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European Council on Refugees and Exiles

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STATISTICAL UPDATE

THE IMPLEMENTATION OF THE DUBLIN III REGULATION IN 2024

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Please note that for countries covered by the AIDA database, unless otherwise specified this study uses the information provided in the AIDA reports. For countries not covered by the AIDA database (CZ, DK, EE, FI, IC, LI, LU, LV, LT, NO, SK), this study uses the statistical information available on Eurostat. Unless specified otherwise, data based on AIDA reports refers to total requests and decisions,[1] i.e. including re-examinations. All calculations are that of the authors. Percentages are rounded to the nearest whole number.

[1] AIDA requests information on total requests (i.e. first time and re-examination requests) for its country reports and compares it with Eurostat data on total requests. Where large discrepancies are observed, explanations are sought through desk research and requests to the authorities. However, it is possible that in some cases, by default, authorities provide AIDA with information on first time requests rather than total requests. Efforts are made to identify such cases and ensure that information compared between countries is consistent. In any case, throughout the report, when discrepancies are observed, they are flagged to the attention of the reader with likely or confirmed explanations.

Key Findings

The use of the Dublin system in 2024

- After a record year in 2023 (193,971 decisions taken on 201,868 outgoing requests), Dublin requests and decisions on requests decreased in 2024, with 164,532 decisions issued throughout the year, in response to 170,661 outgoing Dublin requests.
- The main users of the Dublin system continue to be Germany and France, confirming the trend observed in previous years. The two countries issued 77,813 and 31,964 Dublin requests respectively, accounting for 31% and 20% of the asylum applications lodged in each country, and jointly accounting for 64% of all outgoing requests in 2024.
- Among the main users, Switzerland issued the highest number of Dublin requests when related to the total number of asylum applications, with 36% of registered asylum applications channelled into a Dublin procedure.

Application of the hierarchy of criteria for determining responsibility

- Most outgoing requests are take-back requests, concerning applicants who have already applied for asylum in another Member State. In 2024, 69% of Dublin transfer requests were take back requests and 31% were take charge requests.
- The vast majority (87%) of take-charge requests are based on the issuing of a visa or residence document (Article 12) or on the irregular entry criteria (Article 13(1)).
- Very limited numbers of transfer requests – around 1.7% of all outgoing Dublin requests in 2024 - are based on the family unity and best interests of the child criteria, even though these provisions are at the top of the hierarchy of responsibility and should thus be prioritised.
- The sovereignty clause (Article 17(1)) which allows a Member State to use their discretion to take responsibility for an application is rarely used; it was invoked in around 10,957 cases in in 2024. Nevertheless, this constitutes a significant increase compared to 2023 (7,786) and 2022 (4,808) and new countries have started to apply the clause; for example, Croatia took 3,356 such decisions in 2024.
- The humanitarian clause whereby a request to take charge is based on humanitarian grounds is used in an even more limited number of cases, with 1,951 outgoing requests based on Article 17(2), accounting for only 1.14% of outgoing requests in 2024. Limited information is available as to the grounds for its use at the national level, although some countries such as Cyprus, Malta, and Greece notably use it for relocation purposes.
- Despite the significant issues in access to the asylum procedure and in reception conditions reported in multiple Member States, the unilateral clause of Article 3(2) of the Dublin Regulation under which Member States can assume responsibility due to systemic flaws in the asylum procedure and in the reception conditions in the Member State that is actually responsible is rarely used. Only 317 cases in which the clause was used were reported in 2024, down from 618 in 2023 –, with States preferring to have applicants wait out the transfer period before acknowledging responsibility for the asylum claim.

Transfer rates in 2024 (transfers implemented compared to requests)

- The vast majority of Dublin requests do not result in a transfer: in 2024, only 10% of Dublin transfer requests issued culminated in the transfer of the applicant, with 18,860 outgoing transfers reported in 2024.
- For the main users of the Dublin system, the percentage of transfers achieved is sometimes even lower: in Germany, 7% of transfer requests culminated in the transfer of the applicant; in France and Belgium 8%; one notable exception is Switzerland - the 4th main user of the Dublin system - which registered a 25% transfer rate.

- The main recipients of incoming Dublin requests to either take back or take charge of an applicant are Italy, Croatia, and Greece. Most of these requests did not result in a transfer of the applicant to Italy (which received 60 incoming transfers) and Greece (26 incoming transfers), Croatia received 1,698 incoming transfers (out of 24,363 requests).
- Only six states received more than 1,000 Dublin returnees: (Germany (4,592), France (2,201), Croatia (1,698), Austria (1,511), Spain (1,366) and the Netherlands (1,172)).
- Italy maintained its policy of suspending incoming transfers, initiated at the end of 2022, due to the "saturation" of its reception system. Despite this, other Member States continued to send requests, although courts pushed back on this practice in some countries. In March 2025, Poland also announced a suspension of incoming transfers, but the practical consequences are not yet known.
- In 2024, in total, requesting Member States reported ultimately becoming responsible for asylum applications in 41,128 cases of failed transfers, mainly to Italy and Croatia.

Legal challenges related to Dublin in 2024

- The Dublin Regulation remains a major source of asylum litigation in Europe, with numerous legal challenges before domestic courts, and major cases presented before both European Courts.
- For 2024, it appears that Member States generally did not request individual guarantees (either concerning reception conditions or access to the asylum procedure) for Dublin returnees as a matter of general practices, with some limited exceptions.
- Jurisprudence is inconsistent between as well as within the countries applying the Dublin Regulation, with some courts blocking transfers to certain countries for reasons including the risk of (chain) *refoulement*; poor reception conditions; lack of access to reception conditions for Dublin returnees; deficiencies in asylum procedures; lack of access to the asylum procedure; poor treatment of beneficiaries of international protection; and excessive, automatic or otherwise unlawful use of detention.
- Courts continue to differ on whether systemic deficiencies exist in certain countries. Asylum systems in Bulgaria, Greece, Hungary, and Italy have been found by some national courts to demonstrate systemic deficiencies; in other cases, courts did not find that deficiencies in these countries were systemic.
- Even where systemic deficiencies are found or where there are regular and consistent court decisions blocking transfers in individual cases, states are reluctant to introduce policies that formally suspend transfers. Thus, individual cases continue to be litigated.

Introduction*

In May 2024, following the Parliament's vote in April, the Council of the EU adopted the New Pact on Migration and Asylum. Among the new legislative texts is the Regulation on Asylum and Migration Management (AMMR), which repeals the Dublin Regulation (Regulation (EU) No. 604/2013), replacing it with new rules on responsibility sharing, along with a solidarity mechanism. Analysis of the new instrument suggests that several of the causes of current shortcomings might not be addressed, as the new rules on allocation of responsibility – a significant source of dysfunction and of conflict between Member States – remain very close to the current Dublin system.[2]

The AMMR will apply from July 2026 onwards. In the meantime, the Dublin III Regulation remains the applicable legal framework for determining which Member State is responsible for an application for international protection.

This briefing provides an update on developments in legislation, policy and practice relating to the application of the Dublin III Regulation in 2024. It is based on information gathered by the European Council on Refugees and Exiles (ECRE) for its database, the Asylum Information Database (AIDA), as well as other sources where relevant. The data used is derived primarily from information made available by national authorities, civil society organisations, and Eurostat. The briefing also draws on a series of implementation assessments carried out by ECRE in recent years, including for the European Parliament (EP).

After a record year in 2023 (193,971 decisions taken on 201,868 outgoing requests), Dublin procedures decreased slightly in 2024. Similar to previous years, the number and rate of transfers actually carried out remained low: only a small number of transfers are actually implemented, when compared to the number of requests submitted. This continuing trend can in and of itself be considered as proof of the inefficiencies and shortcomings of the Dublin system. The practice of requesting transfers that cannot be completed, the disregard that most Member States have for the prioritisation of family provisions, and other shortcomings described below, call into question the functionality not only of the current system but also that of its new iteration soon to be in place. While overall information availability has increased, a full understanding of the use of Dublin is hampered by the lack of available information on the nationalities of the applicants subject to the system.

On 11 November 2025, the European Commission launched the first Annual Migration Management Cycle under the Pact on Migration and Asylum. It centred on the publication of the European Annual Asylum and Migration Report together with an annex on the state of play of Pact implementation, and an Implementing Decision pursuant to Article 11 of the Asylum and Migration Management Regulation (AMMR) with an annex setting out the EU member states that are considered to be under 'migratory pressure' (and would thus benefit from solidarity), and those 'facing a significant migratory situation' (and could therefore be granted a full or partial deduction from their solidarity contributions). While the introduction of a mandatory solidarity mechanism under the Pact should be seen as a positive step, the effectiveness of solidarity is likely to be constrained by the structural design of responsibility allocation. The AMMR, similarly to the existing Dublin system, continues to place disproportionate responsibilities on member States at the EU's external borders, and will most likely reproduce the various shortcomings that have already been identified.

* This report was written by Charlotte Labrosse and Marie Trapet Llamas at ECRE. We would like to thank the AIDA experts as well as Member State authorities for the provision of Dublin statistics and relevant information. All errors remain our own.

2 ECRE, *ECRE Comments on the Regulation of the European Parliament and the Council on Asylum and Migration Management*, May 2024, available here.

Key Dublin statistics for 2024

In 2024, for the first time since 2020,[3] the number of asylum applications in the 31 countries applying the Dublin Regulation (hereinafter, 'EU+') decreased compared to the previous year. Applications decreased by 12%, compared to an 18% increase in 2023 and a 52% increase in 2022. Globally, high protection needs and displacement persisted in 2024, with *inter alia* the conflicts in Sudan, Myanmar, the Democratic Republic of Congo, Ukraine, military coups in West Africa, genocide in Gaza, continued humanitarian crisis and severe restrictions on fundamental freedoms in Afghanistan and neighbouring countries, and persistent hostilities followed by a sudden change in regime at the very end of the year in Syria.[4] The top two countries of origin of people seeking asylum in the EU+ remained Syria and Afghanistan, as has been the case for over 10 years with the exception of 2017.[5] The continued displacement caused by the full-scale invasion of Ukraine launched by Russia in February 2022 did not significantly affect asylum applications in most EU countries in 2024 – with the exception of France and Poland[6] – given the EU's activation and prolongation of the Temporary Protection Directive (TPD) which created a temporary protection regime for most of those fleeing Ukraine. According to Eurostat, 998,530 people applied for international protection in 2024 in the EU+, down from 1,170,105 in 2023.[7]

Changes in the use of Dublin procedures in 2024

As of September 2025, complete detailed data on Dublin procedures in 2024 was available for all 31 states applying the Dublin Regulation, with the exception of small gaps regarding re-examination requests in Belgium and Portugal.[8] According to Eurostat, 164,532 decisions on outgoing requests were issued in response to 170,661 outgoing Dublin requests,[9] down from 194,760 decisions on 202,714 outgoing requests in 2023. This represents a 16% decrease in outgoing requests, which appears to be

3 Where the decrease was likely largely due to the pandemic.

4 UNHCR, *Global Trends: Forced Displacement in 2024,* 12 June 2025, available here, 8; EMN, *Asylum and migration overview 2024*, July 2025, available here, 6; UNHCR, *Guide note on Afghanistan – Update II*, September 2025, available here; UN Human Rights Council, *Legal analysis of the conduct of Israel in Gaza pursuant to the Convention on the Prevention and Punishment of the Crime of Genocide*, A/HRC/60/CRP.3, September 2025, available here.

