tribunal de Derechos Humanos condena a España por no investigar “de forma adecuada” la denuncia de una víctima de trata’, 10 October 2024, available [here](https://www.eldiario.es); European Court of Human Rights, ‘Judgment concerning Spain’, 10 October 2024, available [here](https://www.echr.coe.int).

<sup>18</sup> ECtHR, Application No 13337/19, *H.T. v. Germany and Greece*, 15 October 2024, available [here](https://www.echr.coe.int).

<sup>19</sup> Ibid., paras 141-151.

<sup>20</sup> Ibid., paras. 1-4.





would have effective access to asylum and not face human rights violations in Greece. H.T.'s detention conditions in Greece were also found to violate Article 3.<sup>21</sup>

**Greece:** In May 2024, the Court of Kalamata dismissed the charges held against the nine Egyptians survivors of the Pylos shipwreck.<sup>22</sup> The Court decided that Greek jurisdiction could not be established because the overcrowded trawler sank outside the country's territorial waters.

**Hungary:** On 13 June 2024 the CJEU ruled that Hungary failed to comply with the judgement and ordered to pay the European Commission a lump sum in the amount of EUR 200 000 000 and a penalty payment of EUR 1 000 000 per day until the date of compliance with the judgment.<sup>23</sup> Hungarian Government's reaction to the judgement was firm, they refuse to pay anything up to date and they did not make any changes in order to implement the judgement.<sup>24</sup>

In 2024, the ECtHR condemned Hungary in one collective expulsion case *M.D. and Others v. Hungary*.<sup>25</sup> The case differs from other cases, because the family was collectively expelled after their asylum procedure was officially over.

**Poland:** In May, Grupa Granica informed about a 31-year-old man who was pushed back despite having an injured leg. When he was apprehended by the Polish Border Guard, he received some medical assistance (the RTG was done, his leg was put into a medical splint), but then he was forced to go back to Belarus. Unable to move, he lay alone under the fence for a couple of days. Eventually, when the case became a topic of discussion in national media, the injured third-country national was admitted to Poland and taken to the hospital where he was operated.<sup>26</sup> The pushbacks of the third-country national were deemed unlawful by the court in March 2024.<sup>27</sup>

In a case decided in March 2024, the Voivodship Administrative Court in Białystok (case no. II SA/Bk 71/24) condemned pushbacks of an Ethiopian national who was firstly forced to go back to Belarus upon his release from the Polish hospital with a leg in a medical splint and a referral for a surgery. When he returned to Poland, he again was hospitalized and a cast was put on his leg. However, once more, he was pushed back to Belarus, despite his pleadings for asylum and inability to walk.<sup>28</sup>

**Spain:** In a decision issued in January 2024, the Supreme Court (*Tribunal Supremo*) established that Spanish authorities should have made an individual assessment on the returns of the unaccompanied migrant children that were collectively pushed back to Morocco in August 2021.<sup>29</sup>

In September, the Administrative Court nº 2 of Ceuta ruled against the return of an Algerian migrant to Morocco carried out by Spanish authorities without any administrative procedure. The Court decided that the person can return to Spain, be assisted by a lawyer and an interpreter, with the aim both of applying for

<sup>21</sup> Ibid., para. 162.

<sup>22</sup> Aljazeera, *Greece court dismisses charges against nine Egyptians over Pylos shipwreck*, 21 May 2024, available [here](#).

<sup>23</sup> CJEU, Judgment of the Court of 13 June 2024, European Commission v Hungary, C-123/22, available [here](#).

<sup>24</sup> <https://tinyurl.com/yj4626nn>, <https://tinyurl.com/58efcjc5>.

<sup>25</sup> ECtHR, *M.D. and Others v. Hungary*, Application No. 60778/19, Judgment of 19 September 2024, available [here](#).

<sup>26</sup> B. Rumieńczyk, 'Uchodźca z granicy polsko-białoruskiej nareszcie w szpitalu. Ale co z innymi wyrzuconymi za mur?', 8 May 2023, Oko.press, available in Polish [here](#).

<sup>27</sup> HFHR, 'Mężczyzna ze złamaną nogą wywieziony na granicę w bagażniku - kolejny wyrok stwierdzający bezskuteczność pushbacków', 11 March 2024, available in Polish [here](#).

<sup>28</sup> HFHR, 'Mężczyzna ze złamaną nogą wywieziony na granicę w bagażniku - kolejny wyrok stwierdzający bezskuteczność pushbacków', 11 March 2024, available in Polish [here](#).

<sup>29</sup> Tribunal Supremo. Sala de lo Contencioso, STS 114/2024 - ECLI:ES:TS:2024:114, 22 January 2024, available [here](#).





asylum or of undergoing the return administrative procedure.<sup>30</sup> A previous decision adopted by the same Court in January had already nullified the return to Morocco of a Moroccan migrant who arrived to Ceuta by sea.<sup>31</sup>

### Dublin procedure

**Ireland:** In February 2024, giving judgment in the case of *AC v. The International Protection Appeals Tribunal & Ors*, a case concerning the proposed return of an applicant to Spain pursuant to the Dublin III, Hyland J. noted that despite the large amount of litigation which Article 17 had generated, and the judicial observations made regarding the lack of any appeals procedure, it appeared that the position had not altered. It remained the case, according to the Judge, that no guidelines existed for applicants as to when they ought to make a request pursuant to Art 17, how to make such a request, the criteria to be considered in determining such a request, or the timeframe in which such a request ought to be decided. The judge further noted that 'given that there is a bifurcated system, it is surprising that the Minister has not identified how the two systems should operate in harmony to avoid undermining the aims of the Dublin III Regulation insofar as transfers are concerned.'<sup>32</sup>

### Suspension of Dublin transfers

**Netherlands:** On 9 October 2024, the Council of State reiterated its position, ruling that Dublin transfers to Croatia can be effectuated.<sup>33</sup>

On 13 March 2024, the Council of State ruled that transfers for single men to Belgium can continue. It found that even though there are significant problems with the Belgian reception facilities, since asylum applicants can find shelter at locations such as shelters for the homeless, the situation cannot be said to reach the threshold of the situation of severe material deprivation as outlined in the ECJ judgment *Jawo*.<sup>34</sup> Due to the recent developments in Belgium, the Council of State will decide on this matter once more. The case was handled on 10 December 2024, meaning the decision will be published in the coming months.<sup>35</sup>

On 29 February 2024, the CJEU ruled *inter alia* that Member States that wish to transfer an applicant must cooperate with the applicant in establishing the facts and/or verify the truth of those facts, and that if there is no formal proof, the requested Member State is to acknowledge its responsibility if the circumstantial evidence is coherent, verifiable and sufficiently detailed to establish responsibility.<sup>36</sup> While it, thus, becomes evident that there is a duty to cooperate, given the fact that the ruling of the CJEU focused on situations where a Dublin transfer is pending, the ruling has limited application to age assessments in general.

### Subsequent applications

**Germany:** On December 19, 2024, the European Court of Justice ruled on the conditions under which an asylum application qualifies as a subsequent application if a prior asylum application was filed in another EU

<sup>30</sup> Europa Press, 'Un juzgado de Ceuta declara nula la devolución a Marruecos de un migrante argelino', 17 September 2024, available [here](#).

<sup>31</sup> Europa Press, 'Un juzgado de Ceuta ya ha dictado dos veces como irregulares las devoluciones sumarias por mar', 17 September 2024, available [here](#).

<sup>32</sup> *AC v. The International Protection Appeals Tribunal & Ors* [2024] IEHC 77, 12 February 2024, available at: <https://tinyurl.com/ytytw64u>.

<sup>33</sup> Council of State, ECLI:NL:RVS:2024:4037, 9 October 2024, available in Dutch at: <https://bit.ly/42d4xG7>.

<sup>34</sup> Council of State, ECLI:NL:RVS:2024:896, 13 March 2024, available in Dutch at: <https://bit.ly/3U3FNKX>.

<sup>35</sup> Council of State, ECLI:NL:RVS:2024:4803, 22 November 2024, available in Dutch at: <https://bit.ly/4gRoDKB>.

<sup>36</sup> CJEU, ECLI:EU:C:2024:195, 29 February 2024, available in English at: <https://bit.ly/40sLR3M>.





member state.<sup>37</sup> The ruling was based on two preliminary reference cases submitted by the Administrative Court of Minden (VG Minden) concerning the interpretation of the term "subsequent application" under EU law. The ECJ clarified that a subsequent application under EU law requires a final decision (rechtskräftige Entscheidung) on the previous asylum procedure, regardless of the member state where the initial application was processed. A subsequent application can be deemed inadmissible if it follows a final rejection in another member state. However, the ECJ emphasised an important limitation: when an asylum procedure in another member state was discontinued due to implicit withdrawal (under Article 28 (1) of the Asylum Procedures Directive), the application in the second member state cannot be treated as a subsequent application unless the first state's decision has become final. This finality only occurs after the expiration of the reopening period for the case, which is at least nine months (Article 28 (2) of the Directive).<sup>38</sup> As a consequence, Germany's regulation on Zweitanträge (§ 71a AsylG) is generally compatible with EU law.<sup>39</sup> Applications following a final rejection in another member state can be considered subsequent applications and dismissed as inadmissible. However, if the previous procedure in another member state ended due to implicit withdrawal (e.g., the applicant leaving the country), German authorities cannot classify the new application as a subsequent application until the reopening period in the first state has expired. The ruling restricts Germany's ability to swiftly reject asylum claims based on prior procedures in other EU states unless the first procedure reached a final conclusion.<sup>40</sup>

The CJEU decided on 8 February 2024 that in general the exceptions under which a subsequent application to be declared admissible should be interpreted broadly.<sup>41</sup> More specifically, the court decided that CJEU rulings qualify as 'new elements' which may lead to a 'new legal situation' even if the only concern the interpretation of EU law.<sup>42</sup>

**Greece:** The 18th Appeals Committee, in its IP/783018/2024 Decision, upheld an appeal against the rejection of a subsequent application, interpreting the applicable legislation in alignment with CJEU Decision C-134/2023.

