

Asylum Report 2023

Executive Summary





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Asylum Report 2023

**Annual Report on the Situation of Asylum in
the European Union**

EXECUTIVE SUMMARY

July 2023



Foreword

International and temporary protection remained at the forefront of policy discussions throughout 2022, with a combined figure of 5 million people seeking protection arriving into Europe. The total includes the number of asylum applications which soared to almost 1 million, in addition to over 4 million registrations for temporary protection by people fleeing the war in Ukraine. Naturally, the magnitude of the inflow tested national asylum and reception systems to new highs, and EU+ countries were faced with finding rapid, yet viable, solutions.

Developments in international protection in 2022 highlighted the importance of having in place an effective protection architecture with multi-stakeholder participation. As presented in this report, EU institutions continued their efforts to advance the reform of the Common European Asylum System (CEAS) and further foster practical cooperation among EU+ countries on the basis of solidarity and responsibility. They also played a leading role in the development of an orchestrated European response to the needs of displaced persons from Ukraine.



To cope with existing and emerging needs, EU+ countries responded by adjusting policies and practices, allocating additional resources and enacting changes to legislation. The many positive developments are to be appreciated and celebrated. But in a world of quickly-shifting patterns in migration and asylum, there is no time for complacency and the lessons learned in 2022 should serve as a catalyst for further refinement. The quick activation and extension of temporary protection indicated that effective legislation and contingency planning, coupled with broad political will, can lead to swift responses to humanitarian crises; provide predictability and stability to beneficiaries; and foster convergence in practices across several countries. Importantly, the EU response in protecting displaced persons from Ukraine can pave the way in guiding the EU's asylum system as a whole through similar expressions of solidarity and shared responsibility.

After a full year of functioning with an enhanced mandate, the EUAA closed 2022 with an unprecedented number of operating plans to provide operational and technical assistance primarily to Member States experiencing disproportionate pressure on their asylum and reception systems. As stipulated in the EUAA Regulation, the new work programme of the Agency will continue to evolve over the coming year. The newly-appointed EUAA Fundamental Rights Officer will ensure that the Agency's operations continue to fully adhere to fundamental rights, Liaison Officers in Member States will further calibrate the cooperation with national authorities and a Monitoring Mechanism will begin in early 2024 to help harmonise practices across the EU. Living up to its status as the centre of expertise on asylum, the Agency will continue to play a key role in the European effort to provide protection to those in need.

Nina Gregori
Executive Director
European Union Agency for Asylum





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Introduction



As the go-to source of information on international protection in Europe, the annual EUAA Asylum Report provides a comprehensive overview of key developments in asylum in Member States of the European Union, Iceland, Liechtenstein, Norway and Switzerland (EU+ countries).

Starting with a brief overview of trends and main topics of discussion surrounding forced displacement at a global level, the report zooms in on the context of Europe. Key developments are presented at the EU and national levels, covering all aspects of the Common European Asylum System (CEAS). Selected case law is presented to illustrate how courts have shaped the interpretation of European and national laws. In addition, statistics on key indicators highlight trends in the area of asylum in 2022.

EU+ countries were faced with an exceptional number of people in need of protection in 2022 as a result of sharply increasing asylum applications lodged in Europe, coupled with the forced displacement of millions of people from Ukraine following the Russian invasion. In light of these developments, the EU and its Member States mobilised an unprecedented amount of resources to address growing protection needs.



1. Global developments in the field of asylum



Increased levels of conflict and human rights violations over the past decade persisted in 2022. A combination of crises, including new and ongoing conflicts, climate shocks, geopolitical unrest, violence and persecution, led millions of people to flee their homes in 2022. The Russian invasion of Ukraine caused one of the fastest and largest forced displacement crises since World War II.

Other pre-existing, profound situations of displacement around the world persisted or grew, pushing the number of people displaced globally to historic highs in 2022, reaching approximately 103 million, as estimated by the United Nations High Commissioner for Refugees (UNHCR). Grave effects on civilian populations were seen in Afghanistan, Burkina Faso, the Central African Republic, the Democratic Republic of the Congo, Ethiopia, Mozambique, Myanmar, Nicaragua, the Northern Triangle of Central America (Guatemala, El Salvador and Honduras), the Sahel region, Syria and Venezuela.

Against this background, the international community continued its efforts in developing solutions for people in need of protection. Through multi-stakeholder cooperation, effective protection responses were provided to persons fleeing Ukraine within short timeframes. With regard to international protection, under the framework of the Global Compact on Refugees, the international community continued to design and implement initiatives toward: i) easing the pressure on host countries; ii) enhancing refugee self-reliance; iii) expanding access to solutions in third countries; and iv) supporting conditions in countries of origin for safe and dignified return.

As the stakeholders worldwide continue to address complex aspects of ever-changing patterns of displacement, the discourse and praxis of international protection evolve to accommodate emerging needs. Key issues that remained at the centre of attention in the field of asylum in 2022 included:

- A focus on children and unaccompanied minors;
- Understanding and responding better to the needs of women and girls in the context of displacement;
- An emphasis on physical and mental health of displaced persons as a daily concern;
- Climate-induced displacement as a factor generating and shaping protection needs worldwide; and
- Taking into account issues of statelessness in the context of asylum and the interplay between statelessness and protection needs.



2. Major developments in asylum in the European Union



The Russian invasion of Ukraine caused forced displacement of unprecedented levels in recent decades in Europe and added pressure on already-saturated reception systems. The impact of the war had a profound effect in shaping migration and asylum, and naturally occupied a central place in protection-related policymaking at the national and EU levels throughout the year.

Reflecting the EU's commitment to show full solidarity with Ukraine, on 4 March 2022 the Justice and Home Affairs Council unanimously adopted a Council implementing decision to activate the Temporary Protection Directive and established temporary protection for displaced people fleeing the war in Ukraine. The European Commission established the Solidarity Platform, which became the hub of an orchestrated EU response. It also developed a 10-point action plan with measures to be taken by the European Commission, EU agencies and Member States to address the needs of people fleeing the war in Ukraine.