5 The regime change in Syria following the fall of the Assad regime did not significantly affect applications in 2024 as it occurred in December 2024. However, according to Eurostat data, they have drastically decreased since: from 13,500 monthly applications on average between January and November 2024, down to 8,975 in December 2024, 7,740 in January 2025, 5,145 in February 2025, 3,445 in March 2025, 3,365 in April 2025, 3,225 in May 2025 and 2,585 in June 2025 (date incomplete for July and August 2025 at time of writing). Eurostat, 'Asylum applicants by type, citizenship, age and sex - monthly data', data last updated 23 September 2024, available here.

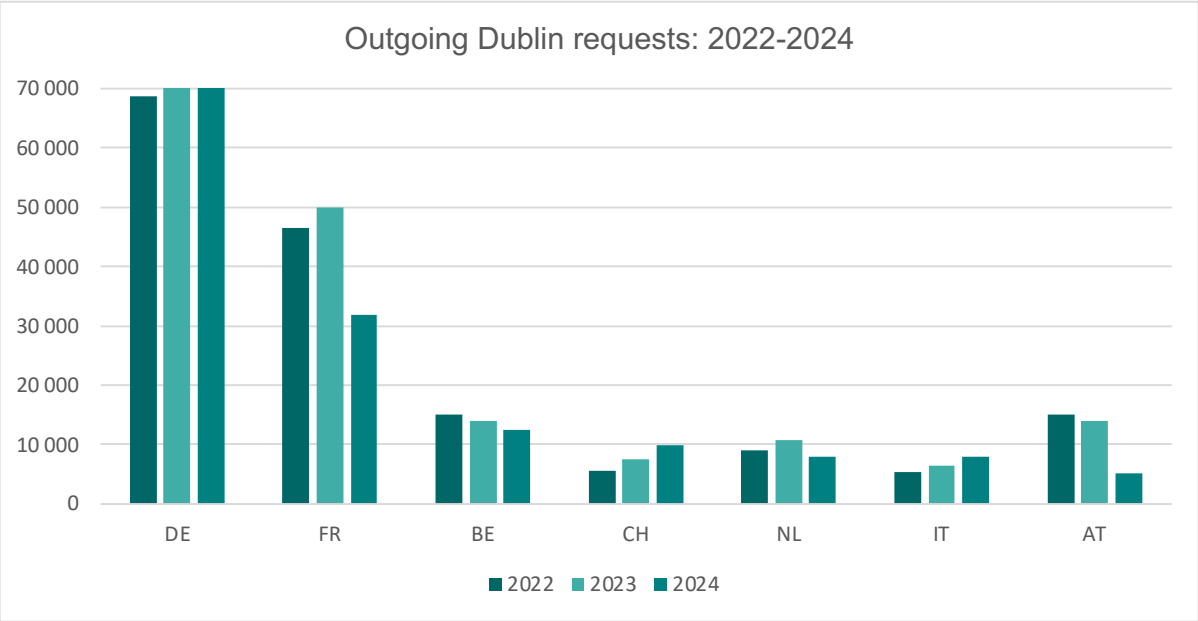
6 According to Eurostat, applications by Ukrainians increased by 75% in the EU+, from 16,320 in 2023 up to 28,510 in 2024; however, this increase is almost exclusively driven by significant increases in asylum applications by Ukrainians in France (from 3,585 to 13,515) and Poland (from 1,770 to 6,980). For Poland, this represented almost all of the absolute increase in applications experienced in 2024 compared to 2023, and in France Ukraine was the second country of origin with the most applications lodged in 2024 (after Afghans), and the first in terms of registered applications. In the rest of the EU+, applications largely remained stable or decreased, sometimes significantly. Eurostat, 'Asylum applicants by type, citizenship, age and sex - annual aggregated data', data last updated 1 September 2024, available here.

7 Eurostat, 'Asylum applicants by type, citizenship, age and sex - annual aggregated data', data last updated on 1 September 2025, available here.

8 There has also been lack of complete data in previous years, with the exception of 2023 where all data on 2022 was available. Regarding issues with Eurostat data on Dublin, see: EPRS/ECRE, *Dublin Regulation on international protection applications: European Implementation Assessment*, February 2020, available here, 28-29. Moreover, as will be illustrated throughout this report, there are frequent data inconsistencies between Eurostat datasets, or between data provided to various sources (Eurostat, EUAA, AIDA) by countries.

9 Although the number of incoming and outgoing requests should be identical, Eurostat reports 177,543 incoming requests for all 31 countries, i.e. 6,882 more requests. According to Eurostat, 'This discrepancy can be attributed to administrative differences caused by data compilation methods, as well as the timing of recording of requests' (see Eurostat, 'Statistics on countries responsible for asylum applications (Dublin Regulation)', available here).

in line with the 12% decrease in asylum applications in the EU+. "Outgoing requests" refers to both take back and take-charge requests, with the former making up around 69% of outgoing requests and the latter 31%, proportions almost identical to 2023 (68% / 32%).



Source: Eurostat, except for figures on IT, DE (2022 and 2023), CH (2024), BE (2022 and 2023) and AT (2022) which were extracted from AIDA. This is due to the fact that national authorities in many cases provide AIDA with data on first time request instead of total requests. The countries represented are those with the most outgoing requests in 2024 (minimum 5,000), in decreasing order from left to right.

As illustrated above, the number of requests either decreased or remained stable compared to the previous year in most of the countries that have been the main users of the Dublin system in the last three years.

Across the EU+, the sharpest relative increase was registered by **Hungary** (+380%), but the absolute number of requests still remains low: Hungary sent 40 outgoing requests in 2023 and 192 in 2024.[10] **Croatia** (+350%, 173 requests in 2023 and 779 in 2024) and **Ireland** (+114%, 592 in 2023 and 1,264 in 2024) also registered sharp relative increases. However, substantial increases remained the exception: the next highest relative increase was registered by **Switzerland** at just +31%. In total, 12 out of 31 countries registered relative increases, 9 of which ranged between 2 and 31% (**Switzerland, Norway, Czechia, Italy, Luxembourg, Poland, Latvia, Germany, Romania**).

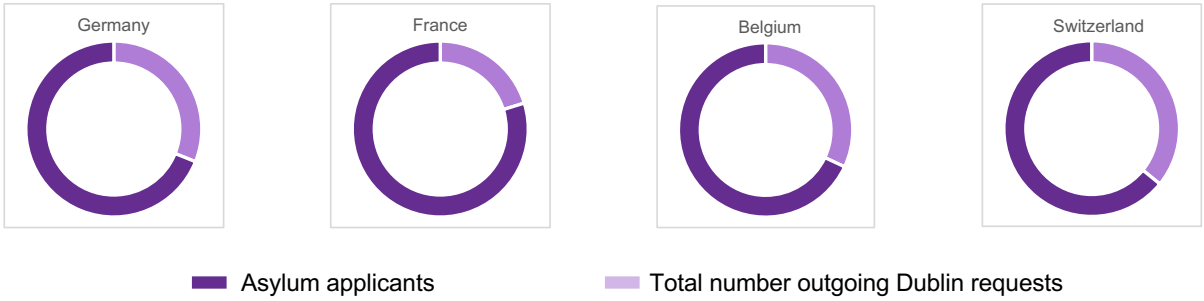
The remaining 19 countries submitted fewer outgoing Dublin requests in 2024 compared to 2023, between -4% and -94%. This includes 6 out of the 10 biggest users of the Dublin system: **France** (2nd main user of the Dublin system, -36% from 49,925 outgoing requests in 2023 down to 31,964 in 2024), **Belgium** (3rd main user, -11%), the **Netherlands** (5th user in 2024, -25%), **Austria** (7th user in 2024 but 4th main user in 2023, -63%), **Slovenia** (-40%), and **Greece** (-25%). The sharpest relative decrease was by far the one experienced by **Spain** at -94%, with 858 outgoing requests in 2023 to just 52 in 2024,[11] followed by **Slovakia** (-80%, 409 in 2023 down to 82 in 2024), **Austria** (-63%), **Portugal** (-59%), and **Malta** (-59%).

[10] A particularly high number given that Hungary officially only counted 29 asylum applicants for 2024. See footnote on Hungary under 'Share of Dublin procedures in the top 4 operators of the Dublin system: 2024' for further context.

[11] Outgoing requests by Spain vary significantly from one year to another. The number of outgoing requests by Spain since 2019 are the following: 7 in 2019, 1,394 in 2020, then 95 in 2021, 767 in 2022, 858 in 2023 and 52 in 2024.

Asylum applications and Dublin procedures

Share of Dublin procedures in the top 4 operators of the Dublin system: 2024[12]



Source: AIDA. Figures on outgoing Dublin requests on FR, BE and DE and on asylum applications from DE were extracted from Eurostat.

The charts above show the four countries (ordered left to right) which sent the most outgoing Dublin requests in 2024. **Germany** and **France** continued to be, as in previous years, both among the main destination countries for asylum applicants (1st and 4th respectively) and the two main users of the Dublin system. In 2024, these two Member States received 250,550 and 157,947 asylum applications respectively, and issued 77,813 and 31,964 outgoing Dublin requests. **Belgium** remained the third main user of the Dublin system, issuing a total of 12,501 outgoing requests against 39,615 asylum applicants throughout the year. Lastly, after a significant increase in Dublin procedures initiated in 2023 and 2024, **Switzerland** became the fourth country per number of requests issued with 9,947 outgoing requests.

Furthermore, the charts illustrate the significant proportion of applicants for international protection channelled into Dublin procedures:[13] 31% of all applicants in **Germany**, 20% in **France** and 31% in **Belgium** were subject to a Dublin procedure in 2024. In **Switzerland**, this figure reached 36%.