**Netherlands:** As all other asylum seekers, beneficiaries of international protection in Greece wait 15 months for their asylum application to be processed. The IND used to decide on their applications as if they were first-time applicants in The Netherlands. On 30 August 2023, following a preliminary reference to the CJEU from Germany,<sup>43</sup> the Dutch Council of State lodged an additional preliminary reference for the CJEU to clarify how to deal with an asylum application of a third country national who has already been granted international protection in Greece but who could face inhuman conditions there.<sup>44</sup> On 18 June 2024 the CJEU held that, where Member States cannot declare as inadmissible the asylum application of a recognized refugee in a second Member State because of the serious risk of the applicant being subject to ill-treatment there, the first Member State needs to conduct a full and up-to-date examination of the application.<sup>45</sup> Following this

<sup>37</sup> ECJ, Cases C-123/23, C-202/23, *N.A.K., E.A.K., Y.A.K, M.E.O. v. Bundesrepublik Deutschland*, 19 December 2024, available [here](#).

<sup>38</sup> For a brief summary of the decision in German see: Informationsverbund Asyl und Migration, 'EuGH zur Einstufung von Asylanträgen als Folgeantrag nach Asylverfahren in einem anderen europäischen Staat', 8 January 2025, available in German [here](#).

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

<sup>41</sup> CJEU, Case C-216/22, 8 February 2023, available at: <https://bit.ly/3TOGYLR>, 36.

<sup>42</sup> CJEU, Case C-216/22, 8 February 2023, available at: <https://bit.ly/3TOGYLR>, 44f.

<sup>43</sup> *QY v Bundesrepublik Deutschland*, C-753/22, 12 December 2022, CJEU case information available at: <https://bit.ly/48XiHfb> and *El Baheer v Bundesrepublik Deutschland*, C-288/23, request filed 3 May 2023, CJEU case information available at: <https://bit.ly/42n4Egc>.

<sup>44</sup> Council of State, ECLI:NL:RVS:2023:3275, 30 August 2023, available in Dutch at: <https://bit.ly/49j94XJ>; information at the CJEU level (case C-551/23) can be found at: <https://bit.ly/42wqfD5>.

<sup>45</sup> CJEU, C-753/22, *QY v Bundesrepublik Deutschland*, 18 June 2024, available at: [bit.ly/4fzrJKU](https://bit.ly/4fzrJKU).







CJEU judgment, the IND released an internal information message in which they recognised that the files of beneficiaries of international protection in other Member States who cannot return there have to be requested from the Member State in question.<sup>46</sup> The Dutch preliminary reference was subsequently stricken out of the CJEU's registry.<sup>47</sup>

### Reception conditions

#### Belgium:

**Court of Appeal Brussels, 23 January 2024:** The Court of Appeal of Brussels authorised a group of NGOs to proceed to the seizure of certain specific bank accounts of Fedasil, under certain conditions specified by the Court.<sup>48</sup> The NGOs announced that the amounts that would be seized following this authorisation – which could amount up to 2,9 million euros of penalties due by Fedasil – would be entirely used for the direct support of victims of the reception crisis. Fedasil appealed both this decision and the subsequent seizure of one of their bank accounts. The appeal against this decision led to another judgement of the Court of Appeal Brussels in June 2024. The appeal against the seize of one of the Fedasil bank accounts is still pending and judgement is expected in Spring of 2025. Until a decision has been taken in this last procedure, the amounts on the seized bank accounts remain frozen.

**Court of Appeal Brussels, 11 June 2024:** Fedasil appealed the decision of 23 January 2024, as it was delivered in first instance. The Court rejected this appeal, stating that the protection of public authorities against seizure of goods is not absolute.<sup>49</sup> Furthermore 'it is unacceptable that Fedasil, as a legal person of public order, which should set an example to those who are supposed to respect and execute the judicial decisions pronounced against it, is hiding behind the fact that, as a general rule, its bank assets cannot be seized in order to escape execution of the main sentence, which it is not voluntarily complying with. This is why the judge had to attach a sufficiently high penalty to the judgment to compel Fedasil to comply with the court orders against it'. Furthermore, the Court stated that by 'authorising the defendants to seize and detain Fedasil's bank funds, the Court did not hinder the continuity of the public service; on the contrary - in the very specific circumstances of the case - it indirectly supported and helped to re-establish the continuity of the service'.

**Council of State, 27 December 2024:** The Council of State suspended the instruction of the Secretary for Asylum & Migration that limited the right to reception for male applicants with a protection status in another Member State.<sup>50</sup> According to the Council, this instruction has a general scope and changes the legal system since it is not disputed that, before such a decision was taken, the category of persons referred to by that decision benefited from the material assistance. Such an act by the Secretary of State for Asylum and Migration is regulatory in scope and should therefore have been submitted to the Legislation Section of the Council of State. This did not happen and, therefore, the instruction violated the procedural framework. The Council of State did not pronounce itself on the legal grounds of the instruction.

**Greece:** Less than five months later, on 7 February 2024, the ECtHR once more granted interim measures in a case represented by the organisation I Have Rights, concerning yet again a single mother and her infant child (the applicants) in the **Samos** CCAC. The applicants had been detained upon arrival to the CCAC in degrading conditions, without an assessment of their vulnerabilities. They were forced to share a bunk bed with an unrelated adult man and were humiliated by being forced to remain in the same clothes for weeks

<sup>46</sup> IB 2024/37 Hofuitspraak beoordeling asielaanvraag statushouders, available in Dutch at: [bit.ly/4j2CTSm](https://bit.ly/4j2CTSm)

<sup>47</sup> CJEU, Order of 27 August 2024, case C-551/23 *Cassen*; available at:

<https://curia.europa.eu/juris/document/document.jsf?text=&docid=289963&pageIndex=0&doclang=FR&mode=req&dir=&occ=first&part=1&cid=27992783>.

<sup>48</sup> Court of Appeal Brussels, 2024/QR/3, 23 January 2024, available in French [here](#).

<sup>49</sup> Court of Appeal Brussels, 2024/AR/423, 11 June 2024, available in French [here](#).

<sup>50</sup> Council of State, 261.887, 27 December 2024, available in French [here](#).





on end. They were also without access to medical treatment and relied on others to collect food on their behalf due to fears for their safety, as the line for food was hours long, with fights often breaking out. Additionally, the mental health of the woman rapidly deteriorated since arriving to the CCAC and there were concerns as to the health of the infant who had not been provided with a cot, toys, sufficient diapers or access to medical checkups. The Court ordered the Greek authorities to urgently accommodate the applicants in a safe and suitable accommodation and to ensure they are provided with adequate food, water, clothing and medical care.<sup>51</sup>

in the recent case of *T.K. v. Greece* (Application no. 16112/20) of 18 January 2024 represented by Refugee Law Clinic Berlin (Germany) and supported by I Have Rights (Samos), the ECtHR held that there has been a violation of articles 3 and 8 of the ECHR in the case of an unaccompanied child on Samos, whose wrong registration as an adult and the failure to correct his age violated his right to respect for private and family life (article 8 ECHR). Moreover, according to the Court, the living conditions of the applicant amounted to inhumane and degrading treatment, in violation of article 3 of the ECHR.<sup>52</sup>

On 3 October 2024, the European Court of Human Rights (ECtHR) convicted Greece for violation of Articles 3 (prohibition of inhuman and degrading treatment), 5&1 (right to liberty and security) and 5&4 (right to apply to a court) of the European Convention on Human Rights (ECHR), for the violations suffered in 2019 by two unaccompanied minor sisters from Afghanistan, who were found, despite their apparent vulnerability as minor girls, homeless and subsequently detained in an adult women's cell under "protective custody" at the Pre-removal Detention Centre of Taurus<sup>53</sup>.

**Ireland:** Separately, a landmark judgment was delivered by the High Court on the 1<sup>st</sup> August 2024 in the case of *The Irish Human Rights and Equality Commission v. The Minister for Children, Equality, Disability, Integration and Youth of Ireland*.<sup>54</sup> The proceedings were instigated by the Irish Human Rights and Equality Commission in accordance with their powers established pursuant to s. 41 of the Irish Human Rights and Equality Commission Act 2014.<sup>55</sup> Section 41 of the 2014 Act permits the Irish Human Rights and Equality Commission to seek relief of a declaratory or other nature in respect of any matter concerning the human rights of any person or class of persons, and was the first time the Commission had utilised this legal power since its establishment. The legal action instigated by IHREC sought to compel the State to fulfil its legal obligations to provide for the basic needs of IP applicants, including the provision of shelter, food and access to basic hygiene facilities. It also seeks declarations from the Court that the failure to provide for the basic needs of IP applicants breaches the human rights of the people affected. Giving judgment, O'Donnell J. concluded: "applicants for international protection in the State have a well-established fundamental right to have their human dignity respected and protected, including by being provided with an adequate standard of living which guarantees their subsistence and protects their physical and mental health where they do not have sufficient means to provide for themselves." The Court was thus satisfied that the State's response to the needs of IP applicants who were acknowledged to be without accommodation was inadequate to the point that the rights of the class of person concerned were breached, having regard for Article 1 of the Charter of Fundamental Rights of the European Union. The Court further noted the CJEU's judgments in *Saciri* and *Haqbin*, in which it concluded that a failure to provide for the basic needs of applicants amounts to a breach

<sup>51</sup> I Have Rights, *Degrading conditions in Samos CCAC: The European Court of Human Rights grants Interim Measures*, 7 February 2024, available at: <https://tinyurl.com/yac4cmuc>.