Following the Council decision in March 2022, EU countries proceeded with the application of the Council implementing decision by introducing relevant procedural and reception arrangements, organising information campaigns and granting access to rights for persons fleeing Ukraine. The activation and practical implementation of the Temporary Protection Directive allowed for a clear legal status for persons fleeing the war in Ukraine and systematic access to associated rights.ⁱ

With the active work of the French and the Czech Presidencies of the Council of the EU and under the coordination of the European Commission, considerable progress was made in 2022 toward advancing the reform package included in the [Pact on Migration and Asylum](#) and enhancing practical cooperation among EU+ countries. As a result, in June 2022, the Council adopted negotiating mandates on the Screening and Eurodac Regulations, as well as its general approach on the proposal for the revision of the Schengen Border Code. Agreement was also reached by 21 countries on the implementation of the Voluntary Solidarity Mechanism, paving the way for further progress on the Asylum and Migration Management Regulation. The mechanism provides for expressions of solidarity to Member States experiencing particular pressure on their asylum and reception systems through relocations, financial contributions and other measures of support.

At the level of the European Parliament, in 2022 rapporteurs presented draft reports on all legislative proposals included in the Pact on Migration and Asylum and on the recast Return Directive. In September 2022, the Parliament and the rotating Presidencies of the Council of the EU reached political agreement on a [joint roadmap](#) for negotiations between co-legislators in order to adopt the legislative proposals before the end of the 2019-2024 legislative period.

ⁱ For a detailed overview of actions taken by EU+ countries in the implementation of temporary protection for people fleeing Ukraine, see the EUAA's [Providing Temporary Protection to Displaced Persons from Ukraine: A Year in Review](#).

The effective management of external borders and the associated impact on the proper functioning of the Schengen system were key topics of discussion among European policymakers. The European Commission presented a policy document to launch a multiannual strategy for integrated border management which addresses border control; search and rescue activities; risk analysis; inter-agency, EU and international cooperation; the return of illegally-staying third-country nationals; fundamental rights; research and innovation; and education and training. Efforts were also made to strengthen cooperation with countries of origin and transit to address irregular migration.

The EU's external borders continued experiencing increased pressure, with arrivals sharply rising for a second year in a row. According to preliminary data collected by Frontex, 330,000 irregular border crossings were detected at the EU's external border in 2022, representing an increase of 64% compared 2021. Persons displaced from Ukraine were not included in these figures, as they were recorded separately. To address the situation at the external borders, the European Commission continued to provide support to frontline Member States by offering financial assistance and operational responses in coordination with EU Agencies, international organisations and other relevant stakeholders.

The European Commission presented two action plans with a series of operational measures to address immediate and ongoing challenges along the Central Mediterranean and the Western Balkan routes. The Action Plan for the Central Mediterranean includes 20 measures designed to reduce irregular and unsafe migration, provide solutions to emerging challenges in the area of search and rescue operations and foster solidarity balanced against responsibility among Member States. The Action Plan for the Western Balkans also comprises 20 operational measures structured along five pillars. The aim is to strengthen cooperation on migration and border management between the EU and Western Balkan countries, which have a unique status as countries in the EU accession process.

In 2022, the EU and its Member States continued to render assistance through search and rescue (SAR) operations to people and vessels in distress in the Mediterranean Sea. These included migrants and refugees trying to reach Europe, embarking on life-threatening journeys organised by smugglers who used increasingly dangerous tactics to cross the Mediterranean Sea. In the absence of an EU-wide, commonly-accepted and predictable mechanism for SAR events, the limitations of current arrangements and practices continued to be the target of criticism. For those voices, a lack of coordination in SAR activities, solitary action by individual countries and the criminalisation of NGOs involved in SAR activities in the Mediterranean Sea have often led to migrants being forced to stay for several days on boats.

In line with a decades-long tradition of being a leading actor in promoting protection-oriented solutions across the world, the EU continued its comprehensive and mutually-beneficial cooperation with third countries. Activities under the external dimension of the EU's migration and asylum policy included efforts to address root causes of irregular migration; combat smuggling networks; cooperate with third countries on returns and readmissions; work with partner countries toward migration and border management; provide support for protection solutions in other parts of the world; and develop legal pathways to protection in Europe.



In its role to ensure a harmonised interpretation and application of EU law, the Court of Justice of the European Union (CJEU) issued more than [20 judgments](#) in 2022, covering topics related to:

- effective access to the asylum procedure;
- the Dublin procedure;
- the concept of a subsequent application;
- the admissibility of applications for international protection;
- the right of access to an administrative file and the meaning of communication of the decision ‘in writing’;
- the withdrawal of material reception conditions;
- the scope of detention and judicial review of the lawfulness of detention;
- family reunification involving minors; and
- the withdrawal of international protection on grounds of national security.



3. EUAA support in 2022



On 19 January 2022, [Regulation \(EU\) 2021/2303 on the Establishment of a European Union Agency for Asylum](#) entered into force with an enhanced mandate for the Agency. Throughout 2022, the Agency proved its role as a centre of expertise in asylum by expanding its operational and technical support to address evolving needs. The Russian invasion of Ukraine generated large-scale protection needs, and the Agency responded quickly to offer assistance to countries receiving large numbers of displaced persons from Ukraine. As an integral actor in the collective EU response in addressing the needs of millions of displaced persons, the EUAA effectively contributed to the implementation of protection solutions across Europe.

To provide evidence-based information to a range of audiences, including policymakers, the EUAA continued in 2022 to collect, process, synthesise and analyse information on specific themes, latest developments, emerging topics and forecasting in the field of asylum. Training developed and delivered by the Agency supported the practical implementation of CEAS by assisting asylum and reception officials enhance their knowledge, skills and autonomy to implement efficient and fair procedures, in line with EU standards.

A key area of work for the EUAA is to provide operational and technical assistance, especially to Member States experiencing disproportionate pressure on their asylum and reception systems. In 2022, the EUAA provided operational support to a record number of 14 EU Member States: Austria, Belgium, Bulgaria, Cyprus, Czechia, Greece, Italy, Latvia, Lithuania, Malta, Netherlands, Romania, Slovenia and Spain. Operational support to national asylum and reception systems in 2022 covered a range of actions which were tailored to the specific context and needs in each country, including support to increase capacity and the quality of reception conditions, registration and processing of applications at first and second instances, support relocations and increase the quality and standardisation of the Dublin procedure. The Agency also supported Member States in the implementation of protection solutions for persons displaced from Ukraine.

Through its cooperation with third countries, on the basis of bilateral roadmaps and EU-funded regional programmes, the EUAA continued to support in 2022 the external dimension of CEAS. Roadmaps for bilateral cooperation were implemented with [Albania](#), [Bosnia and Herzegovina](#), [Egypt](#), [Kosovo](#), [Montenegro](#), [North Macedonia](#), [Serbia](#) and [Türkiye](#), while at the regional level, the Agency successfully delivered activities involving all North African countries and Niger. In view of the Agency's new mandate and geopolitical developments in the field of asylum, in March 2023, the Management Board of the EUAA adopted a revised [external cooperation strategy](#).

