

# Input by civil society organisations to the Asylum Report 2026

Fields marked with \* are mandatory.

Dear Colleagues,

The production of the Asylum Report 2026 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 2025 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 2025 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: Similarly to last year, this year's edition of the Asylum Report will be leaner and more analytical, 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. It will also feature prominently as info boxes in the [country overviews](#).***

Your input matters to us and will be much appreciated!

**\*Please submit your contribution to the Asylum Report 2026 by Friday, 9 January 2026.\***

## Contact details

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\* Name of organisation

Stichting Nidos

Name and title of contact person

Marjolein Groen

\* Email

m.groen2@nidos.nl

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

## General observations

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**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 July 2024, a new government took office in the Netherlands and announced a policy direction aimed at significantly tightening the national asylum framework, aiming at implementing the strictest migration policy ever. Key initiatives included proposals to introduce a dual-status asylum system with stricter conditions for family reunification, abolish permanent residence permits for beneficiaries of international protection, repeal the Distribution Act regulating the allocation of reception responsibilities among municipalities, and limit municipal discretion in providing housing for asylum seekers. While the government expressed its intention to seek an opt-out from parts of the EU asylum acquis, it confirmed that the implementation of the EU Pact on Migration and Asylum remained applicable in the interim. In 2025, the Emergency Asylum Measures Act and the Dual Status System Act were submitted to parliament and were under legislative consideration at the time of reporting. These developments marked a period of policy transition, with potential implications for reception arrangements, legal certainty, and access to rights, including for children and families, in the context of alignment with EU law and fundamental rights standards.

See part B for relevant publications in this regard.

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

N/A

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?

The Asylum and Migration Pact Implementation Act 2026 states that the Pact requires the abolition of national procedural rules and the introduction of a dual-status system in the Aliens Act 2000. The Netherlands currently has a system that grants equal rights to both persons enjoying international protection and those granted subsidiary protection. The Dutch legislature has proposed a national law proposal to treat internationally protected persons and those granted subsidiary protection differently, so that the Family Reunification Directive no longer applies to those granted subsidiary protection, and restrictions on family reunification are possible. According to Nidos, the Pact does not force a different status for these groups. Nidos refers to its previous submission on this matter dated February 14, 2025, and to the advice of the Advisory Division of the Council of State. The Advisory Division also concludes that the Pact does not mandate the abolition of national procedural rules and the introduction of a dual-status system. The government is now processing the Council of State's advice on the law. The Minister will then submit the bill to the House of Representatives.

See part B for relevant publications in this regard.

## **PART A: Contributions by topic**

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**Please share your reporting on developments in asylum law, policies or practices in 2025 by topic.**

**Kindly make sure that you provide information on:**

- New developments and improvements in 2025 and new or remaining challenges;
- Changes in legislation, policies or practices, or institutional changes during 2025.

**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)**

The Minister of Asylum and Migration reduced the subsidy for the Dutch Council for Refugees (VluchtelingenWerk Nederland, VWN) for 2026. As a result, support for family reunification within asylum reception was scheduled to end on 1 December 2025, with applicants thereafter referred to the Immigration and Naturalization Service (IND). In response, the IND expanded online information and introduced a dedicated telephone line for family reunification cases (“nareislijn”). Primary support for family reunification in reception was no longer provided, as the policy approach was based on applicants’ self-reliance. These changes reduced the availability of support services in central reception, including for young adults who were no longer under guardianship. Nidos communicated its concerns regarding these developments.

At the same time, the government announced measures to streamline the Dutch asylum procedure to the European minimum standard, including changes to legal assistance. While asylum seekers were entitled to free legal assistance from the start of the procedure under the system in force at the time, the envisaged future procedure provided for legal counselling at the moment of registration, with responsibility assigned to the IND in the context of the EU Pact on Migration and Asylum. A lawyer would only be appointed after the interview stage, following the submission of corrections and additions.

**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)**

N/A

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

Relevant case law:

- ABRvS, ECLI:NL:RVS:2025:3800, Dublin-Poland, The principle of intra-Community trust may be assumed despite legislative changes and statements by the Polish prime minister. ECLI:NL:RVS:2025:3800, Raad van State, BRS.25.000559
- ABRvS, ECLI:NL:RVS:2025:3305, Dublin-Belgium, No principle principle of intra-Community trust for single non-vulnerable men due to lack of reception and effective legal protection. ECLI:NL:RVS:2025:3305, Raad van State, 202404274/1/V3
- ABRvS, ECLI:NL:RVS:2025:1412, Dublin-France, Start date of asylum permit in case of going into hiding not linked to date of initial application. ECLI:NL:RVS:2025:1412, Raad van State, 202303980/1/V2
- ABRvS, ECLI:NL:RVS:2025:3900, Dublin-Latvia, No thorough decision-making by not giving accompanied minor foreign nationals the opportunity to be heard in the procedure. ECLI:NL:RVS:2025:3900, Raad van State, 202403148/1/V3