Other countries – in particular **Hungary, Liechtenstein, Croatia, Slovakia, Slovenia, and Luxembourg** – despite issuing a comparatively low number of requests, had an even higher share of applicants channelled into the Dublin procedure compared to the total number of applicants (all over 50%): Hungary reported between 29 asylum applicants but sent 192 outgoing Dublin requests,[14] Croatia

12 The following pie charts represent the share of asylum applicants channelled in a Dublin procedure as compared to the total number of asylum applicants in 2024, to account, *inter alia*, for all cases of implicit acceptance. This method has its limitations. For instance, a Member State might send outgoing requests to all Member States it believes could be responsible for an application, disregarding the hierarchy of criteria, instead of sending a single request to the country deemed responsible. However, based on available information and the existing rules, this does not appear to be a widespread practice.

13 These calculations are meant to present a general picture of the proportion of applicants channelled into Dublin procedures. However, they remain only indicative, as the data sets represent marginally different caseloads, since Member States have two (in case of take back requests) to three (in case of take-charge requests) months to send a Dublin request from the lodging of the application. Thus, Dublin requests for a person lodging their application in December 2024 may be sent in January 2025 and thus not be reported here; similarly, some of the 2024 Dublin requests concern people who lodged their application end of 2023.

14 This discrepancy may be partially explained by the practices by the Hungarian authorities: firstly, people awaiting an outgoing Dublin transfer are not considered asylum seekers in Hungary, meaning they would not be counted towards the 29 asylum applicants for 2024; secondly, in Hungary the apprehension of an irregular migrant can also trigger the application of the Dublin III Regulation, rather than the lodging of an asylum claim as foreseen by the Regulation; moreover, it should be noted that Hungary, despite multiple international condemnations including by the EU court of Justice, continues to apply the embassy procedure, and the lodging of an asylum claim entails that the person was allowed to enter under the embassy procedure, otherwise they are denied the possibility to apply for asylum. See AIDA, *Country report: Hungary – Update on 2024*, May 2025, available here, 14 and 50.

reported 779 outgoing requests and 1,419 applications lodged[15] (55%), Slovenia reported 2,866 outgoing requests and 5,634 applicants, etc. These are all countries with much fewer asylum applicants than the main operators of the system. However, other countries which reported higher numbers of asylum applicants did not have high shares of Dublin requests: **Spain** and **Italy**, two countries which reported over 100,000 asylum applicants in 2024 (along with France and Germany), only reported 52 and 7,926 outgoing Dublin requests respectively.

In most countries,[16] changes in outgoing requests did not mirror the changes experienced in asylum applications:[17] in 2024, in Romania, applications decreased by over 75% but outgoing Dublin requests remained stable (+2%); in Portugal, while applications remained stable (-3%), outgoing Dublin requests decreased by 59%; in Poland, while applications rose by 78%, Dublin outgoing requests only rose by 13%.[18] This is not surprising as variations in Dublin will depend on the geographical situation of the country (since most Dublin requests in the EU+ are based on the first country of entry criterion: see infra, The responsibility criteria: breakdown of take charge and take back requests), migration routes of applicants in a given year, onward movement, profile of applicants, national policies regarding Dublin in general and Dublin requests to specific countries (see Suspension of transfers), among other factors.[19]

Outgoing and incoming requests[20]

In 2024, Member states issued the following outgoing requests and received the following incoming requests (in both cases, take back and take-charge requests are included):

15 26,776 people expressed intentions to apply for asylum in Croatia but only 1,419 actually lodged applications, the starting point for the Dublin procedure, hence why this second number was used.

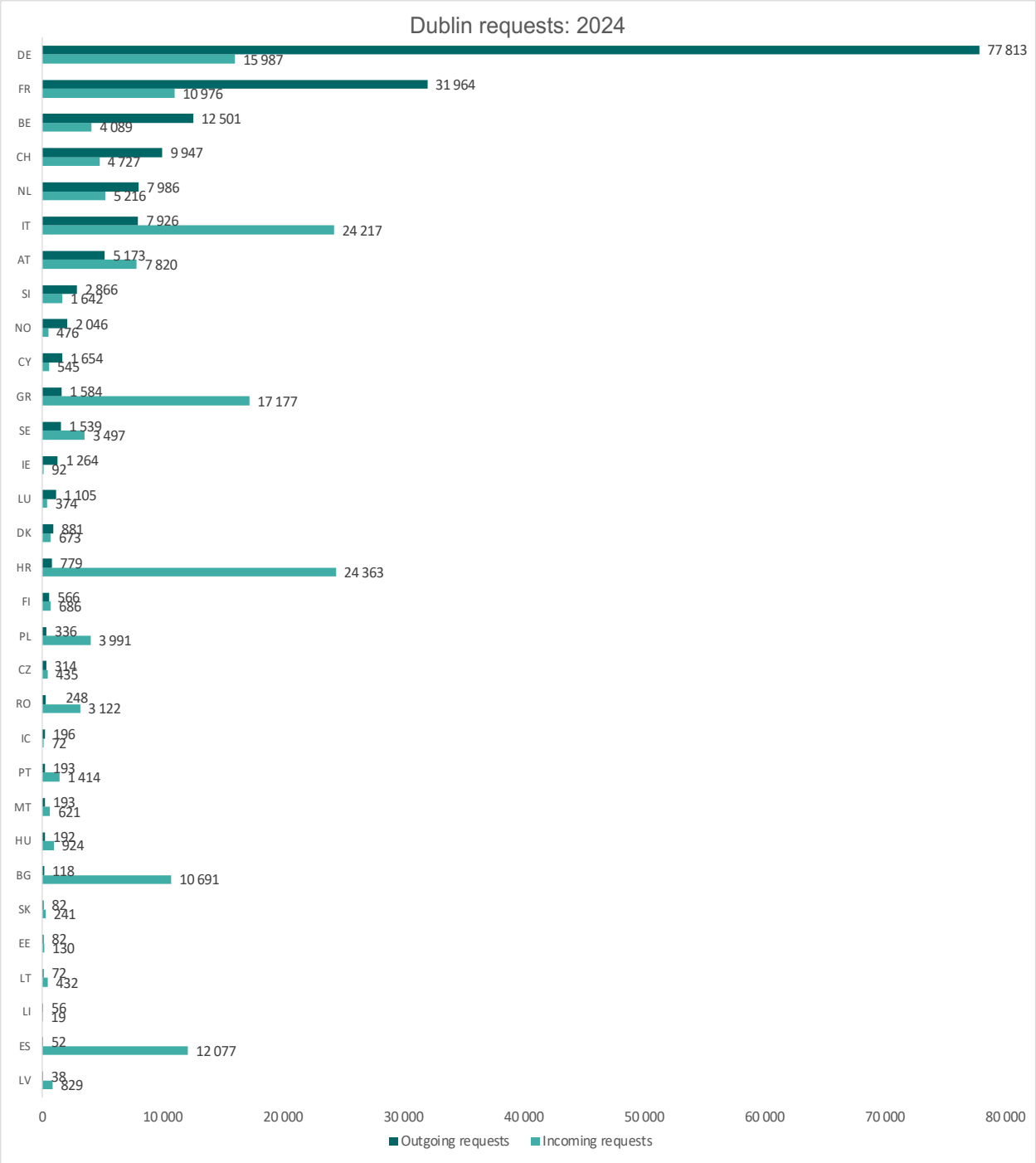
16 The only exceptions are Austria (-63% outgoing Dublin requests, -57% asylum applicants) and Italy (21% increase in outgoing Dublin requests, 17% increase in asylum applicants).

17 In the following paragraphs, for consistency purposes both information about Dublin outgoing requests and number of applications come either from AIDA (RO, PT) or Eurostat (PL).

18 This could notably be explained by the fact that much of the increase in asylum applications in Poland in 2024 was driven by the rise in applications by Ukrainian nationals, especially, according to the European Migration Network, 'men of military age concerned about return and conscription as their passports approached expiration' for whom Poland would be the country of first entry. See EMN, *Asylum and migration overview 2024*, July 2025, available here, 11.

19 See among others EPRS/ECRE, *Dublin Regulation on international protection applications: European Implementation Assessment*, February 2020, available here. Daniel Thym, 'Secondary Movements: Lack of Progress as the Flipside of Meagre Solidarity' (*EU Migration Law blog*, 3 September 2024), available here.

20 As mentioned at the beginning of this report, although the number of incoming and outgoing requests should be identical, Eurostat reports 170,661 outgoing Dublin requests versus 177,543 incoming requests for all 31 countries, i.e. 6,882 more requests.



Source: Eurostat. Figures on CH, IT, SI, SE, HR, RO, BG are based on AIDA.[21] Countries ordered by number of outgoing requests.

21 In some countries, there are disparities between the numbers provided to AIDA and Eurostat. In cases where it seems highly likely, based on analysis of AIDA and Eurostat data, that the discrepancy was due to authorities reporting only first-time requests to AIDA, Eurostat data was used. However, unexplained inconsistencies remain for IT (19,012 less incoming requests reported to AIDA compared to Eurostat, where 43,229 incoming requests were reported, i.e. a 56% difference; numbers on outgoing requests are similar with a 0.67% difference), Spain (3,743 less incoming requests reported to AIDA compared to Eurostat, where 12,077 incoming requests were reported, i.e. a 37% difference; numbers on outgoing requests were not available for the AIDA report) and Cyprus (499 less outgoing requests reported to AIDA compared to Eurostat, where 1,654 outgoing requests were reported, i.e. a 36% difference).

As in previous years, the majority of countries (18 out of 31) received more incoming requests than they sent outgoing requests, i.e. they received more requests from others asking them to take on responsibility for an application than they made requests to other states. In contrast, thirteen countries issued more outgoing requests than they received incoming requests. These include the major users of the system. Specifically, **Germany**, **France**, **Belgium**, **Switzerland**, the **Netherlands**, **Norway**, **Slovenia**, **Ireland**, **Cyprus**, **Luxembourg**, **Denmark**, **Iceland** and **Liechtenstein** issued more outgoing requests than they received incoming requests. Thus, it remains the case that the main users of the Dublin system issue more requests than they receive. Out of the 10 countries having sent the most outgoing requests in 2024, only **Italy**, **Austria** and **Greece** receiving more incoming requests than they sent outgoing requests. **Germany** alone sent 46% of the total number of outgoing requests (an increase from 39% in 2023); when including **France**, the share rises to 64% of total outgoing requests; requests by the four main operators of the Dublin system, i.e. **Germany**, **France**, **Belgium** and **Switzerland** make up 77% of total outgoing requests.