<sup>52</sup> I Have Rights, *European Court of Human Rights Condemns Greece's Treatment of an Unaccompanied Child on Samos*, 18 January 2024, available at: <https://bit.ly/44dJNng>.

<sup>53</sup> ECtHR case of T.S. and M.S. v. Greece, judgement of 3 October 2024, application no 15008/19.

<sup>54</sup> *The Irish Human Rights and Equality Commission v. The Minister for Children, Equality, Disability, Integration and Youth of Ireland* [2024] IEHC 493, available at: <https://tinyurl.com/4nekxszv>.

<sup>55</sup> Irish Human Rights and Equality Commission Act 2014, s.41.





of their right to human dignity. Subsequently, in November 2024, it was announced that the State had lodged an appeal against the decision of the High Court.<sup>56</sup>

**Netherlands:** In 2024, the Council of State ruled, for the first time, on the question of the Enforcement and Supervision Location (HTL) and Article 5 ECHR.<sup>57</sup> The Council of State ruled that the placement of individuals in the HTL does not lead to deprivation of liberty, but merely to a restriction of freedom. More so, it held that even placement in the so-called ROV-room, that is used as a punishment within the HTL, does not lead to deprivation of liberty.<sup>58</sup>

On 1 March 2024, the Regional Court Groningen ruled that the placement of asylum applicants with low-prospect applications in the PBL constituted a restriction on the freedom of movement, as it requires the applicants' presence at the fenced-off location every day, at almost all times (all day and night except for seven to eight o'clock in the morning and ten to eleven o'clock in the evening), throughout the entire asylum procedure.<sup>59</sup> The Court found no legal basis for such restrictions, and emphasised that Article 7(1) of the Reception Conditions Directive could not provide a legal basis for the restriction of freedom of movement, as it requires asylum applicants to have freedom of movement within a designated area that respects their private life and provides access to necessary facilities. The Court also noted potential infringements on fundamental rights, including the freedom of movement (Article 2 of Protocol 4 ECHR), the right to private life (Article 8 ECHR) and possibly the right to liberty (Article 5 ECHR). Following this ruling, the State Secretary announced that no asylum applicants will be placed in PBLs for the time being.<sup>60</sup> However, the Minister has announced that the PBL will be continued in an adapted version. In the new version of the PBL, there will be more freedom of movement: applicants will no longer be required to be present at the fenced-off location all day but will have to report to COA on location twice a day.<sup>61</sup> The Minister intends to start implementing the new PBL when the occupation at Ter Apel has been lower than the allowed 2,000 people for at least a month.<sup>62</sup>

### Access to the labour market

**Sweden:** In September 2024, The Migration Court of Appeal ruled in case MIG 2024:9, where a man without permission to stay in Sweden was found during a workplace inspection and taken into custody. He held a residence permit in Greece. The Migration Court of Appeal ruled that the man posed a threat to public order due to suspicions he was working without a work permit, and decided he could be deported without being encouraged to voluntarily return to Greece.. The court argues that employing foreign nationals without work permits contributes to unfair competition in the labour market and poses broader societal issues. It concludes that such employment generally threatens fundamental societal interests, including a regulated labour market, controlled immigration, and a well-functioning welfare system. Consequently, a foreign national working without a permit can be deemed a threat to public order without the need for an in-depth individual assessment. This ruling broadens the concept of threats to public order and security and therefore it risks deviating from EU case law, which requires that such a threat must be real, current, and sufficiently serious.

<sup>56</sup> Irish Human Rights and Equality Commission, 'State has appealed High Court judgment that it breached the right to dignity of unaccommodated International Protection Applicants', 19 November 2024, available at: <https://tinyurl.com/vy5wjr83>.

<sup>57</sup> Council of State, ECLI:NL:RVS:2024:3565, 11 September 2024, available in Dutch at: <https://bit.ly/3ZRVcs1>.

<sup>58</sup> Council of State, ECLI:NL:RVS:2024:3564, 11 September 2024, available in Dutch at: <https://bit.ly/4fo8HOC>.

<sup>59</sup> Regional Court Groningen, ECLI:NL:RBDHA:2024:2653, 1 March 2024, available in Dutch at: <https://bit.ly/3WIkgeg>.

<sup>60</sup> RTV Noord, 'Geen hoger beroep in uitspraak strengere opvang overlastgevers Ter Apel', 12 March 2024, available in Dutch at: <https://bit.ly/3WmFgp5>.

<sup>61</sup> Stcrt 2024, nr. 32244, available in Dutch at: <https://bit.ly/3PBmd6U>.

<sup>62</sup> Minutes of the Parliamentary debate on Vaststelling van de begrotingsstaat van het Ministerie van Asiel en Migratie (XX) voor het jaar 2025, 7 November 2024, unofficial transcript available in Dutch at: <https://bit.ly/3PCJaXq>.





## Detention

**Cyprus:** In 2023, the Supreme Court again ordered the release of a Syrian asylum applicant who was detained for 1 year for reasons of ‘national security or public order’ based on indications that he was a member of a terrorist organisation. The Court found that no actions had been taken by the authorities to investigate or support these claims and neither were any steps taken to examine his asylum application. The Court found the duration of his detention to have been unreasonably prolonged and therefore unlawful and ordered his immediate release.<sup>63</sup> Similar cases have been brought before the Supreme Court in 2024, where the Court found once again that no actions had been taken by the authorities to either investigate or support claims and neither had any steps been taken to examine the detainee’s asylum application.<sup>64</sup>

Regarding the holding facilities at Larnaca and Paphos International Airports, the conditions of detention in both holding facilities are considered only acceptable for holding persons for a few hours as repeatedly stated in reports by the national Ombudsman and the CPT.<sup>65</sup> However, in 2024, cases were still reported of persons including asylum applicants being detained at the airports for periods reaching weeks and months.<sup>66</sup> The authorities consider that detainees cannot be moved to another detention facility as they have been refused landing and entry into the territory.<sup>67</sup> In 2024, in a habeas corpus application brought before the Supreme Court challenging the detention of an asylum supplicant detained at Larnaca Airport due to refused entry, the Court found that the detention had been illegal from the submission of an asylum application, as there was no detention order under the Refugee Law and the applicant was denied their rights as an asylum applicant.<sup>68</sup>

In 2024, the ECtHR found Cyprus to have violated Article 5(4) for the detention of a Moroccan asylum applicant.<sup>69</sup> The case concerned a Moroccan national who entered Cyprus irregularly and subsequently lodged an application for asylum. He was flagged for suspicion of involvement in terrorism-related operations in support of a terrorist group or organisation and was considered to be a danger to public order and national security and was issued a detention order on these grounds. The applicant complained to the ECtHR that his detention violated Article 5(4) of the Convention. The Court noted that there was nothing to suggest that the applicant’s lodging of the appeal or subsequent conduct caused delays in its examination and that the inactivity of the proceedings was therefore entirely attributable to the authorities. It reiterated that where an individual’s personal liberty is at stake, there are strict standards for the State’s compliance with the requirement of a speedy review of the lawfulness of detention. The Court found that as nine months had passed since the day the applicant lodged the appeal until his release with no significant activity in the proceedings, the appeal proceedings were not conducted “speedily” within the meaning of Article 5 (4) and that therefore there had been a violation of this provision.

<sup>63</sup> Supreme Court, Application 101/2023, 15 September 2023, available in Greek at: <https://tinyurl.com/5a73w5fz>.

<sup>64</sup> Supreme Court, Application 183/2024, 5 December 2024, available [here](#).

<sup>65</sup> Ibid.

<sup>66</sup> Ombudsman/Commissioner for Administration, *Report on the visit dated 22 November 2024 to the detention area in Larnaca Airport of persons who were not allowed to enter the Republic*, 28 November 2024, available in Greek [here](#). See also, Philenews, *Commissioner for Administration: Immediate transfer of the African couple detained for two months at Larnaca airport*, 28 November 2024, available in Greek [here](#).

<sup>67</sup> Cyprus Government, *Response of the Government of Cyprus to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Cyprus in 2017*, available at CPT/Inf (2018) 17.

<sup>68</sup> Supreme Court, Application AP. 224/2024, 23 January 2025, available [here](#); Philenews, *The foreigner who was confined at Larnaca airport is free – What did the Supreme Court decide?*, available [here](#).

<sup>69</sup> K.A. v. Cyprus (Application No. 63076/19), 2 July 2024, available [here](#).