The EUAA Regulation introduced provisions to ensure that the Agency fully adheres to fundamental rights when delivering its tasks. In 2022, the EUAA carried out preparatory activities for the appointment of a Fundamental Rights Officer, the development of a Fundamental Rights Strategy and the establishment of a complaints mechanism, whereby any person who is directly affected by the actions of an expert in an Asylum Support Team, and who considers that their fundamental rights have been violated due to those actions, or any party representing such a person, may submit a complaint in writing to the EUAA.



4. Functioning of the Common European Asylum System



In light of sharply increasing numbers of people in need of protection in Europe and saturated national reception systems, EU+ countries implemented legislative, policy and practical initiatives in 2022 to manage the fluctuating situation. At the same time, concerns about some practices within national asylum and reception administrations were voiced by civil society organisations, UNHCR and other international organisations.

4.1. Access to procedures



In 2022, EU+ countries received a significantly higher number of applications for international protection than in previous years. The approximately 996,000 applications for international protection which were lodged in EU+ countries represented an increase by about one-half compared to 2021 and by two-fifths compared to the pre-COVID-19 level of 2019. While the EU+ total remained well below the high of 2015, the number of applications exceeded 2015 values in several countries (see *Figure 1*).

Across EU+ countries, 7 out of every 10 applications were lodged in the Top 5 receiving countries – namely Germany, France, Spain, Austria and Italy (in descending order). Nationals of Syria, Afghanistan, Türkiye, Venezuela and Colombia lodged the most applications. While the record levels of 2015 and 2016 were primarily driven by applications for international protection by persons coming from Syria, Afghanistan and Iraq, the current increase stems from a much wider range of nationalities.

In light of increased arrivals and applications, EU+ countries continued their efforts to provide access to protection, while effectively managing their borders. Following trends from recent years, several Member States along the EU's borders introduced special rules to manage mass arrivals and to declare a state of emergency in specific situations. While the goal of such measures was to assist the authorities in monitoring and managing inflows and detecting cases of smuggling, UNHCR, the Council of Europe and civil society organisations commented on the impact in practice, alerting of the risks for the right to asylum and the principle of *non-refoulement*.

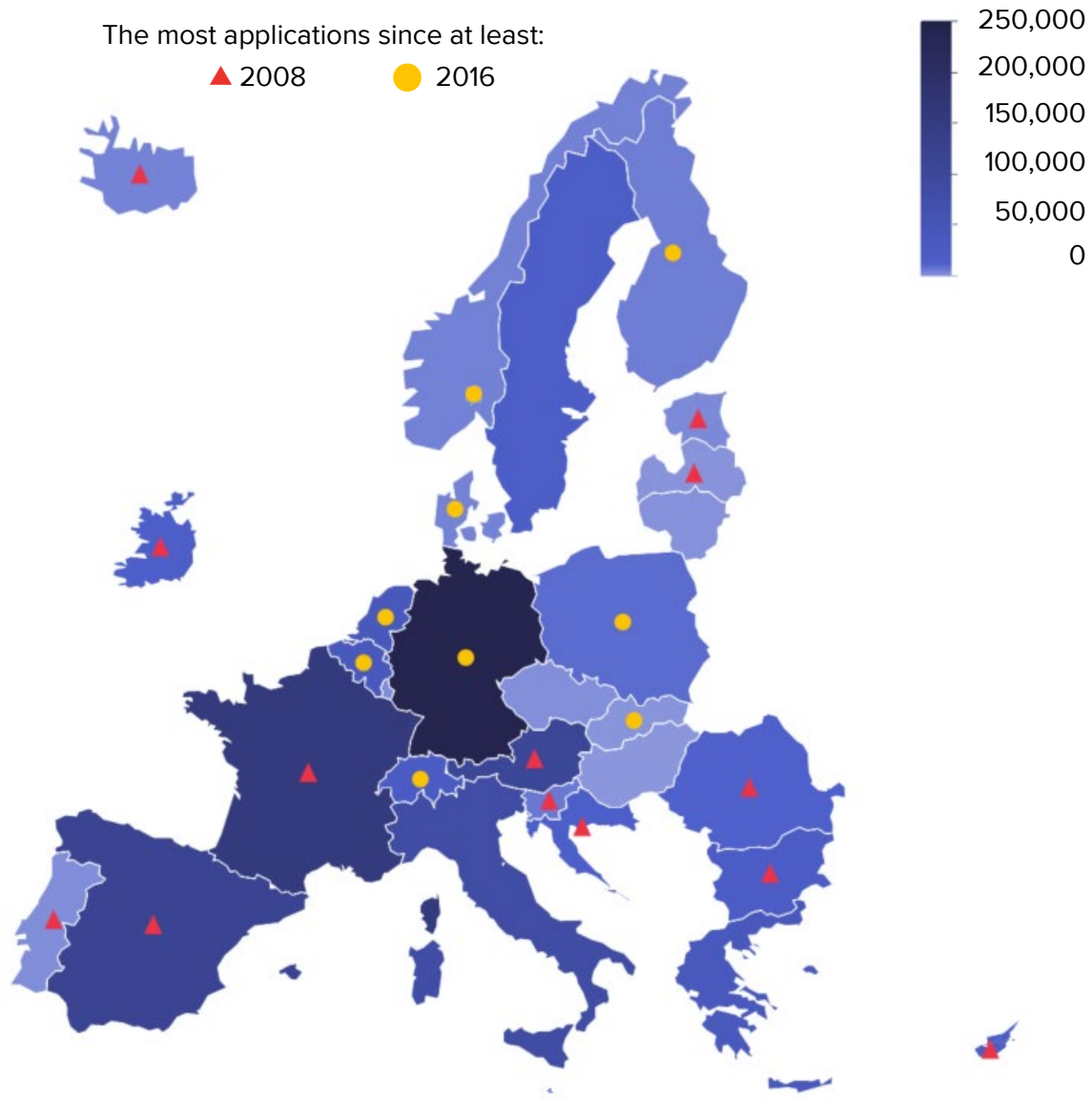
The activation of the Temporary Protection Directive also triggered changes in the process and impacted the capacity to register applications for international protection in different ways, as EU+ countries had to also register persons in need of temporary protection. This led to several adjustments in the registration and lodging procedures, aiming to facilitate and accelerate the process for displaced persons from Ukraine, which at times resulted in delays to access the procedure for asylum applicants.