Italy continued to be one of the countries receiving the most incoming requests, despite its statement sent to all the Dublin units of the MS operating the system in December 2022 that it would no longer accept incoming transfers except for family reunification of unaccompanied minors which continues to be applied, as of September 2025. In 2024, based on information provided to AIDA, Italy submitted 7,926 outgoing requests and received 24,217 requests from other countries (but reported 43,229 incoming requests to Eurostat, see footnote immediately below the preceding graph, making it the country with the most incoming requests by far), mainly from Germany and France.

Croatia received the most incoming requests per data reported to AIDA, with 24,363 incoming requests versus 779 outgoing requests, a decrease from 2023 with 33,212 incoming requests, but still double what Croatia has received in 2022 (11,931 requests). Over half of all requests received by Croatia in 2024 were sent by **Germany** and the most common criterion used for incoming requests was Article 18(1)(b) of the Dublin Regulation, i.e. country of first asylum application.

Greece was the third country receiving the most requests in 2024 with 17,177 incoming requests per Eurostat, the highest number of incoming requests received by Greece since at least 2014 (first year for which statistics are available on Eurostat).[22] This also represented an extremely sharp increase when compared to the 6,402 requests received in 2023 and 8,737 in 2022. The main factor behind these figures is a rise in requests sent by Germany, which increased from 5,276 in 2023 to 15,200 in 2024 (for background information on this increases see below Guarantees regarding reception conditions upon transfer).

Overall, the top 5 countries receiving the most requests were, in order, **Croatia, Italy, Greece, Spain,** and **Germany**.

Lastly, despite extensive evidence of the deficiencies in **Hungary**'s asylum system and two judgments from the Court of Justice of the EU in late 2021 and June 2023[23] condemning Hungary for failure to fulfil its obligations under both the Asylum Procedures Directive and the Reception Conditions Directive, as well as the letter of formal notice issued by the European Commission in April 2024,[24] and the imposed fine for non-compliance with the judgments,[25] the country still received 924 incoming requests in 2024

22 It is likely the highest number ever as numbers on asylum applications pre 2010 were much smaller overall. Until 2024, the highest number of incoming requests received by Greece were in 2019 (13,405) and 2021 (13,796).

23 CJEU (Grand Chamber), 16 November 2021, *European Commission v. Hungary*, C-821/19, available here; and CJEU (Fourth Chamber), 22 June 2023, *European Commission v. Hungary*, C-823/21, available here.

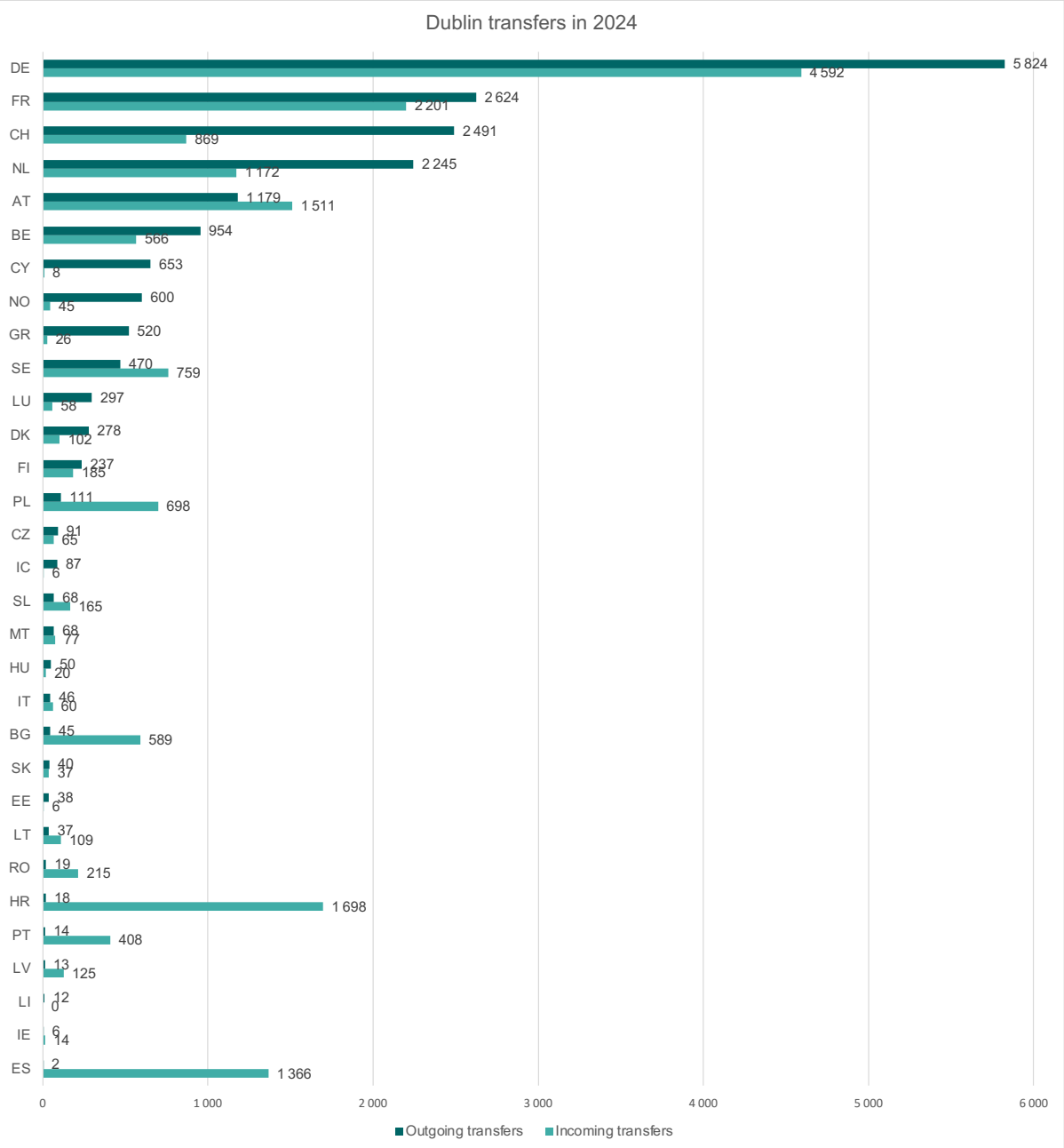
24 EC, April infringement package: key decisions, 24 April 2024, available here.

25 CJEU, 'Asylum policy: Hungary is ordered to pay a lump sum of 200 million euros and a penalty payment of 1 million euros per day of delay for failure to comply with a judgment of the Court of Justice', 13 June 2024, available here.

according to Eurostat.[26] This nevertheless represents a decrease in requests to Hungary, with 1,965 in 2022 and 1,002 in 2023. It is the lowest number of requests the country has received since 2014.

Transfers

As regards actual transfers carried out under the Dublin Regulation (i.e. requests that actually culminate in a transfer of the applicant), the figures for 2024 show the following outgoing and incoming transfers:



26 Statistics provided to AIDA state that Hungary receive 821 incoming requests, however based on a study of the Eurostat data, it is likely that information provided to AIDA concerned first time requests only, and did not include re-examination requests, hence the choice to use Eurostat data in this instance.

Source: AIDA. Figures on ES, IE, RO, IT, SE, GR, AT, NL, FR and non-AIDA countries are based on Eurostat.[27]

Discrepancies in Eurostat data on outgoing and incoming transfers

It should first be noted that, as with requests, the numbers on outgoing and incoming transfers per Eurostat do not align: 18,860 outgoing transfers were reported but only 17,467 incoming transfers. This is still a significant improvement compared to 2023, where the gap concerned over 4,000 asylum applicants reported as outgoing transfers by some countries, but not registered as incoming transfers by the responsible country under the Dublin Regulation.

The main discrepancies between the number of incoming transfers reported by one country and the number of outgoing transfers reported by all the other countries to that same country and vice-versa concern:

- **Cyprus**, which reported 898 more outgoing transfers compared to the incoming transfers from Cyprus reported by the other 30 countries. Most of this discrepancy concerns transfers to Germany and France under the humanitarian clause, article 17(2), which were reported as outgoing by Cyprus but not as incoming by France and Germany. These concern people transferred under the EU relocation programme. This discrepancy was already observed in 2023.
- **Spain**, which reported 642 less incoming transfers compared to outgoing transfers to Spain reported by the other 30 countries. The main differences concern transfers from France, Germany, the Netherlands, all mostly based on valid visa, article 12(2), irregular entry, article 13(1), country of first application, article 18(1)(b), and criteria unknown transfers (both take charge and take back).
- **Switzerland**, which reported 703 less outgoing transfers compared to incoming transfers from Switzerland reported by the other 30 countries. Most of this discrepancy concerns transfers to Germany and to a lesser degree France and the Netherlands, based on take back requests. Switzerland also reported 143 less incoming transfers compared to outgoing transfers to Switzerland reported by the other 30 countries.
- **Germany**, which reported 676 more outgoing transfers compared to the incoming transfers from Germany reported by the other 30 countries. The discrepancy most concerns transfers to Austria, Spain, Belgium. Analysis of the legal basis was not possible due to discrepancies in Eurostat data.[28]

Outgoing transfers

Similarly to those on outgoing requests, the figures above confirm that **Germany** and **France** continue to be the two main operators of the Dublin system, as together they carried out over 45% of total transfers under the Dublin system. Together, the top 4 countries (Germany, France, the Netherlands and Switzerland) carried out 70% of the total transfers in 2024.

After a significant increase in 2023, partly linked to the relocations conducted under the voluntary solidarity mechanism, overall, the total number of outgoing transfers remained stable with just a 4%

[27] Statistics vary substantially between AIDA and Eurostat for CH (578 incoming transfers in AIDA, 869 in Eurostat; 2,491 outgoing transfers in AIDA, 1,466 in Eurostat), IT (113 incoming transfers in AIDA, 60 in Eurostat; the discrepancy seems mostly linked to more transfers under the humanitarian clause reported to AIDA than to Eurostat, and to a limited degree transfers under family clauses) and CY (653 transfers in AIDA, 1,165 in Eurostat; the discrepancy seems linked to transfers reported under the humanitarian clause to Eurostat and not to AIDA). For other countries, some variations in relative numbers could be observed, but remained minor when looking at absolute numbers.

[28] When looking at incoming transfers reported by the other 30 countries on Eurostat, the total number of transfers is 5,151. However, when looking at the breakdown by legal basis, the total is only 3,899.

decrease in 2024.[29] As in 2022 and 2023, **Germany** carried out the highest number of Dublin transfers in 2024, with 5,827 transfers (including 1,113 to Austria and 972 to France) followed by **France** at a considerable distance with 2,624 transfers. Other countries with over 1,000 transfers were, in order, **the Netherlands**, **Switzerland**, **Austria**, and **Cyprus**. The other 25 countries carried out less than 1,000 transfers each and less than 4,100 combined. Overall, the 2024 figures remain well below pre-pandemic levels (for example, in 2018 27,488 transfers were conducted, including 9,209 by Germany and 5,673 by France).