In 2024, the IPAC issued decisions in cases of detained asylum applicants concluding that no sufficient evidence was found from which it can be properly demonstrated that the applicant constitutes a real, present and sufficiently serious threat to the fundamental interest of society.<sup>70</sup>

**Greece:** In the ECtHR judgment of 15 October 2024 in *H.T. v Germany and Greece*, supported by GCR, the Court found again a violation of Article 5(4) ECHR due to the lack of effective examination of the detention by the domestic court following the “objections against detention” submitted by the applicant.<sup>71</sup> This case law of the ECtHR illustrates that the amendment of the national legislation cannot itself guarantee an effective legal remedy in order to challenge immigration detention, including the detention of asylum applicants.<sup>72</sup>

In a number of 2024 rulings on Objections against detention, competent Courts made no assessment of the impact of the suspension of removal on the lawfulness of detention and, instead, sometimes held that “*it is not proven that the suspension [of the readmission] procedures will continue up to the time that the maximum detention time limit set by article 30 L. 3907/2011*”.<sup>73</sup> In other cases, also ruled upon in 2024, competent Courts expressly acknowledged that the suspension of readmissions to Türkiye made the continuation of the detention measure unlawful.<sup>74</sup>

**Hungary:** In 2024, the ECtHR issued three judgements concerning asylum detention, finding violation of Article 5(1) in all of them.

**Spain:** In February 2024, a judge decided to release a Senegalese migrant who had been detained for almost 60 days for allegedly having driven illegally a boat to the Canary Islands, by declaring him as a minor. The child had declared to be a minor and provided his birth certificate to competent authorities; regardless, he had been assessed as an adult after age assessment procedure.<sup>75</sup> The Ombudsperson of the Canary Islands opened an investigation to clarify the situation occurred, and urged the Government of the archipelago to carry out in an immediate timeframe since the arrival.

In October, the High Court of Justice of Madrid condemned the Minister of Interior for violating the right of providing public information in time on the figures regarding internments at CIEs and for the lack of transparency on the data regarding such a topic.<sup>76</sup>

**Sweden:** In 2024, the Migration Court of Appeal found that the appointment as a public counsel for a detained person not only includes the question of detention but also the action of appealing a decision regarding a body search.<sup>77</sup>

## Registration

<sup>70</sup> O.A. v. Civil Registry and Migration Department, DK 10/2024, 25/7/2024, available [here](#); A.O.L. v. Civil Registry and Migration Department. DK 22/2024, 17/9/2024, available in Greek [here](#).

<sup>71</sup> ECtHR, *H.T. v Germany and Greece*, application no. 13337/19, 15 October 2024, paras. 104-109.

<sup>72</sup> For the time being there are also two pending case before the Court where an issue under the Article 5(4) ECHR has been raised, see ECtHR, *M.S.J.J. v. Greece*, application no. 51975/17, communicated on 5 February 2024; *K.A. and others v. Greece*, App. no. 43784/20, communicated on 27 November 2023.

<sup>73</sup> Administrative Court of Corinth, Decision AP2808/2024, 10 March 2023.

<sup>74</sup> Administrative Court of Kavala Decision AP394/24-05-2024, Administrative Court of Corinth, Decision Π2087/25-4-2024, Administrative Court of Rhodes, Decisions AP15/08-03-2024, AP41/18-07-2024, AP48/09-08-2024, AP71/20-11-2024.

<sup>75</sup> El Diario, ‘El juez ordena la inmediata puesta en libertad de un migrante senegalés tras dos meses en prisión al acreditarse que es menor’, 16 February 2024, available [here](#).

<sup>76</sup> Servicio Jesuita a Migrantes, ‘Una sentencia condena al Ministerio del Interior por no facilitar información pública sobre los CIE’, 15 October 2024, available [here](#).

<sup>77</sup> Migration Court of Appeal, MIG 2014:15, 17 December 2024, available in Swedish [here](#).





### First instance procedure

**Cyprus:** In a judgment issued by the IPAC in 2024, reservations were expressed about the use of the Difference-Shame-Stigma-Harm (DSSH) model, where the judge stated ‘that the DSSH model, while offering a structured approach, can limit understanding of the complexity of applicants’ experiences if it is not applied with sensitivity to cultural differences and the unique experiences of each individual. This is because it implicitly imposes a fixed pattern that everyone, regardless of culture or knowledge of sexual orientation concepts, will experience in the development of their sexual identity’.<sup>78</sup>

**Netherlands:** On 10 July 2024, the Council of State submitted additional preliminary questions to the CJEU, requesting clarification regarding the legality and requirements of subsequent extensions and the efforts of the deciding authorities in reducing the capacity problems.<sup>79</sup> These questions have been referred to the CJEU<sup>80</sup> vis-à-vis the first extension, but the answers are also relevant for the second extension in 2023 (WBV 2023/3) and the last extension (2023/26) concerning 2024.

On 12 December 2024, Advocate General Medina issued her opinion, suggesting that the six-month time limit for deciding can only be extended by nine months if the number of applications increases in a rapid tempo, which results in a rapid increase in this number, excluding a more gradual increase of the number of applications. Other circumstances cannot be considered when extending the time period, as the increase must undoubtedly be the result of an increase of the number of applications.<sup>81</sup>

In 2024, the District Court of Roermond has been critical towards the IND as far as the usage of the medical advice by MediFirst prior to the interview is concerned.<sup>82</sup> The District Court concluded that when medical limitations were established, these limitations were not explicitly included in the assessment of the credibility of the asylum story. The Court criticized the way the IND assessed the credibility of the statements of the asylum applicant without the advice of MediFirst on how to take the established medical limitations into account. This critique is fundamental because the Medical advice by MediFirst is not just an advice on the question of an asylum applicant is capable of being interviewed by the IND, but also an advice on how medical limitations should be taken into account in the decision-making process by the IND. According to the District Court, a MediFirst medical advice does not address the issue of how limitations should count when judging one's credibility, and as an instrument it is therefore somehow flawed. The Court urged (a) MediFirst to include in its advice aspects of the impact of established limitations on the credibility of a given statement, and (b) the IND to have a better understanding of the relationship between medical limitations and the credibility assessment.

### Safe country concepts

**Greece:** *On Friday 4 October 2024, the CJEU, in line with the Advocate's General Opinion,<sup>83</sup> ruled that Member States cannot issue a decision rejecting an asylum application as inadmissible on the basis of the concept of a*

<sup>78</sup> IPAC, Case no. 1243/2022, C.F.N.S v. Asylum Service, Decision issued 25 September 2024, available in Greek [here](#).

<sup>79</sup> Council of State, ECLI:NL:RVS:2024:2829, 10 July 2024, available in Dutch at: <https://bit.ly/4j3Jc83>.

<sup>80</sup> The case is registered before the CJEU under Case Number C-662/23, , *Zimir*, the progress of which can be followed [here](#).

<sup>81</sup> CJEU, Conclusions of the Advocate General, ECLI:EU:C:2024:1028, *Zimir*, 12 December 2024, available at: <https://bit.ly/3PtMpQK>.

<sup>82</sup> Court of Roermond 13 September 2024, - NL23.11884 - ECLI:NL:RBDHA:2024:14610, available in Dutch at <https://bit.ly/40Lkanf>; 19/01/2024, Court of Roermond - NL22.15449 - ECLI unknown, not published on rechtspraak.nl, available in Dutch solely on Vluchtweb; Court of Roermond 4 October 2024, NL22.25858 - ECLI:NL:RBDHA:2024:15988, available in Dutch at <https://bit.ly/42g9car>; <https://bit.ly/3DUXY0d>.

<sup>83</sup> See Opinion of the CJEU Advocate General in Case C-134/23, available [here](#).







"safe third country" in cases where they have established that the asylum seeker will not be allowed to enter the territory of a country designated as safe. The Court accepted, however, that a country may be listed as a safe third country even if, despite its legal obligation, that third country has, in general and without any prospect of a contrary development, suspended the admission or readmission of those applicants to its territory. Therefore, the decision on the existence or not of the possibility of readmission to the third country, in this case Türkiye, becomes a prerequisite at the stage of issuing the decision on the asylum application and not at the stage of its execution, as has been the practice by asylum examination authorities in Greece, up to the present.<sup>84</sup>

**Netherlands:** Up until October 2024, certain regions could also be excluded from the safe country of origin designation, such as Jammu and Kashmir in India.<sup>85</sup> However, the CJEU ruled in *CV v. Czechia* that a country could only be designated as a 'safe country of origin' if the entire territory fulfilled these requirements.<sup>86</sup> This led to countries with exempted regions, meaning India and Georgia, to be removed from the list.<sup>87</sup> Asylum applicants from those countries will thus forth be handled in Track 4.

In 2024, the Council of State ruled that Türkiye should not have been applied as safe third country in a Uyghur case.<sup>88</sup> The Council ruled that the IND should first establish whether the country is a safe third country in general and only then individual circumstances such as strong residence permits can be taken into account.

#### Differential treatment of nationalities in asylum procedures

**Netherlands:** The Council of State ruled on 14 August 2024 that the Dutch policy regarding Syrians who have returned to Syria before entering the Netherlands is correct.<sup>89</sup> For this group, the presumption that Syrians run a real risk of serious harm does not apply.