All-time highest number of applications in 13 EU+ countries

Figure 1. Applications for international protection by EU+ country, 2022



Note: Annual data were missing for Iceland. The annual total was calculated as the sum of monthly applications.
Source: Eurostat [[migr_asyappctza](#), [migr_asyappctzm](#) for Iceland] as of 13 April 2023.



4.2. The Dublin procedure



Developments towards a new solidarity mechanism to complement the Dublin system continued at the EU level in 2022. The one-year Voluntary Solidarity Mechanism, which was established by the European Commission following an agreement among 18 Member States and 3 associated countries, is seen as an opportunity to pave the way for a more permanent solution under the proposed Asylum and Migration Management Regulation.

Under the current EU legal framework, Member States, the European Commission and the EUAA developed a roadmap to improve the implementation of transfers under the Dublin III Regulation in 2022, and Member States started to apply the practical solutions defined in the roadmap to overcome the main obstacles in executing transfers in 2023.

While COVID-19 restrictions were gradually lifted in 2022, a key issue for Dublin units in 2022 was the lack of staff – partly due to the fact that Dublin case officers were re-assigned to support the arrival of persons in need of temporary protection – making it more challenging to address the increasing workload.

According to provisional data which are regularly exchanged between the EUAA and 29 EU+ countries, 163,000 decisions were issued in 2022 in response to outgoing Dublin requests. This represented an increase by more than two-fifths compared to 2021, resulting in the highest annual total since at least 2016. Overall, the annual ratio of decisions received on Dublin requests to asylum applications lodged was 16%, on par with 2021. Although some decisions on Dublin requests concerned family reunion cases, the stable ratio of decisions to applications suggests that in 2022 an increased number of asylum seekers moved from the first country of arrival to another to lodge a new application (referred to as secondary movements), impacting asylum caseloads overall.

At the country level, Germany and France continued to receive the most decisions in response to their requests, jointly accounting for over three-fifths of the EU+ total. As in previous years, Italy issued the most decisions overall on Dublin requests. However, for the first time on record, Austria and Bulgaria emerged as second and third countries issuing the most decisions, overtaking Germany and Greece.

In 2022, the acceptance rate for decisions in response to Dublin requests, which measures the share of decisions accepting responsibility (explicitly or implicitly) for an application out of all decisions issued, was 60% (6 percentage points higher than in 2021). This represented an increase for the first time in 5 years at the EU+ level.

After dropping to very low levels during the COVID-19 pandemic in 2020 and 2021, the number of Dublin transfers which were implemented in 2022 remained low. Overall, about 15,000 transfers were undertaken in 2022, which was about one-seventh more than in 2021, yet about two-fifths lower than the number of 2019.

Article 17(1) of the Dublin III Regulation was invoked about 4,800 times in 2022, increasing for the first time in 4 years but still well below pre-pandemic levels. Article 17(1) is a discretionary clause, which allows a Member State to examine an application for international protection lodged by a third-country national or a stateless person, even if such an examination is not its responsibility under the criteria laid down in the regulation.



4.3. Special procedures to assess protection needs



During the examination of applications for international protection at first instance, Member States under certain conditions can use special procedures – such as accelerated procedures, border procedures or prioritised procedures – while adhering to the basic principles and guarantees set out in EU law.

Throughout 2022, national courts stepped in to assess legislative provisions, as well as the practical implementation of special procedures. Concerns persisted about the use of border procedures and the risks of acceleration based on the safe country concept and subsequent applications.

Overall, 76,000 subsequent applications were lodged in the same EU+ country in 2022, which represented a decrease compared to the 91,000 subsequent applications in 2021. The ratio of subsequent applications to the total number of applications was 1 in 12, representing a notable decline compared to 2021 (when it was 1 in 7).

4.4. Processing asylum applications at first instance



The increased number of applications for international protection, alongside the millions of displaced persons from Ukraine in need of temporary protection, exerted increased pressure on processing capacity at first instance. EU+ countries responded to this need by adopting measures to increase the efficiency of the overall asylum system and to speed up the asylum procedure.

Recruitment of new staff and the reorganisation of determining authorities were initiated, and additional territorial offices were created to increase presence and facilitate access to the asylum procedure and competent authorities. Some EU+ countries introduced prioritisation policies and guidelines for certain profiles, extended time limits to issue a decision at first instance, and shortened or omitted certain steps in the procedure when the outcome would be favourable to the applicant. To improve and speed up procedures, several countries developed new general guidelines to assess applications and adopted new policies on cases lodged by specific profiles and nationalities of applicants.

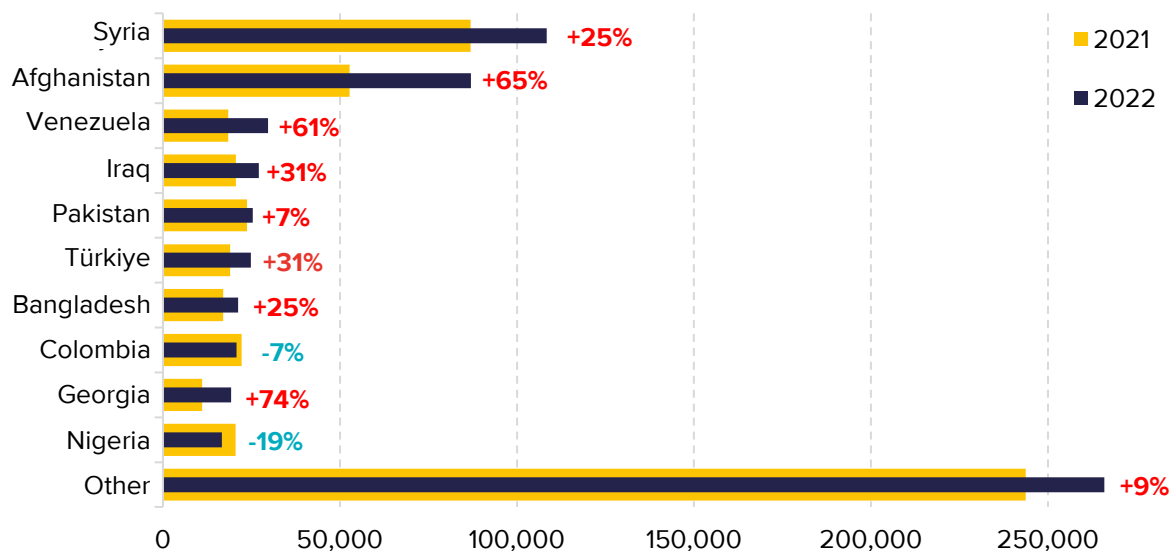
In 2022, asylum authorities in EU+ countries issued approximately 646,000 first instance decisions, which was one-fifth more than in 2021 and the most since 2017. At the same time, many more applications were lodged in 2022 (up by one-half), particularly in the second half of the year. By the end of 2022, applications outnumbered first instance decisions by 345,000, leading to more cases pending at first instance across most EU+ countries than a year earlier.