Outgoing transfers more than doubled in 3 countries: **Slovenia**, **Hungary**, **Ireland** but remained low in absolute numbers for these three countries, with a maximum of 68 transfers for Slovenia, and just 6 for Ireland. In absolute numbers, the highest increases in transfers concerned **Germany** (+771 transfers, mostly to France and Croatia) and the **Netherlands** (+438, i.e. a 24% increase, mostly to Germany, France and Croatia), followed by **Norway** (+137, a 30% increase, mostly to Poland and Germany) and **Luxembourg** (114, +62%, mainly to Germany). As in previous years, **Hungary** reporting 50 outgoing transfers is also notable given that the country only allowed 29 people to apply for asylum in 2024.[30]

In 13 countries transfers decreased compared to 2023. This was notably the case in **Spain**, which only implemented 2 transfers in 2024 (compared to 210 in 2023); this is in line with outgoing transfers from Spain since 2016, and the numbers for 2023 were the exception. Other significant decreases were registered in **Slovakia**, from 164 in 2023 down to 40 in 2024, i.e. a 75% decrease, and **Malta**, from 159 in 2023 down to 68 in 2023. According to AIDA data, Cyprus experienced a 62% decrease from 1,709 down to 653 in 2024; despite the discrepancy in raw data between AIDA and Eurostat, the decrease remains significant when looking at Eurostat numbers (-41%). All 31 countries reported outgoing transfers, the lowest being Spain with 2 transfers, followed by Ireland with 6.

As in previous years, the rate of transfers implemented in practice compared to the number of requests[31] – i.e. the percentage of requests which culminate in the transfer of the applicant – remained stable but low. Transfers represented 11% of total outgoing requests in 2024,[32] compared to 10% in 2023, 8% in 2022 and 10% in 2021. Thus, on average, across the EU, only 11% of the outgoing Dublin requests resulted in the applicant being transferred to the country receiving the request. Although this is only slightly higher compared to previous years, it remains below the transfer rates registered in the pre-pandemic period (2016-2019), which ranged between 13% and 16%.

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29 Based on Eurostat data: 19,383 in 2023 and 18,620 in 2024. Based on data reported through the EPS, the EUAA reported that the number of transfers in 2023 and 2024 increased by 14%, with 15,000 in 2023 and 17,000 in 2024 (EUAA, *Asylum Report 2025*, June 2025, available here). EPS, contrary to Eurostat, does not include IC and LI, however IC reported only 87 transfers in 2024 and has never reported more than 117 transfers (2017), and LI only reported 12 outgoing transfers for 2024 to Eurostat, and has never reported more than 19 transfers (2018), so these two countries are unlikely to account for the difference between Eurostat and EPS data. Moreover, while according to the EUAA report, Greece did not provide Dublin indicators for 2024, the numbers for Greece also do not account for the entire difference (520 transfers).

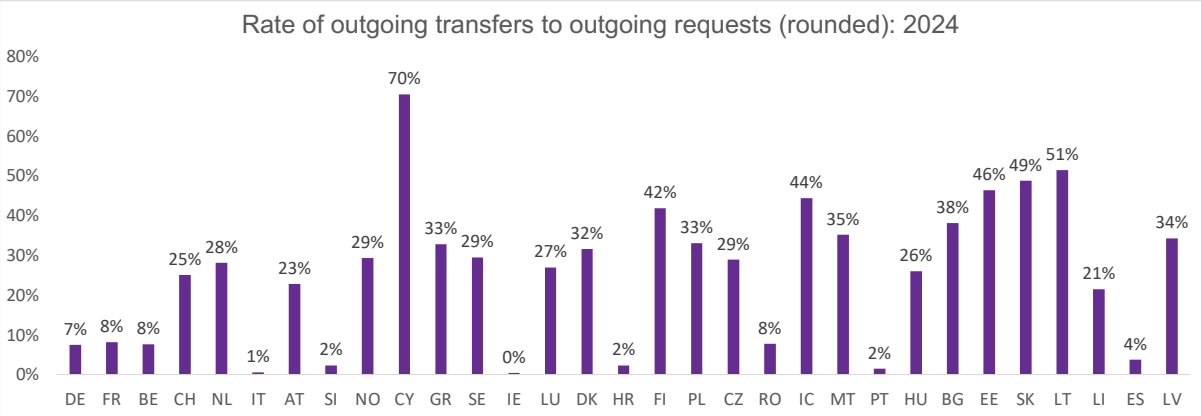
30 As previously mentioned, this discrepancy may be partially explained by the practices by the Hungarian authorities: firstly, people awaiting an outgoing Dublin transfer are not considered asylum seekers in Hungary, meaning they would not be counted towards the 29 asylum applicants for 2024; secondly, in Hungary the apprehension of an irregular migrant can also trigger the application of the Dublin III Regulation, rather than the lodging of an asylum claim as foreseen by the Regulation; moreover, it should be noted that Hungary, despite multiple international condemnations including by the EU court of Justice, continues to apply the embassy procedure, and the lodging of an asylum claim entails that the person was allowed to enter under the embassy procedure, otherwise they are denied the possibility to apply for asylum. See AIDA, *Country report: Hungary – Update on 2024*, May 2025, available here, 14 and 50.

31 As before with requests compared to applicants, these calculations are meant to present a general picture of the proportion of transfers effectively implemented, but they remain an indication, as the data sets represent partially different caseloads, since the transfer can occur up to 18 months after the acceptance of the request by the partner Member State. In contrast, the EUAA uses the ”ratio of implemented transfers to accepted requests” rather than sent requests, bringing it up to 18%: see EUAA, *Asylum Report 2025*, June 2025, available here, 59.

32 When using Eurostat data on incoming transfers and requests, the rate is 9.83% compared 10.91% with outgoing data.

According to the EUAA, Member States highlighted difficulties in applying the Dublin procedure especially due to persistent shortage of (trained) staff and high turnover rates.[33]

By country, the rate of Dublin transfers effected compared to outgoing requests was as follows:



Source: Eurostat. Figures on CH, SI, HR and BG are based on AIDA. Figures on outgoing requests and transfers concerning CY and PT differ between AIDA and Eurostat: when taking AIDA numbers, the transfer rate for Cyprus is 57% (instead of 70% when using Eurostat), and 7% for Portugal (instead of 2% with Eurostat).
As there is a certain time that runs between a request being sent and the person being transferred, i.e. requests sent in a calendar year and transfers implemented in another calendar year — the figures above represent partially different groups of people.

The countries in the graph have been sorted from left to right according to the number of Dublin procedures initiated i.e. the number of outgoing Dublin requests they sent in 2024. It demonstrates that the transfer rates are overall very low in the countries that registered the highest numbers of outgoing Dublin procedures (on the left side of the graph), compared to those with fewer Dublin procedures (on the right). Of the 31 countries represented, only **Cyprus** and **Lithuania** carried out Dublin transfers in more than 50% of the procedures initiated (respectively 70% and 51%). Such figures should be read with caution, as in **Lithuania** they refer to just 37 people transferred, and in **Cyprus** they mainly concern relocations under the voluntary solidarity mechanism.

Transfer rates increased in 18 out of 31 countries compared to 2023, with rises ranging between 0.1% and 32%. Most of these are countries with low absolute numbers of transfers, which makes such variations less significant. The transfer rates went up in **Austria** (+14%) and the **Netherlands** (+11%), which executed respectively 1,179 and 2,245 outgoing transfers. In **Austria's** case, this is likely due to the large decrease in outgoing requests rather than an increase in transfers.

Despite these increases in a majority of countries, 19 out of 31 countries still registered a transfer rate of under 30%, from 29% in **Sweden**, to as low as under 1% in **Ireland** and **Italy**, consistent with 2023.

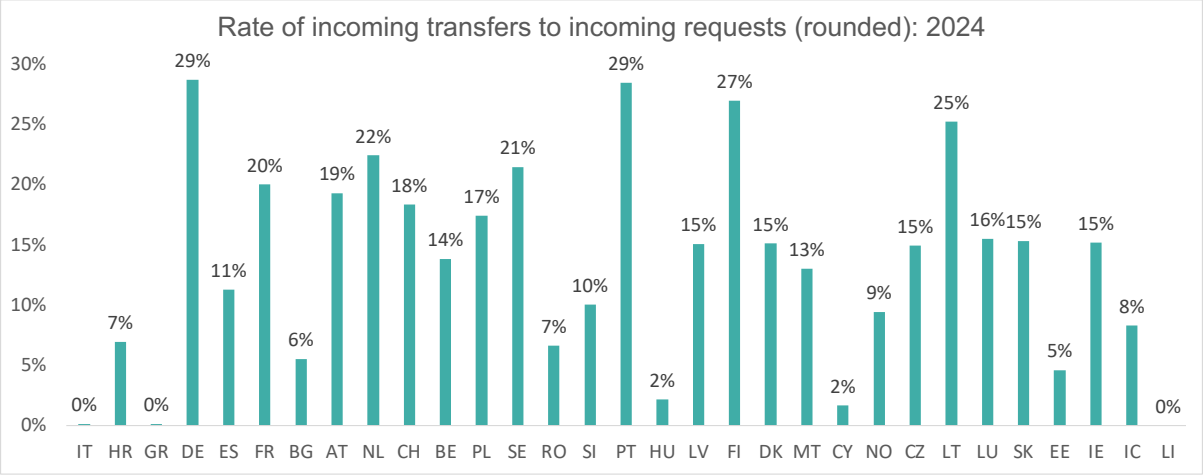
The low transfer rates (7 or 8%) for the top three operators of the Dublin system in 2024 (**Germany**, **France**, **Belgium**), as in previous years, deserves special consideration. In **Germany**, with 5,827 transfers implemented out of 77,813 requests, the transfer rate is very similar to 2023 (around 7%) but lower than in 2020 (10%) and 2019 and 2018 (17%). Similar observations apply to **France**, where the transfer rate has been below 12% since at least 2014, although it is 3 percentage points higher in 2024 than in 2023, which was the lowest rate in several years at 5%. The transfer rate decreased slightly in **Belgium**, with 954 transfers completed, bringing the transfer rate to 8% (9% in 2023). Switzerland is an exception with a 25% transfer rate as the fourth largest operator, compared to just 9% for the 4th largest operator in 2023, **Austria**. When looking at the main three operators, these figures and the

[33] EUAA, *Asylum Report 2025*, June 2025, available here, 61.

overall low transfer rate of recent years (2024 being the highest since 2021, and the transfer rate being consistently under 20% since at least 2015) suggest structural problems in the Dublin system.