**Spain:** In January 2024, the Supreme Court (*Tribunal Supremo*) urged the immediate transfer of eight Afghans from Pakistan to Spain, who were already granted a safe conduct by the Spanish Ministry of Foreign Affairs and were waiting for their transfer since 2021.<sup>90</sup>

During the last months of 2024, the National Court (*Audiencia Nacional*) obliged different Spanish embassies to facilitate the transfer to Spain of Afghans (mainly women) fleeing from the Taliban regime.<sup>91</sup>

#### Age assessment procedures

**Bulgaria:** In December 2023 a bilateral Age Assessment Instruction, was formally adopted by SAR and State Agency for Child Protection (SACP) and published in December 2023. The instruction, entered into force on 1 March 2024, introduced a structured multi-disciplinary age assessment rules and procedures and is the first ever formally adopted one in the European context. The Age Assessment Instruction was widely endorsed by all national stakeholders, including UNHCR and UNICEF. However, in 2024, the SAR continued to use

<sup>84</sup> See Judgment of the CJEU in Case C-134/23, available [here](#). See also GCR, *Joint Press Release, CJEU ruling on the concept of "safe third country"*, 8 October 2024, available [here](#).

<sup>85</sup> Aliens Circular, paragraph C7/1.2.

<sup>86</sup> CJEU, Case C-406/22, *CV v. Czechia*, 4 October 2024, available at: <https://bit.ly/40tzRzc>.

<sup>87</sup> IND, Information Message 2024/61 Arrest Hof van Justitie veilige landen van herkomst, India en Georgië niet langer aangemerkt als veilig land, 9 October 2024, available in Dutch at: <https://bit.ly/42dERt4>.

<sup>88</sup> Council of State, ECLI:NL:RVS:2024:1879, 6 May 2024, available in Dutch at: [bit.ly/41Sj75F](https://bit.ly/41Sj75F).

<sup>89</sup> Council of State, ECLI:NL:RVS:2024:3175, 14 August 2024, available in Dutch at: <https://bit.ly/4gSlFp3>.

<sup>90</sup> La Razón, 'El TS ordena a la embajada española en Pakistán el traslado urgente de ocho afganos que tienen un salvoconducto de Exteriores', 9 February 2024, available [here](#).

<sup>91</sup> El Confidencial Digital, 'Mujeres afganas fuerzan en los tribunales poder viajar a España para huir de los talibán', 31 December 2024, available [here](#).





predominantly X-ray medical age assessment, which was conducted in 34 cases, in 1 of them (3%) concluding that the applicant was an adult. Under the Age Assessment Instruction, the medical assessment ought to be conducted only if and when the non-medical ones failed to reach a conclusion about the age of the applicant. Just 3 non-medical assessments were conducted by the SACP's age assessment teams in 2024, all of them concluding applicants to be underage. Thus, despite the adoption of the instruction, the SAR overwhelmingly continued to conduct the age assessment by means of X-ray expertise of the wrist bone structure and without any evidence of prior consent by the children's representatives. Reports from medical organisations consider the X-ray as invasive but, more importantly, inaccurate with an approximate margin of error of 2 years.

**Germany:** On April 9, 2024, the Supreme Administrative Court Baden-Württemberg ruled that minors undergoing age assessments for asylum must be appointed an independent procedural representative.<sup>92</sup> The court emphasised the importance of age assessments in determining the applicability of the UN Convention on the Rights of the Child (UNCRC) and safeguarding the child's best interests and right to be heard.<sup>93</sup>

**Greece:** The persisting administrative *contra legem* treatment of persons in a pending age assessment procedure as adults was noted also in 2024, with a court decision clarifying that this is a malpractice in contrast to what law stipulates. In a GCR case, a child had been detained for three months in a Pre-Removal Detention Centre together with adults unknown to him, under conditions completely unsuitable for children and with no access to a guardian, given that he was treated as an adult.<sup>94</sup>

**Netherlands:** On 9 October 2024, the Council of State issued an important ruling on age assessments, finding that the Government is precluded from basing an age assessment on the principle of mutual trust when the applicant is registered as being of another age in another Member State.<sup>95</sup> According to the Council of State, the use of age registrations in other Member States is not governed by EU law and is, therefore, not subsumed in the principle of mutual trust. While the Government is permitted to use other Member States' age registrations as evidence in the age assessment, such evidence has to be assessed in light of all other available evidence. The Minister has announced that Working Instruction 2023/6 on age assessments will be amended pursuant to this ruling. As of the moment of drafting this report, no such amendments have been made.

On 14 February 2024, the Council of State importantly found that minors who have wrongfully been placed in a reception facility for adults are allowed to sue for psychological damages.<sup>96</sup> On 15 May 2024, the Council of State found that there should be a legal remedy against decisions to transfer a minor from a reception facility for minors to a facility for adults pursuant to an age assessment finding that this person has reached the age of majority.<sup>97</sup> On 18 December 2024, however, the Council of State ruled that a decision to amend the age of the applicant pursuant to an age assessment where a final decision on the asylum application has not been made is not open to legal remedies because, *inter alia*, this assessment can be challenged in the final decision.<sup>98</sup> In addition, decisions by third organisations based on the initial assessment in the asylum procedure (for example, by institutions of education) can be challenged separately with these third organisations.

**Spain:** In February 2024, the UN Committee on the Rights of the Child urged Spain to transfer to a minors' reception facility a 14-year-old unaccompanied child from Gambia who had been living on the street for four

<sup>92</sup> Higher Administrative Court Baden-Württemberg, decision 12 S 77/24, 9 April 2024, available in German [here](#).

<sup>93</sup> Ibid.

<sup>94</sup> For more information, see GCR's Press Release, *Children, even alleged ones, are not to be detained. A recent decision of the Administrative Court of Athens safeguards the rights of children and persons under age assessment procedure in Greece*, 2 May 2024, available [here](#).

<sup>95</sup> Council of State, ECLI:NL:RVS:2024:3992, 9 October 2024, available in Dutch at: <https://bit.ly/4gQ00mf>.

<sup>96</sup> Council of State, ECLI:NL:RVS:2024:613, 14 February, 2024, available in Dutch at: <https://bit.ly/4adQFxm>.

<sup>97</sup> Council of State, ECLI:NL:RVS:2024:2011, 15 May 2024, available in Dutch at: <https://bit.ly/4gQdz0g>.

<sup>98</sup> Council of State, ECLI:NL:RVS:2024:5256, 18 December 2024, available in Dutch at: <https://bit.ly/4gWixsw>.





days in the Autonomous Community of Madrid. Despite providing his birth certificate, his passport and his childlike appearance, he was treated as an adult and left in a situation of abandonment.<sup>99</sup>

### Residence permits

**Belgium:** In a judgment of 24 January 2024, the CALL annulled a decision of the Immigration Office refusing a humanitarian visa to the adult sister of an Afghan unaccompanied minor with international protection in Belgium. According to the CALL, the Immigration Office did not sufficiently consider the country-of-origin information regarding the situation of unmarried single Afghan women and their strongly deteriorated situation after the takeover of power by the Taliban. The CALL considers this information important to assess whether there is a situation of dependency in the sense of Article 8 ECHR between the sister and her family staying in Belgium. Thus, the CALL finds that, by not considering this information, the Immigration Office has violated the duty of care and Article 8 ECHR.<sup>100</sup>

In a ruling of 2 February 2024, the Brussels Court of first instance established that the Belgian state had to allow a Palestinian family in Gaza to apply for humanitarian visas using all possible telecommunication means, exempting them in the first phase of introducing the application from an in person appearance in the embassy, and exempting them from providing documents that they cannot obtain in the current context in Gaza.<sup>101</sup>

**Sweden:** In June 2024, The Migration Court of Appeal ruled in case MIG 2024:4, where a man applied for permanent residence in Sweden in April 2023 after holding residence permits as a family member (2017-2021) and worker (2022-2024). To qualify for permanent residency, one must have lived in Sweden for at least five uninterrupted years with a valid residence permit. The Migration Court of Appeal referred to preparatory works, stating that "legally settled" means residing in Sweden with a residence permit, right of residence, or permanent right of residence. The Migration Court of Appeal stated in its ruling that the time between granted residence permits should not be considered if the permits are based on different grounds, even if the individual has remained legally in the country during the processing of their new residence permit application. The ruling effectively means that an individual cannot apply for long-term resident status unless they have held residence permits on the same grounds for five consecutive years, raising concerns about its alignment with EU law.

### Family reunification

**Netherlands:** In its judgement of 20 November 2024, the Council of State ruled that a broken family tie between a parent and child may be restored. In particular, it found that the policy of the IND that a broken family tie between parents and children could never be restored for the purpose of falling under the favorable framework for family reunification of beneficiaries of international protection was not in accordance with the Family Reunification Directive and CJEU case law interpreting the concept of real family life.<sup>102</sup>

**Sweden:** In May 2024, the Migration Court of Appeal ruled in case MIG 2024:3, where a woman's application to reunite with her husband had been rejected because she was under 21 years old. The court stated that it is sufficient to establish that one of the spouses is under 21 to deny the application. There is no requirement

<sup>99</sup> El Diario, 'El menor gambiano que ha acudido a la ONU tras acabar en la calle en España: "Me sentí solo y distinto a los otros"', 23 February 2024, available [here](#); El Diario, 'La ONU exige a España que acoga a un niño migrante de 14 años abandonado en Madrid en la calle desde hace 4 días', 15 February 2024, available [here](#).

<sup>100</sup> CALL, Decision N° 292036, 17 July 2023.

<sup>101</sup> Brussels Court of First Instance, Decision 2023/323/C of 2 February 2024, available in French via <https://bit.ly/4angpq4>.