Three EU+ countries issued nearly two-thirds of all first instance decisions in 2022: Germany (31%), France (20%) and Spain (13%). These were followed by Italy (8%), Austria (6%) and Greece (6%). Most first instance decisions in EU+ countries were issued to nationals of Syria and Afghanistan, receiving 3 out of 10 decisions (see *Figure 2*). Nationals of Türkiye (25,000), Bangladesh (21,000) and Georgia (19,000) received the most decisions on record.



More first instance decisions issued in 2022 to nearly all main countries of origin

Figure 2. First instance decisions in EU+ countries by Top 10 countries of origin receiving decisions, 2022 compared to 2021



Source: Eurostat [[migr_asydcfst](#)] as of 13 April 2023.

About 140,000 applications were withdrawn at all instances in EU+ countries in 2022, which was twice as many as in 2021 and the most since 2016. Overall, the ratio of withdrawn applications to the total number of applications lodged rose from about 1 in 10 in the previous 4 years to 1 in 7 in 2022. At least four-fifths of all withdrawn applications in 2022 were implicit. It is possible that an asylum applicant implicitly withdraws their application from one EU+ country in order to apply again in another one, thus indicating secondary movements towards other EU+ countries. In this regard, there was a pattern of many implicit withdrawals, and hence secondary movements, from the countries along the Balkan route and countries at the EU's external borders.

4.5. Processing asylum applications at second or higher instance



In 2022, developments at second instance in some EU+ countries included assessments or new interpretations of the right to access an appeal procedure, such as who can lodge an appeal and the requirements with which an applicant must comply to access the appeal procedure. The scope of appeals in international protection cases was the subject of further improvements, including the requirement to provide an *ex nunc* (for the future) examination of both facts and points of law and the suspensive effect of appeals, to align domestic practices and legislative provisions with the relevant provisions of the recast Asylum Procedures Directive.

Courts stepped in to assess the effectiveness of remedies, while the length of appeal procedures continued to be an aspect of particular concern, leading to legislative changes being proposed, adopted or already implemented to speed up the appeals procedure. Courts also reviewed which competent body should be responsible for an appeal of a decision on an asylum application.

4.6. Pending cases



At the end of 2022, nearly 899,000 asylum applications were awaiting a decision in EU+ countries, increasing by almost one-fifth compared to a year earlier. This represented the most cases awaiting a decision since April 2020, when the processing of applications was suspended or strictly limited during the onset of the COVID-19 pandemic.

While the number of pending cases remained relatively stable until July 2022, it started rising continuously afterwards, in line with the growing number of asylum applications, whereas decisions at first instance started to considerably lag behind the number of applications in the last two quarters of 2022 than in the first two. Hence, the stock of pending cases was far higher than in the pre-crisis level in late 2014, adding pressure on national reception systems.

A combination of Eurostat and the EUAA's Early Warning and Preparedness System (EPS) data allow for the disaggregation of cases pending at first instance and cases pending at second or higher instance. Results indicate that the overall stock of pending cases increased at first instance, whereas it continued to decrease at higher instances.

4.7. Reception of applicants for international protection



2022 was arguably a year when reception systems in EU+ countries tested their limits, being called to cater to the needs not only of an increasing number of applicants for international protection, but also of millions of people in need of temporary protection – and, thus, in need of shelter.

The main challenge remained the lack of sufficient places, even though Member States continued to significantly invest in increasing reception capacity. Some countries surpassed all previous capacity records, but this still was not enough to offer adequate accommodation for all applicants. The multifaceted challenges were at times compounded by inadequate funding methods and issues in collaborating with municipalities. Only a handful of EU+ countries (e.g. transit countries from where applicants often moved towards another EU+ country) did not report issues with capacity.

Member States explored different ways to respond to increased needs. Some reached out to new stakeholders to strengthen the reception system, for example, through the closer involvement of civil society organisations, municipal actors, disaster management or private actors. In the frames of its operating plans, the EUAA assisted 10 countries in enhancing their reception systems.

Reception conditions deteriorated in overcrowded centres and led to sub-standard conditions in some EU+ countries, as widely documented by civil society organisations. Courts stepped in to reiterate the obligations of Member States in effectively providing reception conditions. As



the focus remained on immediate needs, such as finding enough reception places and ensuring adequate living conditions, fewer initiatives seemed to have been implemented to facilitate applicants' entry into employment, orientation in the new society or accessing education and health care.

4.8. Aspects of detention involving applicants and former applicants



In 2022, shortcomings in practices and conditions in detention continued to be scrutinised by international, European and national monitoring and judicial organisations, such as the UN Committee Against Torture (CAT), the Council of Europe's Committee for the Prevention of Torture (CPT), national Ombudspersons, the CJEU, the European Court of Human Rights (ECtHR) and national courts, in addition to UNHCR and civil society organisations. Court decisions triggered, at times, processes to align national policies and practices with relevant European legislation.

Detention capacity in EU+ countries continued to be adjusted based on operational needs, mainly to open or plan the construction of new detention facilities. Recourse to detention was one of the primary concerns raised by civil society organisations. In a number of countries, concerns were expressed over the practice of detaining applicants at the border, *de facto* detention in general while newly-arriving third-country nationals were waiting to lodge an application, conditions in detention and hindered access to rights, such as access to information and legal aid.

4.9. Access to information



In 2022, EU+ countries continued to enhance the provision of information to asylum applicants through digital innovations and improvements, such as new platforms and websites. In addition to national authorities, civil society organisations continued to play an equally integral role in facilitating access to information. Both national authorities and civil society organisations increasingly made efforts to ensure applicants and beneficiaries of international protection had access to information in a language that they understand. As such, content was translated into several languages, with a special focus on having information available in Ukrainian and Russian.

Specific groups of applicants may require tailored information for their situation and circumstances. The mass arrival of displaced persons from Ukraine created a new information landscape; EU+ countries allocated significant resources to develop information platforms and materials which were regularly updated to provide the most up-to-date and accurate information in a rapidly-changing environment. National authorities were supported in this process for example by initiatives from the EUAA ([Who is Who in Temporary Protection](#)) and UNHCR (Help Pages). New information was also developed for Russian nationals seeking protection.