Incoming transfers

On the other hand, looking at successful incoming transfers, as in previous years, **Germany** was the top recipient of transfers with 4,592 applicants transferred to the country, similar to 2023 with 4,269 transfers but up from 3,700 in 2022. Other countries which received a significant number of transferred applicants in 2024 include, in order, **France** (2,201), **Croatia** (1,698), **Austria** (1,511), **Spain** (1,366) and **the Netherlands** (1,172)**.** However, these figures represent only a low percentage of the incoming requests received by each of these countries:



Source: Eurostat. Figures on HR, BG, CH and SI are based on AIDA. Figures on outgoing requests and transfers concerning IT and PT differ between AIDA and Eurostat: when taking AIDA numbers, the transfer rate for Italy is 0.24% (instead of 0.14% when using Eurostat), and 40% for Portugal (instead of 29% with Eurostat).
As there is a certain time that runs between a request being received and the person being transferred in the country, i.e. requests sent in a calendar year and transfers implemented in another calendar year — the figures represent partially different groups.

As emerges from the chart (ordered from left to right according to how many incoming requests were received in 2024), despite having amongst the most transfers in absolute numbers, **Croatia** and **Spain** registered low rates of transfers compared to the number of requests received (respectively 7%, and 11%). For the other three countries (**France**, **Austria**, **the Netherlands**), these ranged between 19 and 22%.

Of the five countries receiving the most incoming transfer requests, **Italy**, **Croatia**, **Greece**, **Germany**, and **Spain**, two – **Italy** and **Greece** – registered transfer rates under 1%. No country implemented more than 29% of incoming requests. The highest rates were those of Germany and Portugal, where 29% of incoming requests culminated in a transfer of the person. With the exception of **Liechtenstein** with 0 incoming transfers, all 30 remaining countries received at least 6 incoming transfers (**Estonia** and **Iceland**). 13 out of the 31 countries received less than 100 incoming Dublin transfers.

Italy, **Liechtenstein** and **Greece** all had incoming transfer rates under 0.3% in 2024: Italy had 60 incoming transfers after receiving the most incoming requests out of the 31 countries, with 24,217 incoming requests (or 43,229 per what was reported to Eurostat; however, this only decreases the transfer rate from 0.24% to 0.14%); Greece received just 26 applicants after receiving 17,177 incoming requests.

Transfers not taking place within the set time limits

Under Article 29(2) of the Dublin regulation, the Member State responsible is 'relieved of its obligations to take charge or to take back the person concerned' when the transfer does not take place within the set time limit of 6 months (which can be extended up to 18 months in case of absconding), and responsibility for the asylum application is transferred to the requesting Member State.

Per Eurostat data, in 2024, in total, requesting Member States ultimately became responsible for asylum applications in 41,128 cases of failed transfers. This was similar to 42,511 in 2023, but represented a sharp increase compared to previous years. The countries reporting the most cases of transfer of responsibility due to failed transfers in 2024 were the main users of the Dublin system, i.e. **Germany** (17,542), **France** (8,258), **Switzerland** (6,740), **Belgium** (5,097) and the **Netherlands** (2,171). The remaining countries reported between 0 and 464 such cases. 14 countries reported 0 cases of responsibility per Article 29(2).

Given the ban on incoming Dublin transfers, close to 25% of these cases (10,064) concerned failed transfers to **Italy**, with attempted transfers mainly by France (3,262), Switzerland (2,112), Belgium (1,963) and Germany (1,471). It should be noted that such cases would only be reported by countries which still send outgoing requests to Italy despite the ban, and, as mentioned above, force asylum applicants to "wait out" the mandatory transfer period – of 6 to 18 months – despite the lack of prospect of transfer. Countries not sending requests to Italy or immediately assuming responsibility after having sent a request would not be covered by these statistics.

Another 24% (9,770) of these cases concerned failed transfer attempts to **Croatia**, mainly from Germany (5,399, i.e. 55%), followed at a distance by France (1,842) and Switzerland (1,393). The other countries to which over 1,000 transfers failed are, in order, **Bulgaria** (3,176), **Spain** (2,872), **Austria** (2,535) **Germany** (2,381), **France** (2,345), **Poland** (1,247) and **Sweden** (1,002).

In 2024, the Dutch Council of State specified that in such cases where the Netherlands become responsible following a failure to observe transfer time limits, the authorities have to examine the application based on the initial file and not require that the applicant submit a new application, a practice which also impacted the effective date of the residence permit[34] (the authorities would use the date of the second application instead of the first), which can be important in the exercise of future rights such as naturalisation requests.

Shortcomings in the implementation of Dublin transfers

The low rate of transfers implemented compared to requests made is a consistent feature of the Dublin system and continues to call into question the efficiency and functionality of the rules. This was acknowledged by states in 2022, which ultimately agreed on a roadmap to ensure better implementation of transfers under the Dublin III Regulation.[35] According to the EUAA, Member States continued to work on implementation of the roadmap in 2024, reporting progress such as improved communication between Member States thanks to the use of liaison officers and bilateral agreements, overcoming practical obstacles to transfers thorough charter flights, reduced notification periods for incoming transfers and enhanced cooperation with the police, increasing staff resources for Dublin procedures overall and increasing compliance with EU law, including caselaw.[36] It remains to be seen if this will be reflected in the data for 2025, as the transfer rate remained stable in 2024 (see above). According to

[34] Dutch Council of State, case 202107377/1/V1, 4 March 2024, available in Dutch here.

[35] European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Report on Migration and Asylum*, 12 January 2023, available here, 12.

[36] EUAA, *Asylum Report 2025*, June 2025, available here, 57-58.

the EUAA, several Dublin countries also participated in an EUAA exchange programme focused on effective family reunification, which took the form of bilateral study visits, allowing countries to strengthen their collaboration.[37]

In 2024 and early 2025, the EUAA itself also worked on improving Dublin efficiency, with the publication of two 'who is who' guides on the Dublin procedure,[38] guidance on remote interviews that also applies to Dublin procedures,[39] and two dedicated templates and guides on family tracing.[40] According to the EUAA, it has also started on preparing implementation of the AMMR in July 2026 with work on new information provision leaflets, in addition to the work family tracing and remote interviews mentioned above.[41] Moreover, through its operations in EU Member States in 2024, the EUAA provided support to Dublin units in Malta, Italy, Greece, Cyprus, Bulgaria, Romania, Germany, and Slovenia.[42]

In its 2023 document reflecting "good practices" by Member States in improving Dublin implementation, the EC stressed that "The Asylum and Migration Management Regulation, once adopted, should rectify the most significant structural shortcomings".[43] However, although the AMMR repeals the Dublin Regulation, the responsibility rules it puts in place replicate the Dublin system, with a reinforcement of the first entry criterion. It failed to significantly expand the applicability of family provisions, and to introduce criteria that could effectively ensure "meaningful links" of the applicant with a country are taken into account in the responsibility determination procedure. More positively, the Regulation introduces the concept of "responsibility offsets", thus allowing Member States to contribute to the newly established mechanism by assuming responsibility (in lieu of the State benefitting from solidarity measures) for persons who are present on their territory. It remains to be seen whether this corrective will be sufficient to address the longstanding shortcomings of the Dublin system.[44]

Overall, the comparison between outgoing requests and actual transfers demonstrates that once again only a small fraction of Dublin procedures led to a transfer in 2024. European countries channelled many thousands of applicants into Dublin procedures that were never going to end in a transfer. This confirms ECRE's assessment that the majority of countries applying the Dublin Regulation make a conscious policy choice to subject both asylum applicants and their own administration to lengthy Dublin procedures even though they know in advance that most of these procedures will not result in a transfer. This is most evident when looking at the number of requests sent to Italy – 24,217 incoming requests reported to AIDA, 43,229 reported to Eurostat) – instead of activating the unilateral clauses of articles 3(2) and 17(1) (see The discretionary clauses), despite the country having stated in December 2022 - and maintained since - that it would no longer accept incoming Dublin transfers except for the reunification of unaccompanied minors with their family due to reception capacity issues. In practice, only 60 transfers to Italy were conducted, with 29 based on family unit provisions, and 25 based on the humanitarian clause, Article 17(2). The consequences are particularly damaging for applicants as they face a prolonged state of limbo, lengthy asylum procedures, and limited rights and guarantees.[45]

37 EUAA, *Asylum Report 2025*, June 2025, available here, 60.

38 EUAA, *The Role and Competencies of Dublin Units*, 17 May 2024, available here and Stakeholders Involved in the Dublin Procedure, 17 May 2024, available here.

39 EUAA, *Guidance on Remote Interviews*, 28 April 2025, available here.

40 EUAA, *Practical Guide on Family Tracing – Part I,* 15 April 2025, available here; EUAA, *Practical Guide on Family Tracing – Part II,* 16 April 2025, available here.

41 EUAA, *Asylum Report 2025*, June 2025, available here, 61.

42 See EUAA, *Asylum Report 2025*, June 2025, available here, 60 and EUAA archive of operations here.

43 European Commission, *The Dublin roadmap in action: Enhancing the effectiveness of the Dublin III Regulation: identifying good practices in the Member States*, SWD(2023) 390 final, 23 November 2023, available here, 4.

44 ECRE, *ECRE Comments on the Regulation of the European Parliament and the Council on Asylum and Migration Management*, May 2024, available here.

45 See further, EPRS/ECRE, *Dublin Regulation on international protection applications*, February 2020, available here, 62. For an overview of procedural safeguards during the Dublin procedure in practice, see also: AIDA, *The implementation of the Dublin III Regulation in 2019 and during COVID-19*, August 2020, available here, 20-23.

In this context, ECRE continues to emphasise that pursuing Dublin transfers is not mandatory: the Dublin Regulation provides choices and discretion to Member States, which can decide to examine asylum claims themselves and thus avoid unnecessary human, administrative and financial costs, and situations of prolonged limbo for applicants, combined with futile burdening of their own services.[46]

The responsibility criteria: breakdown of take charge and take back requests

Chapter III of the Dublin Regulation lays down a hierarchy of criteria for determining which country is responsible for examining the asylum application; application of the rules in the hierarchy then leads to outgoing requests to other Member States to either take charge of or to take back the applicant based on the responsibility criteria. Disaggregated statistics on outgoing requests divided into take charge and take back requests was available for 31 countries as follows:

Source: AIDA. Figures on non-AIDA countries as well as ES, BG, HU, MT, PL, HR, GR, AT, NL, BE, FR, DE[47] are based on Eurostat.