<sup>102</sup> CJEU, judgment in case C-279/20 XC, of 1 August 2022; available at: <https://curia.europa.eu/juris/document/document.jsf?text=&docid=263723&doclang=EN>.





to prove that the marriage was entered under coercion or that rejection is necessary to prevent poor integration. The decision risks leading to overly simplified assessments. The ruling lacks, among other things, an assessment of compliance with international conventions and references to EU law.

In 2024, the ECtHR gave three judgments regarding the application of the maintenance requirement in Sweden.

In the ECtHR case *Dabo v. Sweden* (App. No. 12510/18), of 18 January 2024, the ECtHR found no violation of Article 8 concerning an application for family reunification submitted by an applicant from Syria with refugee status in Sweden. His wife and five children were rejected by Swedish migration authorities because he did not fulfil the maintenance requirement. The applicant argued that in reality hardly anyone could meet the maintenance requirement as it was applied. The ECtHR found that the decision to deny the family residence permit did not violate the principle of the best interests of the child nor Article 8 of the ECHR.

In the ECtHR case, [Okubamichael Debru v Sweden, 49755/18, 25 July 2024](#). The ECtHR found no violation of Article 8 concerning an application for family reunification submitted by an applicant from Ethiopia in Sweden. The court noted that the refusal of family reunification was justified because the maintenance requirement was not fulfilled and the applicant applied outside the three months exemption period, thus the national authorities duly assessed the circumstances of the case. The applicant invoked difficulties to fulfil income requirement due to his health status and age. The Court found that there were no exceptional reasons to be exempted from the financial requirement. Thus, the Court found that national authorities struck a fair balance between the private interest of the applicant and the state interest to control immigration and found no breach of Article 8 of the ECHR.<sup>103</sup>

In the ECtHR case *DH and Others v Sweden* (App. No. 34210/19), of 25 July 2024, the ECtHR found no violation of Article 8 concerning an application for family reunification submitted by an applicant with refugee status in Sweden, a woman with disabilities. The Court noted that the applicant's mobility was reduced to some extent, that she was unable to perform some kinds of work, including hard physical labour, and that she did not succeed in finding employment in the period from when she was granted a residence permit, until the decision to refuse family reunification became final. However, the Court found that the applicants had not submitted any substantiation of their claim that the applicant was disabled to such an extent that she was unable to work, or that she had applied for work in vain. The Court found that the refusal of family reunification was justified because the maintenance requirement was not fulfilled.

### Access to a travel document

**Greece:** In 2024, the Council of State ruled on a case of a Turkish recognised refugee, whose application for the issuance of travel document was refused. In particular, the Court observed that Article 25(1) L. 4636/2019 (and the similar provision of Article 24(1) L. 4939/2022) introduced a prohibition on the issue of a travel document to a recognised refugee either when a procedure for the application of a suspension, exclusion, revocation or cessation of the status granted is pending against him or when there are compelling reasons of national security or public order, while with Article 25(2)(b) L. 4636/2019 an authorisation is granted to establish, by joint ministerial decision, the procedure for issuing, renewing and replacing the travel document, the supporting documents required, its type, content of the indications and its period of validity. However, the Court held that the authorisation granted, in the above context, does not include the specification of the vague legal concepts of 'compelling reasons of national security or public order' and thus the decision of non – issuance of travel document to a recognised refugee is not lawful.<sup>104</sup>

### Cessation of protection status

<sup>103</sup> ECtHR, First Section, *Okubamichael Debru v. Sweden* (App. No. [49755/18](#)), of 25 July 2024.

<sup>104</sup> Council of State, Decision 1107/2024.





**Bulgaria:** National law envisaged an additional cessation clause compared to the 1951 Refugee Convention. The law permitted cessation or revocation of the international protection if the status holders fail, in a period of thirty days, to renew their expired Bulgarian identity documents or to replace them if they have been lost, stolen or destroyed. The undue cessation of international protection has affected 4,405 status holders in total since then, respectively – 770 persons in 2018; 2,608 persons in 2019; 886 persons in 2020 and 100 persons in 2021 and 41 persons in 2022. In 2024, this malpractice was fully abandoned by SAR, with 0 cessations made on this additional ground.

### Returns

**Netherlands:** A return decision always needs to designate a country of return. This has proven difficult if an asylum applicant cannot prove his or her nationality. In 2024, the Council of State ruled that in these cases the alleged country of nationality may also serve as the country of return, even if even if there has not been a *refoulement* assessment with regard to this country.<sup>105</sup>

## 17. Other important developments in 2024

### Reform of the asylum system

**Belgium:** After nearly eight months of negotiations, a new federal government led by the Flemish nationalist New Flemish Alliance (N-VA) party was formed on 31 January 2025. The five-party coalition's government agreement includes proposals for a significant reform of the asylum system. Incoming Minister of Asylum, Migration and Social Integration Anneleen Van Bossuyt (N-VA) told the Belga press agency that she wanted to move towards 'more controlled migration'. In order to achieve this objective, the government has proposed what Prime Minister Bart de Wever (N-VA) has described as Belgium's 'strictest migration policy yet'. At EU level, it foresees a stricter Pact on Migration and Asylum while nationally it aims to ensure that Belgium's asylum policy 'does not appear more generous than that in neighbouring countries'. It includes measures such as modernising and stepping up the deterrence campaigns targeting asylum seekers and accessing their telephones for identification and verification. Regarding reception, it foresees that people seeking asylum will only be housed in collective centres, putting an end to emergency accommodation and municipal local initiatives. In addition, the government plans to prioritise subsidiary protection over refugee status, temporarily halt resettlement, optimise the execution of return decisions and limit family reunifications. Several civil society organizations and other actors have voiced concern about the envisaged measures and their impact on fundamental rights of applicants and beneficiaries of international protection.

'ICAM' or 'Individual Case Management' is a concept that originally came from civil society and is intended to provide support for migrants as soon as they arrive in the country, by a neutral body that is independent of the national authorities. In Belgium, the concept has been taken up by the authorities and turned into a sort of hybrid concept which, while it does include support for the individual, is operated by officials from the Aliens Office who are given constraining powers (e.g. keeping identity documents). Although the ICAM office was already running since 2021, the ICAM procedure was enshrined in the law since passing the 'proactive return policy' Bill in July 2024.

**Ireland:** On the 27th March 2024, it was announced that the Minister for Justice, Helen McEntee TD, had secured government approval to seek the necessary agreement from the Houses of the Oireachtas (Houses

<sup>105</sup> Council of State, ECLI:NL:RVS:2024:1970, 8 May 2024, available in Dutch at: <https://bit.ly/3PEy11f>.





of Parliament) to opt-in to measures in the EU Asylum and Migration Pact. Subsequently, on the 30th April 2024, the Irish Refugee Council appeared before the Oireachtas Justice Committee in order to make submissions regarding the Pact, expressing concern that the reforms contained within the Pact reflect an effort to limit access to the protection process for those seeking asylum in Ireland. Ireland officially opted into the Pact on the 27th of June 2024, following a vote in both houses of the Oireachtas. While the Pact is legally in effect, Ireland, along with other EU countries, has until June 12, 2026, to fully implement the new regulations. An implementation plan for the Pact was due to be produced in November 2024, however, at the time of updating, it remained unclear whether the implementation plan would be published or stakeholder feedback invited.

**Netherlands:** In the last week of 2024, the Minister officially submitted a proposal for the amendment of the current legislation to change the current system to a two status system (tweestatusstelsel). The Advisory Department of the Council of State is currently writing a response to the proposed amendments. The Dutch Parliament must however then still vote on the definitive new laws. If adopted, the A-status and B-status would offer different rights and obligations. It would also mean that beneficiaries can appeal the positive decision to obtain a stronger status, which might further congest the Dutch judiciary system.

**Portugal:** In June 2024, the Portuguese government announced a Migration Action Plan, which addresses the main problems, challenges, principles and actions to be taken. Among other measures, it emphasises the work carried out by the Judicial High Council and CSTAF, including the discussions on the creation of a specialised jurisdictional structure for immigration and asylum matters. Later, the Minister of Justice stated there were indeed discussions with these councils to establish a specialised immigration and asylum court as a response to an increased flow of cases in (regular) administrative courts. According to the Judicial High Council, this increase is due to subpoenas for AIMA to regularise the situation of thousands of immigrants. Regarding the creation of the specialised court, the Judicial High Council states that the idea is for it to have exclusive powers “in all matters relating to immigration and asylum, from the detention and expulsion of migrants, to cases relating to unaccompanied minors (or those accompanied by people who are not known to be family members), ending with administrative asylum and residence permit cases (proper to administrative courts)”. By the end of 2024, there was no amendment to the Statute of the Administrative and Fiscal Courts that would allow the creation of this specialised jurisdictional structure.

**Spain:** In February 2024, the Government reached an agreement with the Autonomous Community of the Basque Country to transfer to the latter the competence on the reception of migrants, asylum seekers and refugees, as well as their integration. In April, a Royal Decree officially established the transfer of competence. Since 1 January 2025, the Basque Country started to manage the reception of asylum seekers, in collaboration with five NGOs (Accem, Red Cross, Movimiento por la Paz - MPDL, CEAR, Nueva Vida and San Juan de Dios) and with a total budget of 2.4 million Euros. The Autonomous Community of Cataluña demanded to be authorised to carry out a similar regional management.