4.10. Legal assistance and representation



In 2022, some EU+ countries continued efforts to improve access to and the quality of legal assistance in all stages of the asylum procedure. They launched new initiatives and projects, for example contracting specialised lawyers working in asylum matters and offering additional support to applicants with special needs. Professional development and new tools were made available for legal practitioners, with the overall aim of improving the quality of services. Significant efforts were also noted in the provision of legal aid services throughout the asylum procedure through digitalisation and interconnectivity between portals of determining authority and court platforms.

However, as reported in previous years, the implementation of relevant provisions of the recast Asylum Procedures Directive remained an issue of concern at the border, in detention facilities and in the appeals procedure due to insufficient information and access to legal assistance and representation. In some cases, the short time limits in the border procedure, in special procedures or the Dublin procedure resulted in limited, poor quality or non-existent legal assistance.

In response to the Russian invasion, national authorities, international and civil society organisations mobilised resources to provide immediate support to displaced persons from Ukraine, including legal information and assistance with the active involvement of national bar associations.

4.11. Interpretation services



In 2022, EU+ countries introduced several initiatives to improve interpretation services in the asylum procedure, especially in the context of providing appropriate services for survivors of human trafficking, assisting persons with special needs, and in the provision of health care services. Efforts continued to improve the quality of interpretation services through training, guidance, quality tools and support materials for interpreters. A growing trend was noted in engaging beneficiaries of protection as interpreters in the context of asylum; having the direct experience of the process themselves, such interpreters were able to offer appropriate support to new applicants.

To address the arrival of displaced persons from Ukraine, several EU+ countries increased the number of Ukrainian- and Russian-speaking interpreters and produced more information material in those languages. These efforts triggered some criticism by civil society organisations, which reported a two-tier system in providing assistance to people fleeing Ukraine, who received quick support in the area of interpretation, and asylum applicants from other countries. Concerns were also raised by civil society organisations about language and cultural barriers at the borders due to a lack of interpretation services and poor translations of information, which prevented migrants from meaningfully understanding their rights and obligations.



4.12. Country of origin information



Key developments in the production of country of origin information (COI) in 2022 centred around improving methodologies, investing in new technologies and researchers, improving collaboration with other researchers based in Europe (for example in national COI Units and civil society organisations working in the country of origin), and producing information rapidly to address new crisis situations. COI production continued to focus on the most common countries of origin of asylum applicants in Europe, namely Afghanistan, Colombia, Syria, Türkiye and Venezuela. Naturally, COI production in 2022 also focused on the situation in Ukraine and Russia.

A challenge that seemed to persist, as highlighted by civil society organisations, relates to the lack of accessibility and user-friendliness of COI databases and the lack of multilingual information, as COI material is mostly available in English. In addition, there seems to be an imbalance between countries of origin for which a high number of COI reports are available and countries for which no or limited information exists, as well as a lack of data on intersex applicants and the situation in their countries of origin.

4.13. Statelessness in the asylum context



In the context of asylum, statelessness may affect the determination process for an application for international protection and the procedural safeguards of the applicant. In 2022, EU+ countries made legislative and policy changes to address statelessness, including establishing dedicated statelessness determination procedures, facilitating access to naturalisation and updating guidance on processing applications by stateless persons.

Nevertheless, some challenges seemed to persist, including the absence of a statelessness determination process in some EU+ countries and a lack of awareness and expertise on issues related to statelessness in the asylum context. This can create uncertainty for applicants about the process and their rights and obligations, and can lead to improper identification and registration.

4.14. Content of protection



Content of protection refers to the rights to which beneficiaries of a form of protection are entitled in the country of asylum, as well as the associated obligations. Protection is granted when applicants receive a positive decision granting refugee or subsidiary protection status (also referred to as EU-harmonised statuses). The recognition rate refers to the number of positive outcomes as a percentage of the total number of decisions on applications for international protection. While national forms of protection do grant a protection status to third-country nationals, those statuses – which are not harmonised across EU+ countries – are not included in the calculation of recognition rate.

In 2022, the overall EU+ recognition rate for first instance decisions on asylum applications was 39%. This means that out of 646,000 decisions issued, 252,000 were positive, granting the applicant either refugee status or subsidiary protection. The recognition rate went up by



5 percentage points compared to 2021 and was the highest since 2017. Most positive decisions at first instance granted refugee status (149,000 or 59% of all positive decisions) and subsidiary protection was granted in the remaining 103,000 cases (41%).

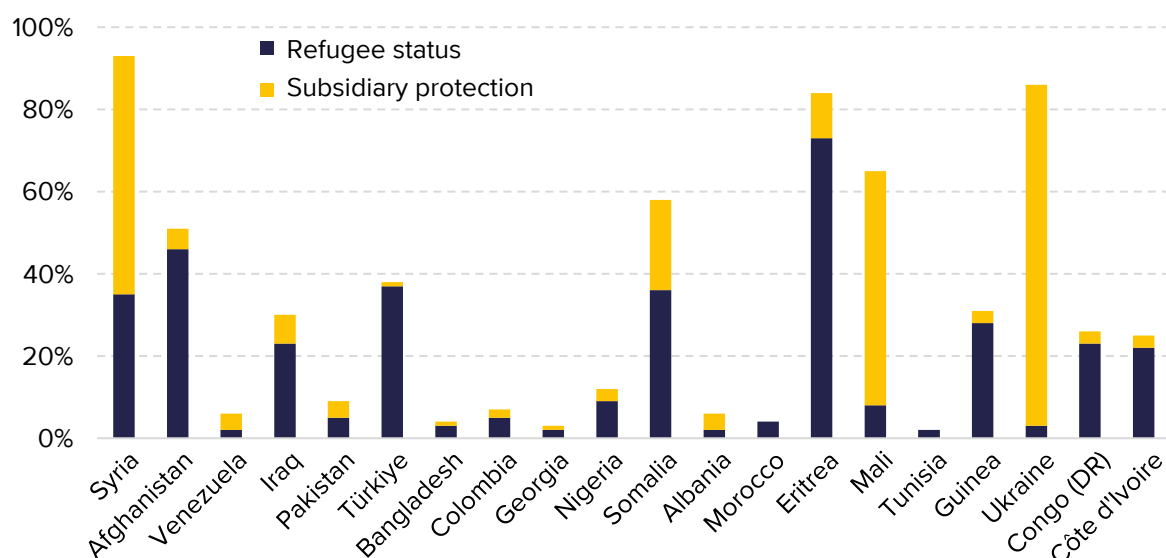
Beyond EU-regulated statuses, if authorisations to stay for humanitarian reasons are included in the calculation, the overall EU+ recognition rate for first instance decisions in 2022 would be 50%.