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

From December 2025, the Immigration and Naturalization Service (IND) launched Project Eritrea to address backlogs in asylum interviews and decision-making by increasing interview capacity. During the same period, the assessment of asylum applications from Syrian unaccompanied minors remained delayed due to a decision moratorium in place from 14 December 2024 to 13 June 2025 and existing IND backlogs. In May 2025, an updated country of origin information report on Syria entered into force with the publication of WBV 2025/12 on 20 June 2025, applying the lowest gradation of Article 15(c) nationwide and identifying LGBTIQ+ persons and Alawites as risk profiles; a further update was expected in January 2026. In preparation for resuming decision-making, the IND began processing Syrian cases, including inviting unaccompanied minors from November 2025 for medical assessments to identify any factors affecting their ability to present their asylum claim, with asylum interviews and substantive assessments expected to take place from late January or early February 2026.

## **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)**

A shortage of reception capacity for asylum seekers continued to place significant pressure on the Central Agency for the Reception of Asylum Seekers (COA), particularly at the Ter Apel registration centre in the municipality of Westerwolde, where repeated legal proceedings were initiated in response to overcrowding. Under the administrative agreement with the municipality, occupancy at Ter Apel was capped at 2 000 persons, prompting the COA at times to temporarily relocate asylum seekers in order to comply with this limit and avoid penalty payments, although such transfers were not always feasible due to limited capacity elsewhere. As a result, occupancy levels across COA reception facilities are expected to be close to full capacity in January 2026. Under existing arrangements, municipalities could prioritise asylum seekers for access to social housing. The government proposed legislation to prohibit municipalities from granting such priority. This measure was expected to affect young people transitioning from small-scale reception facilities or foster care. The Advisory Division of the Council of State issued a negative opinion on the proposal; nevertheless, the bill was submitted to the House of Representatives by the Minister for Housing and Spatial Planning, where it remained under consideration at the time of reporting.

Taken together, the shortage of reception capacity and the proposed restrictions on municipal housing allocation disproportionately affect unaccompanied minors and young adults transitioning out of care. Limited availability of appropriate reception places contributes to prolonged stays in temporary or less suitable facilities, while constraints on access to social housing risk delaying transitions from small-scale reception or foster care to independent living. For unaccompanied minors approaching the age of 18, these developments increase the risk of discontinuity in accommodation, support, and integration pathways, placing additional pressure on guardianship and support services and raising concerns regarding the provision of stable, child-appropriate reception solutions in line with the best interests of the child.

## **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)**

In all actions concerning children, the best interests of the child must be a primary consideration. This follows from Article 3 of the CRC and Article 24, paragraph 2, of the EU Charter. In the Pact, the EU legislature goes a step further in two provisions. Under Article 13, paragraph 2, of the Reception Directive, a minor may not be detained if his or her best interests are contrary to this and the unaccompanied minor is not protected by the measure. Under Article 25, paragraph 5, of the AMMR, an unaccompanied minor may not be transferred to a Member State if this is not in his or her best interests. This has made the best interests of the child a decisive criterion. This is also the intention of the EU legislature. However, this is not sufficiently reflected in the bill implementing the EU Migration Pact. In response to the online consultation on the bill, Nidos recommends better enshrining safeguards against the detention of unaccompanied minors in law and enshrining the principle of last resort regarding the administrative detention of children in law, in accordance with Article 13, paragraph 2, of the Reception Directive.

See <https://www.internetconsultatie.nl/asielenmigratiepact/reactie/269005/bestand> (Dutch)

## **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)**

From 1 January 2025, MedTadvies replaced MediFirst in providing medical consultations and age-related examinations for asylum seekers. As of the same date, responsibility for the identification and registration (I&R) process was transferred from the Aliens, Identification and Human Trafficking Unit of the police (AVIM) to the Asylum Seeker Identification and Screening Service (DISA), a newly established body within the Ministry of Asylum and Migration. In addition, on 13 January 2025, the Immigration and Naturalization Service (IND) launched the “Red Button” pilot, introducing a dedicated contact point for chain partners to flag exceptional or distressing cases at risk of disproportionate procedural delays, which were then assessed and, where necessary, prioritised by a specialised IND team.