In November 2024, the Government adopted a new Regulation of the Immigration Law, officially aimed at improving the integration of migrants according to three main paths for regularisation: work, training and family ties. The reform will enter into force after 6 months since its publication, and it aims at regularising 300,000 persons. In addition, it simplifies the requirements for foreigners to obtain residence and work permits, and foresees the regularisation of asylum seekers whose application was rejected. While welcoming the new reform, different organisations (i.e. Accem, CEAR, APDHA, Caritas, the Spanish Bar Association, etc.) observed that the reform could have had more significant impact and there were several missed opportunities; for example, humanitarian visas could have been introduced, or the possibility for asylum seekers to regularise their situation while still waiting for the asylum decision could have been granted. In addition, CEAR called the Government of not renouncing to the legislative initiative on regularisation, which proposal is undergoing the parliamentary procedure.







**Sweden:** The Pact on Migration and Asylum: On 12 December 2024, the Government of Sweden submitted its national implementation plan to the Commission. The Government's position is that necessary legislative amendments are expected to be in place by the time the Pact provisions take effect in 2026. The Government of Sweden does not anticipate the need for substantial changes to the asylum system infrastructure. The aspects of the Pact on Migration and Asylum (the Pact), identified as requiring the most thorough analysis and resources are those related to the screening and border procedures, along with the new Eurodac system. An inquiry was appointed by the Government on 21 November 2024. The inquiry is tasked with reviewing the need for adaption of Swedish legislation in line with the Pact instruments concerning asylum procedures and screening, including questions relating to fundamental rights monitoring mechanisms. The inquiry will present its report to the Government by 21 November 2025 at the latest. According to its terms of reference, the inquiry is to enable an effective and legally secure application of the relevant legal acts while ensuring a prudent and restrictive regulatory framework.

The Government platform agreement – Tidö Agreement: In the agreement between the parties of the new government (formed in October 2022) and the Sweden Democrats, known as the Tidö Agreement, the parties state various actions to be undertaken during this term of office to ensure that the rights of asylum seekers will be restricted to a minimum level in accordance with international obligations. In 2024, several legal amendments came into effect and several government inquiries concerning other restrictions were completed.

#### Digitalisation of asylum procedures

**Ireland:** In July 2023, in response to the significant increase in international protection, and further to the recommendations established in the Catherine Day Report, the Department of Justice published a report on the international protection modernisation programme for 2023 and 2024. This programme was established with a view to enhancing efficiencies and throughput, as well as improving the application, interview and decision-making process for applicants. As part of the reform strategy, in July 2024, a pilot was launched in which 50 international protection applicants were invited to conduct their s.35 interviews via Zoom. The pilot concluded in August 2024, and from January 2025, online interviews will be introduced on a phased basis for certain applicants. The criteria for selection of online interviewees were not yet clear at the time of updating. However, according to the International Protection Office, the rationale for the introduction of online interviews was to increase processing capacity, as well as to reduce the need for applicants to travel to Dublin for the purposes of undertaking their interview. Additionally, it was announced that from the 31st July 2024, all single applicants applying for international protection would be registered and complete their international protection application digitally via an online portal. A similar procedure was introduced for families seeking international protection in November 2024.

#### Discrimination and hate crime

**Cyprus:** In 2024, violence against migrants continued, including frequent racist attacks especially against non-EU delivery-persons, hate speech, police profiling, incidents of police entering private accommodation to identify undocumented persons.

The European Commission on Racism and Intolerance (ECRI), in its latest report published on Cyprus in 2023, recommends that the authorities establish a comprehensive monitoring system for hate speech incidents, involving the police, the prosecution service, the courts, the equality body and relevant civil society organisations, especially those supporting refugees, asylum applicants, and migrants. Furthermore, ECRI recommends that the authorities step up their efforts in encouraging public figures, in particular high-level officials and religious leaders, to firmly and promptly condemn the use of racist and other forms of hate speech, use counter-speech and alternative speech, and promote intergroup understanding. No progress was noted in 2024 in relation to the ECRI recommendations.





**Greece:** On 26 June 2024, the first meeting of the National Council against Racism and Intolerance took place under the coordination of the Ministry of Social Cohesion; a positive development that coincides with the development of a new action plan against racism, given that the previous one, which started in 2020, ended in 2023.

**Ireland:** Throughout 2024, there was a significant increase in the number of alleged arson attacks carried out on sites designated for use as Direct Provision accommodation by anti-migrant protesters. A disused convent in Lanesboro, Co Longford was set on fire in January. The building was going to be used to house 85 Ukrainians, but the owner pulled out of an agreement with the Department of Integration after the fire due to concerns for his family's safety. Subsequently, in February 2024, the former St. Brigid's Nursing Home in Crooksling was also the subject of an arson attack, with more than 40 firefighters required to bring the fire under control. The site subsequently became operational as tented accommodation for single males. In April, a building known as Trudder House in Newtonmountkenedy village in Wicklow was set on fire. The Department of Integration had been assessing the site after it accepted a HSE offer to use the vacant building and its grounds to accommodate asylum seekers. In July 2024, violence broke out at a site in Coolock that was earmarked to house asylum seekers but which had been the subject of a blockade by protesters for a number of months. The protests began as a company began works on the site. Almost 200 gardaí were involved in dealing with the disorder, in which fireworks and rocks were thrown. 15 people were arrested and charged on the evening of the incident, with several more following.

**Spain:** Following the flooding occurred in Valencia at the end of October, the Observatory on Racism and Xenophobia (Observatorio del Racismo y la Xenofobia - OBERAXE) at the Ministry of Inclusion, Social Security and Migration informed that 30% of hate crimes in November were related to migrants and the alleged commitment by them of vandalic acts following the flooding. A study published by the Observatory on Racism and Xenophobia (OBERAXE) on the economic impact of inequality and discrimination suffered by migrants in the labour sector highlighted not only the personal consequences people face, but also the economic loss of the State. The report quantifies a loss of €17 thousand million in 1 year, corresponding to 1.3% of the annual GDP.

On the European Day of Victims of Hate Crimes, CEAR expressed concerns on the increase in cases of hate crimes and discrimination in Europe and in Spain. Regarding the Spanish context, the NGO highlighted that persons coming from the North Africa, Muslims and Afro-Descendants are the main target of hate crimes through social networks. The annual report of the Spanish Observatory on Racism and Xenophobia (OBERAXE) at the Ministry of Inclusion, Social security and Migration confirmed such trends, underling also the increase of hate crimes in social networks against unaccompanied migrant children.

In its 2024 annual report on racism in Spain, the organisation SOS Racismo denounced that the many among the cases of discriminatory practices and racism registered in 2023 (215 out of 569 cases) related to institutional racism.

In August, representatives of the political party PSOE at the Municipality of Valencia lodged a denounce at the Public Prosecutor Office for Hate Crimes and Discrimination about the fake accusation towards a migrant for a homicide occurred in the city.

In September, the Plataforma del Tercer Sector called for changes in the Regulation of the Immigration Law - which is undergoing a partial reform - which, among others, foster the protection of victims of racial discrimination and hate crimes, by guaranteeing access to safe reporting and ensuring firewalls against the risk of return.





During the same month, the representatives of the PSOE party at the Municipality of Granada informed about the intention to denounce at the National and Regional Ombudspersons the motion lodged by the far-right political party Vox which referred to migrants in a manner which could amount to hate crime.

Following the reception of 170 migrants in the small town of Mondariz Balneario (Pontevedra), racist fake information on the use of a school for their reception was spread.

A similar situation occurred in Alcalá de Guadaíra (Sevilla), when following the reception of 85 asylum seekers, their alleged responsibility for the rape of a woman was reported despite not being a founded accusation. The major of the town was also victim of harassment. The political party Andalucía Por Sí (AxSí) called to the solidarity and responsibility of the citizens and accused the political parties Partido Popular (PP) and Vox to foster fear against migrants and refugees using fake news.

Similarly, the political party Vox opposed the reception of 100 asylum seekers in the small town of Mora de Rubielos (Teruel), and the staff of the hotel where they were accommodated received death threats.

Anti-migrants' protests were organised in Las Palmas de Gran Canarias and Santa Cruz de Tenerife (Canary Islands). Participants were protesting against the increase in arrivals in the archipelago, while carrying "Defend our neighbourhoods" and "Stop illegal immigration" placards.

Despite some anti-migrants acts and the hostility of certain politicians, many cities and towns in Spain (including Monterroso, a small town of 3.600 inhabitants in Galicia) welcomed migrants and refugees arriving from the Canary Islands, and taking initiatives to foster their integration.

In October, the Spanish influencer Rudy Ruymán was denounced by the organisation Afroféminas for hate crimes and discrimination against migrants, especially in the Canary Islands. The anti-migration protests organised in the Canary Islands following the influencer's push registered a very low turnover, demonstrating that the racist discourse in the archipelago is not backed by most of the population.

During the same month, the Public Prosecutor Office for Hate Crimes in Valencia denounced the spokesperson of the far-right wing party Vox of the Municipality of the city, for his declarations attributing a crime committed in the city to a migrant, while the author is Spanish and in prison.

A study published during the same month highlighted that in general migration is not prejudicial to national workers nor to their salaries, nor to the access to social services for Spanish citizens. It also underlined that many of those concerns are influenced by wrong perceptions and disinformation.