Among the 20 nationalities which received the most first instance decisions in 2022, Syrians had the highest recognition rate at 93%. They were followed by Ukrainians (86%) and Eritreans (84%). Other groups with relatively high recognition rates included nationals of Mali (65%), Somalia (57%) and Afghanistan (51%) (see *Figure 3*).



Syrians, Ukrainians and Eritreans had the highest recognition rates in 2022

Figure 3. First instance recognition rates for the Top 20 nationalities with the most decisions issued in EU+ countries, by nationality and status granted, 2022



Note: These 20 nationalities received the highest number of first instance decisions in EU+ countries in 2022. They are ordered (from the left to the right side) in terms of the number of decisions received.

Source: Eurostat [[migr_asydcfst](#)] as of 13 April 2023.

The range and quality of rights and services that beneficiaries of protection receive shape the prospects of their effective integration into the host society. In 2022, integration policies were primarily geared at persons in need of temporary protection from Ukraine, including facilitating their social orientation, access to education, employment and health care, and the provision of social welfare benefits.



The trend observed in previous years to involve a range of stakeholders and improve collaboration for the integration of beneficiaries of international protection continued in 2022, and the urgent, large-scale need to provide integration support for persons in need of temporary protection further catalysed this process of multistakeholder collaboration. Thus, EU+ countries piloted some new, innovative ways of working together in the integration of persons in need of protection.

To support evidence-based policymaking, various stakeholders, including national authorities, academia, think tanks and civil society organisations, continued to evaluate components of integration programmes throughout 2022. Lessons learnt through efforts to integrate beneficiaries of temporary protection can provide further insight on the impact of different approaches to integration in the future. In parallel, some EU+ countries continued with initiatives which offered a right to stay to former applicants who could not be returned and who had reached a certain level of integration.

The increase in asylum applications in 2022 often impacted and caused delays in delivering residence and travel documents to beneficiaries of international protection, which risked delaying their access to other services and rights. As seen in previous years, courts retained an important role in shaping the interpretation of grounds and procedures for reviewing or withdrawing international protection, while judicial authorities also scrutinised national policies and practices in the area of family reunification.

4.15. Resettlement and humanitarian admissions



After scaling back on resettlement activities during the COVID-19 pandemic, countries began to gradually reactive programmes in 2021 and 2022. In this context, EU+ countries continued efforts to fulfil their commitments. This required adjusting priorities and programmes to the new challenges during the year, such as the continued crisis in Afghanistan and the mass arrival of displaced persons from Ukraine. Acute pressure on national reception systems led to delays in the implementation of resettlement pledges by many EU+ countries.

Overall, the role of civil society organisations, private companies and community groups was reinforced through new agreements as they play an important role in the reception of resettled refugees and the selection and referral process. To measure the impact of resettlement programmes, EU+ countries and civil society organisations undertook evaluations to identify lessons learned and good practices.

In the area of humanitarian admissions, efforts mostly focused on the arrival of Afghan nationals at risk. Again, relevant initiatives were implemented in cooperation with civil society organisations.



5. Children and people with special needs in the asylum procedure



Since persons in need of temporary protection comprised mainly women and children in 2022, EU+ countries needed to adjust support services which were generally geared towards applicants for international protection who are predominantly men. Women and children fleeing Ukraine were at a heightened risk of being trafficked, so a number of EU+ countries carried out campaigns to raise awareness and prevent trafficking. They also put further effort into better identifying victims and offering quick and adequate support.

Despite efforts by EU+ countries to improve early identification, referral and follow-up, the identification of persons with special needs and the provision of timely accommodation and support to the most vulnerable became even more challenging against the background of saturated reception systems. In addition, several Member States and civil society organisations noted that applicants for international protection arrived in the EU in worse states of health than in previous years.

Courts often stepped in to rule on a number of issues related to applicants with disabilities and special health needs, on questions related to effective protection for women and girls, and on cases involving sexual orientation and gender identity (SOGI) claims.

In 2022, 42,000 applications for asylum were lodged by unaccompanied minors across EU+ countries, which was the most since 2016. This represented an increase of three-fifths from the previous year, slightly exceeding the growth in total applications (+53%). Just two citizenships together accounted for two-thirds of the applications by unaccompanied minors: almost one-half were submitted by Afghans (20,000) and Syrians (10,000).

More than one-half of all applications for international protection by unaccompanied minors were lodged in Austria (13,000 or 31%), Germany (7,300, 17%) and the Netherlands (4,200, 10%). In both Austria and the Netherlands, as well as in Bulgaria (3,400), France (1,000) and Cyprus (900), figures for 2022 were the highest on record (see *Figure 4*).

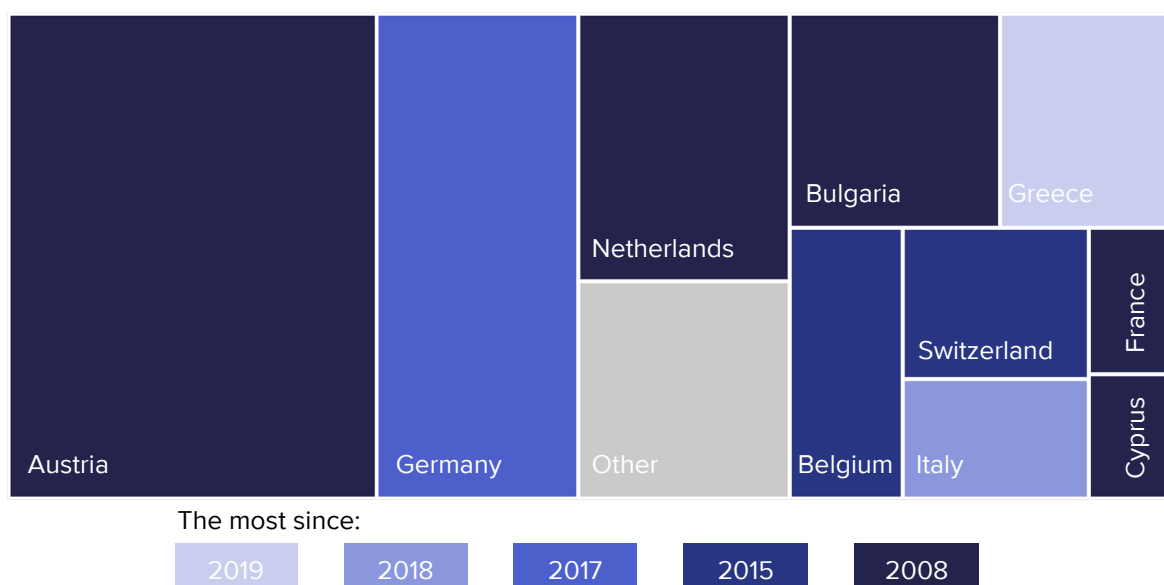
Refugee status or subsidiary protection was granted to almost all Syrian unaccompanied minors (96%). In contrast, a small minority of positive decisions were issued to minors from Bangladesh (6%).

