

Input by civil society organisations to the Asylum Report 2025

Fields marked with * are mandatory.

Dear Colleagues,

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

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

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

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

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

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

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

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

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

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

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

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

Your input matters to us and will be much appreciated!

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

Contact details

* Name of Organisation

Stichting Nidos

Name and title of contact person

Marjolein Groen, European Cooperation Unit

* Email

m.groen2@nidos.nl

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

General observations

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

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

In a letter dated March 5, 2024, the Minister of Justice and Security proposed major changes to the Dutch asylum assessment framework, aiming to create a stricter, faster process. These changes, described by the Dutch Refugee Council as the most drastic in a decade, have raised concerns regarding their compatibility with international and European law. Key changes include:

Key Changes to the Asylum Application Assessment Framework

-Credibility and Documentation:

Asylum seekers' credibility will now only be assumed if their account is fully supported by objective, verifiable sources and documents, which must be authentic. This is a stricter standard than the previous policy, which allowed some evidentiary value for copies of official documents.

In cases with insufficient documents, credibility will be assessed through a more rigid cumulative checklist, instead of considering all conditions in conjunction as under the old policy.

Providing incorrect information will lead to a negative impact on credibility, with the possibility of revoking asylum permits based on false details. This is stricter than the previous approach, where lack of credibility in one part didn't affect the entire case.

The benefit of the doubt will be applied more cautiously, reversing previous guidance that encouraged IND

employees to apply this principle more liberally.

-Risk Profiles vs. Group Policy: The group-based asylum policy for specific groups (e.g., LGBTI individuals, political activists) will be abolished. These groups will now be assessed through "risk profiles" that require asylum seekers to substantiate their individual claims of fear. The burden of proof now falls more heavily on the applicant. The emphasis will shift to individualized assessments, with applicants needing to prove their risk of harm or persecution more concretely.

-Impact on Vulnerable Groups: The new framework is especially burdensome for minors, who face challenges in obtaining authentic documents and participating in hearings. The framework also fails to explicitly address the best interests of children, a key consideration under international law.

Changes to the Country Policy and Vulnerable Groups

-End of Risk Group Policy: The policy that previously guaranteed asylum to certain groups, such as LGBTI people and political activists, will end on July 1, 2024. These individuals will now need to substantiate their claims with more concrete evidence of risk, shifting the burden of proof onto them.

Despite the termination of this policy, special provisions will remain for groups that are systematically persecuted or exposed to serious harm.

New Government Coalition's Asylum Policy (2024)

In May 2024, the new coalition government, comprising the PVV, VVD, NSC, and BBB, began implementing stricter asylum measures. Their policy focuses on controlling asylum admissions and migration flows, aiming for "the strongest admission regime" and stricter border controls. Key elements include:

-Temporary Suspension of Asylum Processing (Asielcrisiswet):

The government proposes a temporary halt to asylum applications during emergencies, potentially lasting up to two years, to manage high-pressure situations.

-Stricter Naturalization and Residency Rules:

Asylum seekers will have to wait 10 years (instead of 5) to apply for Dutch citizenship, with language proficiency at a B1 level becoming mandatory.

Asylum permits will be reduced to three years, in line with neighboring countries, and the option for permanent residency may be eliminated.

-Limited Legal Recourse: Applicants will have fewer options for appeals, with cases reviewed only by lower courts, reducing judicial oversight. Legal and procedural support will also be limited, and distinctions between different permit types will reduce applicants' rights, such as restricting family reunification.

Reform of the Spreidingswet: The law aimed at fairly distributing asylum seekers across municipalities will be repealed, and the government plans to impose stricter control over asylum admissions, with more basic living conditions for applicants.

Emergency Asylum Measures Act (Asielnoodmaatregelenwet):

This act introduces several provisions, including the abolition of permanent residence permits, a reduction in asylum permit validity to three years, stricter family reunification rules, and a two-status asylum system. This system differentiates between refugees and individuals eligible for subsidiary protection, further minimizing family reunification.

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

The decision period for asylum and family reunification remains excessively long. The decision period has been generically extended for the third time from six to fifteen months. The Rotterdam District Court has ruled two previous extensions not legally valid, with the main substantiation that Article 31, third paragraph, and (b) of the Procedural Directive is not intended 'for a defect functioning, already partially clogged asylum system that is becoming further clogged by a large number asylum applications are submitted at the same time' (ECLI:NL:RBDHA:2024:3346). For asylum applications submitted between January 1, 2023 and January 1, 2024, this means that the decision period also applies in that cases has been unlawfully extended from six to fifteen months. Exceeding the extended decision period and the long waiting times for a registration hearing create uncertainty, unrest and distrust towards the government. For unaccompanied minors, this can have a major impact now and in the future

Furthermore with regards to safety of children in accommodation centers for asylum seekers (children with parents or family as well as unaccompanied minor asylum seekers); there is little info on their safety because of the lack of surveillance in the centers due to minimal staffing.