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

ECLI:NL:RBDHA:2025:6249, Rechtbank Den Haag, AWB 25-376 On 1 April 2025, the District Court of The Hague ruled that the Minister of Asylum and Migration had insufficiently taken into account the best interests of a Ukrainian minor who had been residing in the Netherlands since 2014. The court found that the decision failed to adequately consider her long-term residence, the effects of prolonged uncertainty on her situation, and the lack of a realistic prospect of return to Ukraine. The court also attached particular importance to the right of the child to be heard. In its ruling, the judge addressed the child directly and explained the outcome of the decision in clear and age-appropriate language.

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

N/A

## **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)**

Relevant case law in relation to age assessment and related topics:

- ABRvS, ECLI:NL:RVS:2024:5256, Syria, Notification of change in age registration is a decision, but not appealable; not directly affected in interests. ECLI:NL:RVS:2024:5256, Raad van State, 202305421/1/V2

On 18 December 2024, the Administrative Jurisdiction Division of the Council of State (ABRvS) ruled on whether a notification of a change in age (declaration of majority) constituted a decision and whether it could be subject to objection or appeal. The Division found that, while such a notification qualified as a decision due to its legal consequences, it constituted a preparatory act rather than a final determination. Consequently, objections and appeals against a notification were only admissible where the foreign national was directly affected by the notification.

- ABRvS, ECLI:NL:RVS:2024:3992 ECLI:NL:RVS:2024:3992, Raad van State, 202201742/1/V2

The Minister for Asylum and Migration was required to assess the age of a foreign national claiming to be a minor on the basis of all relevant facts and circumstances and could no longer rely solely on age registrations carried out by other EU Member States under the principle of mutual trust. While such registrations could be taken into account, the Minister was obliged to carefully examine their basis, substantiate the weight attributed to them, and provide adequate reasoning, in line with the duty of care and the obligation to state reasons. Where age determinations were based on source documents, medical assessments, or statements, the underlying circumstances had to be verified, including through inquiries with the Member State concerned. In this assessment, all available evidence had to be considered, including official and unofficial identification documents and statements from guardians, reflecting the need for heightened safeguards in cases involving potential minors.

In response to this ruling, the minister has revised her policy on age assessment in 2025. See, WI 2025/1 Leeftijdsbepaling - Immigratie- en Naturalisatiedienst.

- ABRvS, ECLI:NL:RVS:2025:3801, Eritrea, Age assessment in its current form is careful and useful unless it is not transparent and conclusive. ECLI:NL:RVS:2025:3801, Raad van State, 202404551/1/V1

The Council of State ruled that the age assessment is a careful and useful tool for determining whether there is any doubt about the stated age. The conclusions of the age assessment must, however, be properly substantiated in a report. Regarding the multidisciplinary nature of the assessment, the EUAA stipulates that age assessment must be multidisciplinary, but the age assessment is not part of the age assessment; it is merely a means of assessing whether doubt gives rise to an age assessment, according to the Council.

- ABRvS, ECLI:NL:RVS:2025:5833, Unjustified transfer to adult reception center; COA (reception authority) should have assumed minority. ECLI:NL:RVS:2025:5833, Raad van State, 202401974/1/V1

- ABRvS, ECLI:NL:RVS:2025:5822, COA failed to submit documents regarding reception needs; did not form a complete opinion of its own. ECLI:NL:RVS:2025:5822, Raad van State, 202405103/1/V1

## **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)**

N/A

### 13. Return of former applicants for international protection

Syria

District Court of Roermond, ECLI:NL:RBDHA:2025:25445, Syria, Preliminary question on the application of the actor requirement when considering humanitarian circumstances in a 15c assessment. ECLI:NL:RBDHA:2025:25445, Rechtbank Den Haag, NL24.31749

The court has already issued two interim rulings in these proceedings and must now determine the level of random violence in order to assess whether the foreign national should be granted subsidiary protection by applying the so-called "sliding scale". On 16 July 2025, in two proceedings concerning the situation in Yemen, the Division ruled that humanitarian circumstances resulting directly or indirectly from the actions or omissions of an actor causing serious harm who is a party to an armed conflict must be taken into account as relevant circumstances in this overall assessment (ECLI:NL:RVS:2025:3153 and ECLI:NL:RVS:2025:3154). The court agrees with this assessment framework and questions whether the strict application of the actor requirement, which according to the Minister applies, is compatible with the subsidiary protection regime. It cannot be deduced from the country information which actor of serious harm caused which humanitarian circumstances through acts or omissions and when. Nor can it be determined to what extent the drought contributed to the humanitarian crisis. The strict application of the actor requirement, as advocated by the Minister, places a disproportionate burden of proof on the foreign national.