About 18,000 applications were withdrawn by unaccompanied minors in 20 EU+ countries which reported data. Similar to withdrawn applications by adult applicants, this was about twice as many as in 2021. In fact, the growth in withdrawn applications outpaced the growth in applications lodged by unaccompanied minors. The applications were predominantly withdrawn by one particular group: 95% were male applicants aged 14-17 years. Almost all withdrawals were implicit, suggesting that the unaccompanied minors did not notify the authority of their intention to withdraw the application. It is possible that such withdrawals indicate secondary movements toward other EU+ countries.



Record-high numbers of unaccompanied minors applying in Austria, Bulgaria, Cyprus, France and the Netherlands

Figure 4. Top 10 EU+ countries receiving applications by unaccompanied minors, 2022



Note: Data for Iceland were missing.

Source: Eurostat [[migr_asyunaa](#)] as of 13 April 2023.

The increase in the number of unaccompanied children compared to 2021 exerted additional pressure on relevant processes, such as appointing a guardian and assessing the age of self-proclaimed minors. The increase also had an impact on time limits for processing applications and the provision of adequate material reception conditions and support to unaccompanied minors.

Concluding remarks

In 2022, EU+ countries received a record number of persons in need of protection, as witnessed by a sharply increasing number of asylum applicants and over 4 million displaced persons from Ukraine seeking temporary protection. While the combined figure of 5 million people arriving into the EU put considerable pressure on national administrations, solutions at the European and national levels were created to address the needs of people seeking protection.

The European response to the needs of millions of displaced persons from Ukraine was constructive and protection-oriented, and they can serve as a political and operational blueprint for the future. A number of factors catalysed this success, including the pre-existing legislation that had been tailor-made to specifically address this need, as well as the political will to activate this legislation and swiftly set up the corresponding support structures. Importantly, the collaboration among multiple and diverse stakeholders on the basis of multifaceted solidarity played a major role in designing and delivering the solutions: solidarity toward persons in need of protection; solidarity across EU countries; and solidarity among different actors who managed to mobilise resources and pull toward the same direction. EU institutions and agencies, national and local authorities, international and civil society organisations, as well as private citizens and communities, came together and cross-fertilised their respective expertise in providing effective solutions.

To advance the optimisation of the EU's asylum systems in 2022, the French and Czech Presidencies of the Council of the EU advocated a gradual approach, managed to catalyse progress in the negotiations on the Pact on Migration and Asylum, and further fostered practical cooperation among Member States. This work culminated in the adoption of negotiating mandates on the Screening and Eurodac Regulations, in the political agreement among co-legislators on a joint roadmap for negotiations on the reform package, and in the agreement on the Voluntary Solidarity Mechanism. These increments of commitment, based on a balance between expressions of solidarity and responsibility, can have a positive cumulative effect, further informing policymaking and eventually facilitating the adoption of the pact in the coming years.

Against the background of such advances in the reform of the Common European Asylum System, the EU and its Member States have been striving to achieve dual integrity, that is, integrity in the asylum procedure and integrity of border management. Indeed, over the past years, there has been an emphasis on an effective approach, which has been presented as a core element of the method to enhance the pact. A stated objective of the revision of the Schengen system is to enhance resilience to serious threats, such as the instrumentalisation of migrants, through integrated border management. At the same time, effective management entails integrity in receiving persons in need of protection in full respect of fundamental rights and processing applications in a fair and dignified manner.

While modernising border management, it is therefore essential to ensure uninhibited access to protection for those in need. While key steps in this direction have been initiated, such as the discussion – and associated guidance – on setting up independent national mechanisms to monitor human rights compliance at external borders, alarming reports by international and civil society organisations raise concerns about practices that impede effective access to protection.



To ensure the correct interpretation of CEAS, the CJEU, as well as judicial institutions at the national level continued scrutinising national legislation, policies and practices on a number of CEAS-related areas in 2022. Particular emphasis was placed on the application of the principle of *non-refoulement* and effective access to territory and the asylum procedure. To safeguard the integrity of CEAS, it is of paramount importance that national authorities implement the decisions issued by the courts to this end.

In a rapidly-changing asylum landscape, which requires multi-stakeholder cooperation in designing and implementing protection solutions, the EUAA has evolved into a vital component of a European asylum architecture. Equipped with its reinforced mandate, the Agency will continue to support the implementation of CEAS across Europe. In conjunction with the technical, operational and training support provided by the Agency, the new position of the independent Fundamental Rights Officer will catalyse work to ensure that the rights of asylum applicants are always safeguarded. Through its Monitoring Mechanism, the Agency will work even closer with Member States in the coming years to monitor the operational and technical application of EU legal obligations and assist Member States in identifying possible limitations in asylum and reception systems, ultimately contributing to a more harmonised EU asylum system.



Asylum Report 2023: Executive Summary

As the go-to source of information on international protection in Europe, the *Asylum Report 2023* provides a comprehensive overview of key developments in asylum in 2022. The Executive Summary presents an abridged version of the main report.

The European Union Agency for Asylum (EUAA) collates information on all aspects of the Common European Asylum System. To this end, the report outlines changes to policies, practices and legislation. It presents trends in asylum, key indicators for the reference year 2022, an overview of the Dublin system which determines the Member State responsible for a case and a dedicated section on applicants with special needs, including unaccompanied minors. Examples of case law are featured to interpret European and national laws in the context of the EU asylum *acquis*.

The *Asylum Report 2023* draws on information from a wide range of sources – including perspectives from national authorities, EU institutions, international organisations, civil society organisations and academia – to present a complete picture and diverse perspectives. The report, covering 1 January to 31 December 2022, serves as a reference for the latest developments in international protection in Europe.