In December, Accem published a report on hate speech and hate crimes increasingly faced by UAMs in Spain, as well as a guide for professionals on how to prevent racism when working with and assisting UAMs.

### National forms of protection

**Bulgaria:** The only other existing form of national protection status different from asylum, international and temporary protection is the possibility for regularization of unaccompanied children. Following a proposal by the non-governmental organisation Bulgarian Helsinki Committee as a member of the expert working group convened for a revision of the national Law on Foreigners, the latter was amended in April 2019 and entered into force in October of the same year to introduce a regularization ground for unaccompanied migrant children who have not claimed asylum or who have been finally rejected asylum, and therefore residing irregularly. The law envisages that if the irregular unaccompanied migrant children entered the country alone, or was abandoned after entering the country's territory, they can apply for a long-term residence until reaching the age of majority. Once granted, the long-term residence can be extended indefinitely after the age of majority on humanitarian grounds. Such grounds can be reasons which require in their best interest the child to be admitted to, or left to remain in the territory of the country. The law however prohibits family reunification to unaccompanied migrant children who have been granted such legal residence in both cases – prior or after reaching adulthood. In November 2019 the rules of this regularization procedure were also





adopted and enforced. In immigration procedures unaccompanied migrant children are legally represented by an appointed social worker from the local child protection services of the Agency for Social Assistance. This regularization procedure aimed to provide additional legal safeguards mainly to unaccompanied children whose asylum application were finally rejected in order to secure their access to rights and services, e.g. accommodation, health care, access to education, etc., which otherwise would be either seriously compromised or fully inaccessible. However, this regularization procedure has not been applied in practice since its adoption with just one unsuccessful attempt in Svilengrad region. Among other, the main reason is the high absconding rate of unaccompanied children.

**Germany:** In 2024, a total of 301,350 protection decisions were made, marking a 15.2% increase compared to the previous year's 261,601 decisions. The overall protection rate, which includes refugee status under the 1951 Refugee Convention, subsidiary protection under Section 4(1) of the Asylum Act, and deportation bans under Section 60(5) or (7) of the Residence Act, stood at 44.4%. This corresponds to 133,710 positive decisions out of the total 301,350. Compared to the previous year, when the overall protection rate was 51.7%, this represents a decrease of 7.3 percentage points. Out of the 301,350 total protection decisions in 2024, 20,823 were deportation bans granted under Section 60(5) or (7) of the Residence Act.

**Slovenia:** One of the objectives of the new Immigration strategy adopted in March 2024 was to put forward legislative changes that would, in exceptional cases, allow rejected asylum applicants to obtain a residence permit after their negative decision becomes final. This option was introduced in July 2024 with Article 27 of the Act Regulating Measures for Optimising Certain Procedures in Administrative Units. According to the provisions of the Act asylum applicants can apply for a residence permit if:

- They were included in the social insurance system at the time of the rejection,
- They were included in the social insurance system based on employment at least 9 months prior to rejection of the application.
- Their application was not rejected due to exclusion.

In addition, asylum applicants need to meet the other conditions that apply to obtain the residence permit on this ground, meaning that they need to provide a valid passport from their country of origin.

Since asylum applicants obtain free access to the labour market 3 months after lodging the application this means that only asylum applicants that have been staying in Slovenia for more than 1 year at the time of the rejection can be potentially eligible for the residence permit.

Rejected asylum applicants can also apply for temporary stay if:

- their return would violate the principle of non refoulement;
- it turns out that due to life-threatening health condition, the applicant could be exposed to a serious and irreversible deterioration of their health during the removal phase;
- they do not have and cannot obtain a valid travel document from their country, if the authority conducting the removal procedure cannot obtain a valid travel document for them, or if the conditions for issuing a European Travel Document for the illegally staying third-country nationals are not met;
- the country of their citizenship or the country in which the stateless person had their last residence is not willing to accept the applicant;
- their removal is not possible because it is not possible to ensure their transportation from the country by land, air or water.

A permission to stay only gives the individual the possibility to stay in Slovenia for 6 months with the possibility to prolong the permission. The obligation to leave the country does not cease with a permission to stay. Individuals with a permission to stay do not have the right to work. The individual can apply for temporary





residence after 2 years of stay only if the permission to stay was issued due to the prohibition of non-refoulement.

**Sweden:** A total of 2,674 women applied for impediment to enforced return in 2024 and the approval rate was 16% in comparison to 3,027 women in 2023 with an approval rate of 21%, in comparison to 3,789 women in 2022 with an approval rate of 16 % and 4,782 women in 2021 with an approval rate of 8%.

## References and sources

### 18. Please provide links to references and sources and/or upload the related material in PDF format

#### ECRE Policy Notes

- ECRE, Policy Note 45, [Seeking protection: Afghan Asylum applicants in the EU](#), March 2024

#### ECRE Policy Papers

- ECRE, Policy Paper 13: [Transitioning Out of the Temporary Protection Directive](#), February 2024
- ECRE, Policy Paper 12: [The Right to Work for Asylum Applicants in the EU](#), January 2024

#### ECRE Comments Papers

- [ECRE Comments on the Regulation of the European Parliament and of the Council establishing a Common Procedure for International Protection in the Union](#), October 2024
- [ECRE Comments on the Directive \(EU\) 2024/1346 of the European Parliament and of the Council of 14 May 2024 Laying Down Standards for the Reception of Applicants for International Protection \(recast\)](#), September 2024
- [ECRE Comments on the Regulation of the European Parliament and of the Council Addressing Situations of Crisis and Force Majeure in the Field of Migration and Asylum](#), May 2024
- [ECRE Comments on the Regulation of the European Parliament and of the Council on Asylum and Migration Management](#), May 2024

#### ECRE Legal Notes and interventions

- ECRE Legal Note 16: [The Guarantees of the EU Charter of Fundamental Rights in Respect of Legal Counselling, Assistance and Representation in Asylum Procedures](#), June 2024
- ECRE Legal Note 15: [The Rights of Refugees and Asylum Applicants with Disabilities – Article 26 of the EU Charter of Fundamental Rights and Beyond](#), March 2024

ECRE intervened in following cases:

- Supervision of the execution of judgments, Committee of Ministers, MD v. Greece, Application No. 60622/11, November 2024 (to be published)
- ECtHR, Muhammad v. Greece, Application No. 34331/22, October 2024 (to be published)
- ECtHR, [C.O.C.G. v. Lithuania](#), Application No. 17764/22, September 2024
- ECtHR, [H.H.C. v. Hungary](#), Application No. 44253/19, August 2024





- UN Committee on the Rights of the Child, [S.R.H.P. A.O.C.H. v. Lithuania](#), 235/2023, July 2024
- ECtHR, [Suji v. Greece](#), Application No. 13250/23, February 2024
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#### ECRE Working Papers

- Dr Hassan d Moctar, published by ECRE, [The EU-Mauritania Partnership: Whose Priorities?](#), October 2024

#### Other publications

- ECRE contribution to the 2024 Enlargement Package, [Asylum and Forced Displacement in the EU Enlargement Process](#), August 2024
- PICUM/ECRE, [Beyond walls and fences: EU funding used for a complex and digitalised border surveillance system](#), June 2024
- ECRE study, [Pathways to Protection: Mapping visa schemes and other practices enabling people in need of international protection to reach Europe safely](#), March 2024

#### AIDA Country reports

- Bulgaria: [2023 Update](#) and [Annex](#), April 2024
- Croatia: [2023 Update](#) and [Annex](#), July 2024
- Cyprus: [2023 Update](#) and [Annex](#), May 2024
- France: [2023 Update](#) and [Annex](#), May 2024
- Germany: [2023 Update](#) and [Annex](#), June 2024
- Greece: [2023 Update](#) and [Annex](#), June 2024
- Hungary: [2023 Update](#) and [Annex](#), July 2024
- Ireland: [2023 Update](#) and [Annex](#), June 2024
- Italy: [2023 Update](#) and [Annex](#), July 2024
- Malta: [2023 Update](#) and [Annex](#), September 2024
- Netherlands: [2023 Update](#) and [Annex](#), April 2024
- Poland: [2023 Update](#) and [Annex](#), June 2024
- Portugal: [2023 Update](#) and [Annex](#), July 2024
- Romania: [2023 Update](#) and [Annex](#), July 2024
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- Slovenia: [2023 Update](#) and [Annex](#), June 2024
- Spain: [2023 Update](#) and [Annex](#), May 2024
- Sweden: [2023 Update](#) and [Annex](#), April 2024
- Switzerland: [2023 Update](#) and [Annex](#), July 2024
- Türkiye: [2023 Update](#), August 2024
- Ukraine: [2023 Report](#), November 2024
- United Kingdom: [2023 Update](#) and [Annex](#), April 2024

#### AIDA Country reports

- Bulgaria: 2024 Update and Annex, *Upcoming (spring 2025)*
- Croatia: 2024 Update and Annex, *Upcoming (spring 2025)*
- Cyprus: 2024 Update and Annex, *Upcoming (spring 2025)*
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- Germany: 2024 Update and Annex, *Upcoming (spring 2025)*







- Greece: 2024 Update and Annex, *Upcoming (spring 2025)*
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#### **AIDA reports**

- [Temporary Protection Compilation on 2023](#), November 2024
- [Asylum in Europe: The situation of applicants for international protection in 2023](#), August 2024

## **19. Feedback or suggestions about the process or format for submissions to the Asylum Report**

### Contact details

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