The court therefore refers the following question to the Court for a preliminary ruling:

'When determining the level of indiscriminate violence referred to in Article 15c of Directive 2011/95, should humanitarian circumstances that may contribute to a serious and individual threat to the life of a civilian or person and that are the result of indiscriminate violence in the context of an international or internal armed conflict be taken into account? If so, what degree of causal link is required between the indiscriminate violence in the context of an international or internal armed conflict and these humanitarian circumstances?'

Yemen

ABRvS, ECLI:NL:RVS:2025:3153, Yemen, Humanitarian circumstances relevant but not decisive 15c; possibly most exceptional situation due to explosive remnants of war and increasing confrontations ECLI:NL:RVS:2025:3153, Raad van State, 202407906/1/V2

Following the general country report on Yemen in April 2025 and a ruling by the Council of State on 16 July (ECLI:NL:RVS:2025:3153), the Minister for Asylum and Migration announced a new Yemen policy in a letter to parliament on 7 October. On 15 October, WBV 2025/20 was published, setting out this policy.

Rotterdam District Court, ECLI:NL:RBDHA:2025:22462, Yemen, Revision of 15c policy does not sufficiently take humanitarian circumstances into account; personal problems due to father's political activities not credible. ECLI:NL:RBDHA:2025:22462, Rechtbank Den Haag, NL25.22015

**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)**

N/A

**15. National jurisprudence on international protection in 2025 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))**

Ethiopia

Groningen District Court, ECLI:NL:RBDHA:2025:22188, Ethiopia, No thorough decision due to irrelevant frame of reference; insufficient justification that adequate accommodation is available for the unaccompanied minor foreign national at Bright Star, a designated reception centre in Ethiopia. ECLI:NL:RBDHA:2025:22188, Rechtbank Den Haag, NL25.27969

Iraq

District Court of Roermond, ECLI:NL:RBDHA:2025:136 (Ramadi), Iraq, Preliminary questions about the new credibility assessment and ex officio refoulement assessment by the court. ECLI:NL:RBDHA:2025:136, Rechtbank Den Haag, NL24.28889 verwijzing

Arnhem District Court, ECLI:NL:RBDHA:2025:18914, Iraq, Insufficient consideration given to reference framework of age and psychological problems ECLI:NL:RBDHA:2025:18914, Rechtbank Den Haag, NL25.40235

Middelburg District Court, ECLI:NL:RBDHA:2025:5894, Yemen, Humanitarian situation and influence of parties unjustifiably not investigated; parents' duty of care insufficient for adequate care. ECLI:NL:RBDHA:2025:5894, Rechtbank Den Haag, NL24.36527

**16. Other important developments in 2025**

N/A

## **PART B: Publications**

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**1. If available online, please provide links to relevant publications produced by your organisation in 2025.**

- Response to the draft bill 'Act on new rules regarding housing for permit holders'  
<https://www.nidos.nl/storage/1434/Reactie-Nidos---consultatie-contourennota-intrekking-spreidingswet.pdf>  
<https://www.nidos.nl/storage/1434/Reactie-Nidos---consultatie-contourennota-intrekking-spreidingswet.pdf>

<https://www.internetconsultatie.nl/novelle/reactie/316567/bestand>

- Response to the draft bill 'Act on new rules regarding housing for permit holders'  
25.014---Ministerie-van-Volkshuisvesting-en-Ruimtelijke-Ordening---reactie-Nidos-op-conceptwetsvoorstel-wet-nieuwe-regels-inzake-huisvesting-vergunninghouders-(1).pdf
  
- Response to the draft bill 'Execution and Implementation Act Asylum and Migration Pact 2026'  
<https://www.internetconsultatie.nl/asielenmigratiepact/reactie/269005/bestand>  
<https://www.internetconsultatie.nl/besluitasielenmigratiepact/reactie/6056bb6e-b41d-495c-961d-cf237c01045b>

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

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

	<b>Title of publication</b>	<b>Name of author</b>	<b>Publisher/Organisation</b>	<b>Date</b>
1				
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## **Useful links**

[EUAA Asylum Report 2025 \(https://euaa.europa.eu/asylum-report-2025\)](https://euaa.europa.eu/asylum-report-2025)

[Executive Summary -Asylum Report 2025 \(https://euaa.europa.eu/asylum-report-2025-executive-summary\)](https://euaa.europa.eu/asylum-report-2025-executive-summary)

[Sources on Asylum 2025 \(https://euaa.europa.eu/publications/sources-asylum-2025\)](https://euaa.europa.eu/publications/sources-asylum-2025)

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

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

## **Background Documents**

[Word template to submit input to the 2026 Asylum Report.docx](#)

## **Contact**

[Contact Form](#)