46 See for example: ECRE, *The implementation of the Dublin III Regulation in 2021*, September 2022, available here; ECRE, *To Dublin or not to Dublin?*, November 2018, available here. See also CJEU, Case C-56/17 *Fathi*, Judgment of 4 October 2018, EDAL, available here, para 53.

47 Note that regarding figures on CH, in past years there has been a significant difference between figures provided by the State Secretariat for Migration (SEM) and those available on Eurostat. The figures presented above are that of the SEM provided to AIDA, which indicate 27% take charge and 73% take back, but when using Eurostat data, the percentage change drastically, to 39% take charge and 61% take back.

The graph above demonstrates the prevalence of take back requests in most countries, including by the main users of the Dublin system. When taking the cumulative data of the 31 countries presented, take back requests make up 69% of outgoing requests and take charge requests 31%. Take back requests are based on Articles 18 and 20(5) of the Regulation i.e. cases where the applicant has already lodged an asylum application in one Member State and then travels on to another Member State. The latter then initiates proceedings to determine which Member State is responsible for "taking back" the applicant. Take back requests (in purple) represented the majority of take back requests in 21 out of 31 countries and made up more than 70% of the total number of requests in 13 of the 31 countries. Over 95% of outgoing requests by **Hungary**, **Croatia**, **Ireland** and **Slovenia** were take back requests.

In contrast, certain countries primarily sent "take charge" requests (in blue), i.e. cases where a first application is lodged and the Member State then initiates the procedure to determine which Member State is responsible on the basis of criteria in Articles 8 to 15, which begin with criteria on family grounds (Articles 8-11), and dependents (Article 16) and include the most frequently used criteria for take charge requests, the issuing of a visa or residence document by another state (Article 12) and irregular entry into another state (Article 13(1)). Indeed, 87% of all take-charge requests were based on the latter two articles, compared to just 6% based on the family criteria. Of the nine users of the system which sent more than 1,000 take charge requests, five (**Germany, France, Belgium**, **the Netherlands**, **Italy**) based almost all their requests (at least 90%) on Articles 12 and 13(1). Of the 31 countries, 14 sent over 90% of take charge requests based on Articles 12 and 13(1).

More than 70% of requests sent by **Czechia**, **Estonia**, **Malta**, **Greece** and more than 90% of requests sent by **Spain**. This represented a significant change from 2023, when Spain had sent just 15% take charge requests. The other countries where the majority of requests were take charges were **Bulgaria**, **Latvia**, **Lithuania** and **Iceland** - mainly countries at the external borders. On the contrary **Italy** - despite being a country of first arrival for many applicants - sent more take back than take charge requests (only between 13% and 21% of take charge requests depending on AIDA or Eurostat data).

The high number of take back requests indicates that the majority of people placed in a Dublin procedure had already lodged an asylum application in another Member State. ECRE has examined in previous research the reasons for onward movement, which may occur due to personal needs and to the situation in the country of first arrival. The person's individual and socio-economic situation, their family status or the shortcomings affecting national asylum systems, including poor reception conditions are all reasons why they may decide or be forced to depart from a country, especially taking into account the differences in living standards, labour-market conditions, and access to government support among Member States.[48] Shortcomings in asylum and reception systems have been recognised by national courts and asylum authorities in countries of destination as a reason for onward movement.[49] In addition, the limited use of and limited success of take charge requests (see below) may itself be a factor contributing to onward movement, along with other failures to implement EU and international law on family reunification.

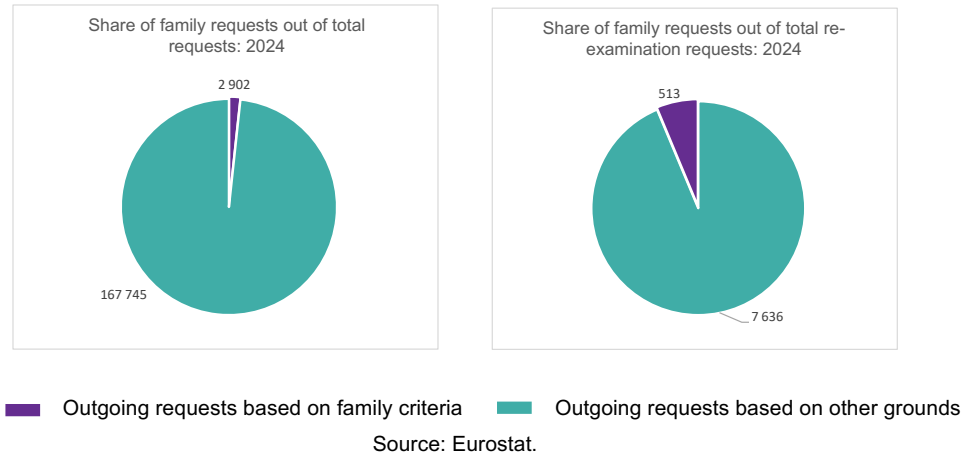
Further note that for IT, information on 2024 between AIDA and Eurostat diverges quite significantly (1,648 take charge requests in AIDA v. 1,050 in Eurostat; 6,278 take back requests in AIDA v. 6,823 in Eurostat), this results in an 8-percentage-point difference in the breakdown between "take charge" and "take back". There are other countries where the discrepancy was determined to stem from the fact that information provided by the authorities for the AIDA reports focuses on first time requests and does not include re-examination requests, thus Eurostat data was used to align with data from the other countries.

48 See further, EPRS/ECRE, *Dublin Regulation on international protection applications*, February 2020, available here; ECRE, *Asylum in Europe: the situation of applicants for international protection in 2021*, July 2022, available here.

49 For further information see Suspension of transfers.

Family unity[50]

The Dublin III Regulation lists family unity (articles 8-11) at the top of the hierarchy of responsibility criteria,[51] although the definition of family is narrow, being confined to the spouse/partner and children below the age of 18 (articles 9-11). For unaccompanied children, it can be extended to other family members as listed in the Regulation and when in the best interests of the child (article 8). The first chart illustrates the share of take charge requests for family reunification out of the total number of outgoing requests for each of the 31 countries in 2024. The second chart shows the same percentage for re-examination requests only (date for 29 countries as data on re-examination requests was not available for BE and PT):



Source: Eurostat.

Of all outgoing Dublin requests, in 2024 only 1.7% were based on the family unity criteria and 98.3% on other grounds, a slight increase compared to 2023 (1.22%) but still below the 2.15% of 2022 and 4% (rounded) of 2021. As observed in previous studies, it appears that, for a variety of reasons – e.g. interpretations of the best interest of the child and what constitutes 'family' vary across Member State - criteria related to family consideration remain underused at EU level.[52] The share of family criteria requests raises to 11% (up from 6% in 2023) when only taking into account re-examination requests. In 2023 the EUAA published detailed practical recommendations addressed to Dublin authorities on family reunification in Dublin procedures,[53] and templates and guides on family tracing in early 2025.[54] At national level, the share of family unity requests out of total outgoing requests in 2024 was as follows:

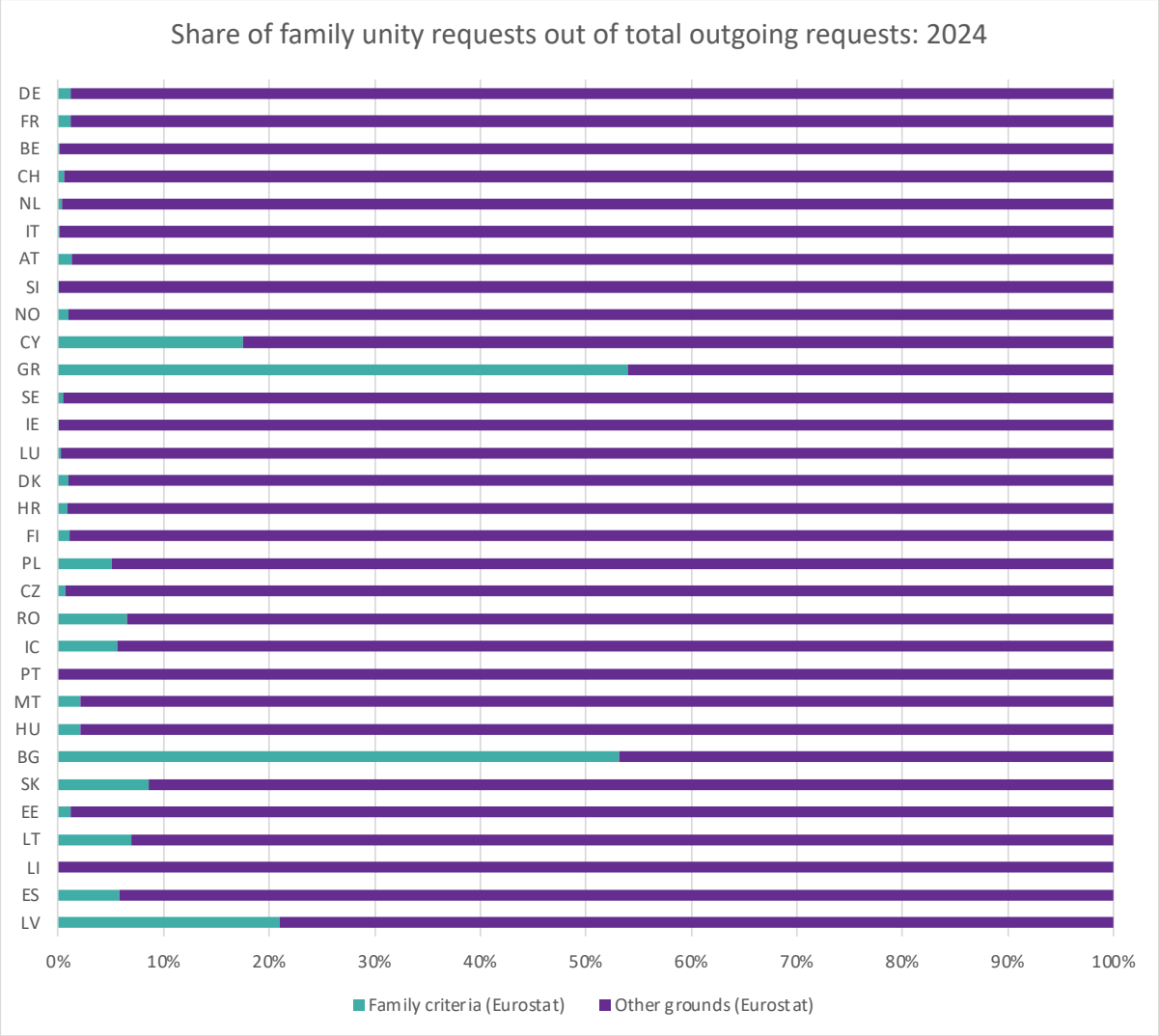
50 For coherent presentation and comparison of information, all statistics in this subsection are based on Eurostat.