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

As of 20 December 2024 the coalition parties propose a comprehensive package of legislation. Three proposals now go to the Council of State for advice. The Emergency Asylum Measures Act (Asielnoodmaatregelenwet), proposal for a Two-status asylumsystem, the package for the implementation of the EU Migrationpact. The Council for the Judiciary and the Chair of the Administrative Jurisdiction Division of the Council of State have expressed grave concerns about the consequences of the proposed legislation for the judiciary. Both emphasize in their consultation response that not only the IND, but also the immigration judiciary is already overloaded and is facing staff shortages. They fear the bills will lead to structurally more and longer procedures and point out that the European Migration Pact must be incorporated into Dutch legislation by June 2026. To achieve this, a lot of legislative work needs to be done. The implementation also brings many changes to practice. The IND and the judiciary will have their hands full with that. The Advisory branch of the Council of State still has to advise on the proposals as part of the legislative process.

Due to the rapid developments in Syria, the country-based asylum policy is no longer up to date and therefore a decision and departure moratorium is being imposed for six months as of 9 December 2024. By imposing a decision moratorium, the decision period for asylum applications from people from Syria will be extended by one year. Since the decision period has already been generically extended to 15 months, this means that the IND can fully utilize the maximum decision period of 21 months for Syrian asylum applications.

PART A: Contributions by topic

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

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

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

N/A

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

Nidos noticed still is a lack of legal assistance of UAC during their registration hearing..

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)

Shortage of interpreters in less common languages because of the high influx and cutback in financing for lawyers/legal assistance and interpreters in asylum procedures (and this is also a problem in regular youth care).

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

The interests of the child in Dublin proceedings received a lot of attention in 2024. After statements showing that the IND did not take this into sufficient account, the IND started together the pilot 'Best Interest of Child Dublin' (BIC) with the University of Groningen on March 1, 2024, focused on behavioral /pedagogical research in ten cases, with permission from the minor. Afterwards, the collaboration will be evaluated, with the involvement of Nidos.

In a ruling of the Amsterdam District Court (NL24.14534 and NL.14536) the court emphasized that Member States must put the best interests of the child first under Article 6 of the Dvo. The court takes into account Articles 3 and 12 of the CRC and believes that the minister must actively investigate the consequences of a transfer for children, for example by asking questions to the foreigner or Nidos (ECLI:NL:RVS:2020:3044). Active research can also mean interviewing and medically examining children (ECLI:NL:RBDHA:2024:7398).

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

There has not been a selection of invited refugees for the Netherlands in 2024.

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)

Long waiting times in the asylum procedure lead to unaccompanied minors staying longer in special unaccompanied minors reception locations; locations where there has been a major shortage for some time. In addition, according to the Justice and Security Inspectorate, the safety and development of children is at risk under the current care conditions. According to the Inspectorate, children do not receive the care, education and guidance to which they are entitled.

There were several developments in case law this year with regard to reception. The highest court in migration cases, the Administrative law department of the Council of State (Afdeling bestuursrechtspraak van de Raad van State, further the Afdeling), ruled on the 14 of Februari 2024 on a unaccompagnied minor who was wrongly considered an adults (ECLI:NL:RVS:2024:613). The court ruled that the minister had to pay compensation for the suffered psychological damage as a result of placement in a facility unsuited for children. The Afdeling also issued a ruling in which it ruled that a desicion on the transfer of an UAM to to an adult shelter is subject to objection and appeal (ECLI:NL:RVS:2024:2011). This is new and a step forward in taking the interest of the child into consideration.

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)

N/A

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

In 2024 we saw important developments regarding age determination. The Council of State ruled that the Minister can no longer solely rely on the principle of mutual trust between member states and simply point to an age registration in other EU member states. If there is a deviating age registration from another Member State, the Minister of Asylum and Migration must carefully investigate and properly motivate the weight it attaches to the registration in the other member state and this in the light of all other facts and circumstances (ECLI:NL:RVS:2024:3992).

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

More requests for asylum by UAC are rejected by the IND as of the in 2024, especially Somalian and West-African countries. Ending of the policy for Yemen.

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

IND has started to process the asylum requests of Palestinians in 2024.

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

Nidos invested much effort to maintain quality of supporting UAC and foster parents, despite the high influx in 2024 and as a consequence of this influx, the huge pressure on finding suitable housing and reception families for UAC, on schooling for UAC and on medical and youth care.

The European Guardianship Network (egnetwork.eu), coordinated by Nidos, co-funded by the EU and with 54 members and partners across 25 Member States, including the EUAA, continued to exchange on good practices and challenges in relation to guardianship. EGN presented and published the reflections of its working group on guardianship under the CEAS reform.

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

13. Return of former applicants for international protection

There has been no forced return of UAC in 2024.

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)

The Netherlands has not invited refugees in 2024, at least no UAC. .

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

16. Other important developments in 2024

PART B: Publications

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

<https://www.egnetwork.eu/download-attachment/1596>

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

Please upload your file

The maximum file size is 1 MB

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

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

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

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

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

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

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

Background Documents

[Word template to submit input](#)

Contact

[Contact Form](#)