51 Articles 8-11 Dublin III Regulation.

52 See further, EPRS/ECRE, *Dublin Regulation on international protection applications*, February 2020, available here; ECRE, *The Dublin system in 2018*, March 2019, available here; UNHCR, *Left in Limbo: Study on the implementation of the Dublin III Regulation*, August 2017, available here, 86 et seq.

53 EUAA, *Recommendations on Family Reunification within the Dublin procedure*, September 2023, available here.

54 EUAA, *Practical Guide on Family Tracing – Part I,* 15 April 2025, available here; EUAA, *Practical Guide on Family Tracing – Part II,* 16 April 2025, available here.



Source: Eurostat.

Of the 31 countries represented above, only **Bulgaria** and **Greece** invoked the family unity criteria in more than half their outgoing Dublin requests (53% and 54% respectively). Those were the highest shares of family criteria in total outgoing requests by far, followed at a distance by **Latvia** (21%) and **Cyprus** (17%). These are the same four countries as in 2023. In the 27 other countries, the share of family unity requests out of the total of outgoing Dublin requests remained below 10% – representing under 3% of requests in 21 countries and under 1% in 12 countries.

The very low number of family unity requests in the four main users of the Dublin system is worrying, as it may indicate that these criteria are not prioritised in practice. Figures are as follows: **Germany** (958 of 77,813 requests, i.e. 1.23%, up from 0.55% in 2023), **France** (382 of 31,964 requests, i.e. 1.2%), **Belgium** (23 out of 12,501 requests, i.e. 0.18%) and **Switzerland** (61 out of 10,777 requests, i.e. 0.57%). The same can be said regarding the **Netherlands, Italy, Austria, Slovenia** and **Norway**, the next main users of the Dublin system by numbers.

Family unity is the main way for applicants to enter another Member State safely and legally. However, in **Greece** it has been reported that other Member States' restrictive practices may result in the rejection of take charge requests, including requirements for official translations of documents proving family links, unnecessary DNA tests, and age assessments of unaccompanied children. Occasional improvements were noted in 2024 regarding accepting documents translated in English but also original documents in the language of the applicants, but this was not a general trend. In 2024, the Croatian

Ombudsperson highlighted that the family reunification procedure to another EU country under Dublin is often so complicated and lengthy that unaccompanied children often choose an irregular and more dangerous way of travelling.[55]

Overall, the acceptance rate of all requests based on family criteria issued by all Dublin countries is lower than the acceptance rate for all transfers requests. Exact numbers cannot be provided as data is inconsistent in Eurostat despite both sets being complete with 31 countries reporting.[56]

The discretionary clauses

Article 17(1)

According to data reported to Eurostat, the sovereignty clause of article 17(1) of the Dublin regulation, which allows a Member State to examine an application for asylum lodged with it even if it is not the Member State responsible under the criteria in the Regulation, was used 10,957 times in 2024, an increase from 7,786 in 2023 and 4,808 in 2022. According to the available data, its use has fluctuated significantly over the past ten years.

Unilateral decisions per article 17(1)										
2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
4,034	11,933	44,476	8,694	12,033	7,641	3,391	2,629	4,808	7,786	10,957

Source: Eurostat.

Its main users have consistently been Belgium, Germany, France, and the Netherlands. However, in 2024, the country with the most unilateral decisions based on Article 17(1) in 2024 was **Croatia**, with 3,356 such decisions, an anomaly compared to previous years (between 2014 and 2022, it took between 0 and 85 such decisions; no data for 2023) and accounting for 30% of all decisions based on 17(1) for the 31 countries. The next main users in 2024 were **Belgium**, with 2,634 unilateral decisions based on article 17(1), followed by **Germany** with 1,807, **France** with 1,410 and the **Netherlands** with 1,094. 13 out of 31 countries reported 0 unilateral decisions based on article 17(1) in 2024, as in 2022 (13 out of 29, no data for HR and CZ). To AIDA, the **Swiss** authorities reported applying the sovereignty clause in 1,058 cases, with 681 cases concerning applications for which Italy would have been competent, 284 Greece, 40 Croatia, 12 France, and 11 Hungary. These are not reported under Eurostat.

As in previous years, under Eurostat all these decisions are reported as “partner: not applicable”, making it impossible to know which country was initially deemed responsible for the asylum application before the sovereignty clause was used. Moreover, the criteria for the use of the discretionary clause of Article 17(1) are not usually publicly available, if they are standardised, making it difficult to assess the grounds on which decisions are based. In Italy, in 2024 courts regularly engaged with the government’s non-application of Article 17(1) and sometimes decided to apply it themselves, notably taking into account the length of proceedings to determine the responsible state (which had been suspended while awaiting a CJEU decision in these specific cases), vulnerabilities and the applicants’

55 See AIDA, *Country Report: Croatia – Update on the year 2024*, August 2025, available here, 55.

56 When looking at decisions on outgoing requests, the acceptance rate for requests based on family grounds (article 8-11) is 26% (846 positive decisions, 3,253 total decisions), a significant increase when compared to 17% in 2023, against 66% for all Dublin requests (108,005 positive decisions, 164,532 total decisions). When looking at decisions on incoming requests, the acceptance rate for requests based on family grounds (article 8-11) is 33% (910 positive decisions, 2,742 total decisions) against 66% for all Dublin requests (116,793 positive decisions, 177,740 total decisions).

integration in Italy.[57] In the Netherlands, the criteria are laid out in the Aliens Circular and notably cover cases where: there are concrete indications of violations of international obligations by the responsible Member State, the transfer would be disproportionately harsh, due to special individual circumstances of the applicant; application of Article 17(1) "may better serve process control", especially for applicants from safe countries of origin to which a return is guaranteed in the near future.[58] In December 2024, the Dutch Council of State ruled that the Minister does not need to state additional reasons for not applying the discretionary clause as that assessment is implied in the general examination of the feasibility of the transfer.[59] However, the Regional Court of Roermond has challenged this interpretation.[60] In January 2025, the Belgian authorities confirmed they used Article 17(1) in cases where Hungary would be responsible for the asylum application.[61]

Article 17(2)

According to Eurostat data, the humanitarian clause of Article 17(2) of the Dublin regulation is seldomly used by most EU+ countries.[62] Across Dublin states, humanitarian transfer requests accounted for 1.14% of total outgoing requests for 31 countries and 0.31% of incoming requests for 31 countries.[63] This constitutes a decrease from 1.8% and 0.54% respectively in 2023. The share of humanitarian requests out of total outgoing requests was under 1% for 21 out of 31 countries. Conversely, humanitarian requests represented over 90% of **Spain**'s total requests (47 out of 52); 81% of **Cyprus**'s requests; 55% of **Malta**'s requests, and 26% of **Latvia**'s requests. Thus, these requests are sent by some of the states at the external border, which often publicly designate themselves under pressure; despite similar circumstances, requests based on Article 17(2) made up only 8% of total requests by **Greece**, and 0.06% of requests by **Italy**. In the case of **Greece**, this may be explained by differences in implementation of the various Dublin grounds, as Greece relies more heavily than other countries on family provisions[64] (see Family unity). Among those with larger shares of requests based on Article 17(2), **Latvia** and **Cyprus** also rely significantly on family unit requests, but nevertheless to a much lesser degree than Greece.

The acceptance rate for outgoing requests based on humanitarian grounds stood at 82% in 2024[65] for all Dublin states, similar to 2023 (83%), with nine countries (**Denmark**, **Norway**, **Malta, Cyprus, Spain**, **Greece**, **Latvia**, **Lithuania** and **Luxembourg**) receiving positive decisions for at least half of humanitarian requests sent to other countries. This is particular significant regarding Cyprus, with 1,271 accepted requests out of 1,369 sent based on Article 17(2). The criteria for the use of the humanitarian

57 See AIDA, *Country Report: Italy – Update on the year 2024*, July 2025, available here, 96 and notably Civil Court of Rome, decision of 21 February 2024; Civil Court of Trento, decision of 29 February 2024; Civil Court of Florence, decision of 11 March 2024.

58 See AIDA, *Country Report: the Netherlands – Update on the year 2024*, May 2025, available here, 61-62.

59 Council of State, Decision No 202404386/1, ECLI:NL:RVS:2024:5359, 23 December 2024, available in Dutch here; confirmed in Council of State, Decision No 202407656/1, ECLI:NL:RVS:2025:717, 25 February 2025, available in Dutch here.

60 Regional Court of Roermond, ECLI:NL:RBDHA:2024:10838, 12 July 2024.

61 AIDA, *Country report: Belgium – Update on the year 2024*, June 2025, available here, 69.

62 For consistency, the following numbers are all based on Eurostat.

63 Due to the discrepancies referred to at length in this report, as well as the differences in practice between Member States in reporting relocations under article 17(2). As discussed above regarding transfers, it seems that the countries benefitting from relocations such as Cyprus and Malta include relocations under statistics, while countries receiving relocated asylum applicants, such as France, do not. Eurostat reports 1,951 outgoing requests based on article 17(2) but in parallel only 544 incoming requests based on article 17(1) for all 31 countries.

64 See AIDA, *Country report: Greece – Update on the year 2024*, September 2025, available here.

65 Or, due to the discrepancies referred to at length in this report, 45% when looking at incoming requests and decisions on incoming requests, compared to 42% in 2023, 45% in 2022 and 60% in 2021. Eurostat reports 1,563 positive decisions out of 1,913 decisions regarding article 17(2) for outgoing requests but only 248 positive decisions out of 547 decisions on article 17(2) for incoming requests. As discussed above regarding transfers, it seems that the countries benefitting from relocations such as Cyprus and Malta include relocations under statistics per article 17(2), while countries receiving relocated asylum applicants, such as France, do not report them at all.

clause are not usually publicly available, making it difficult to assess the grounds on which decisions are based. This was highlighted by the **Irish** High Court in a February 2024 judgement, where the judge observed that despite extensive litigation on Article 17, there were still no guidelines available to applicants to know when and to make a request based on article 17 and based on which criteria and procedure it would be considered.[66] In **Greece**, requests under the humanitarian clause are notably sent when the family criteria are not strictly applicable or when the three-month timeframe has expired.[67] One of the issues with the application of article 17(2) is that, according to practice witnessed in Greece, several Member States, namely Spain, France and Germany, in some cases refuse to examine requests of unaccompanied minors based on articles other than Article 8 of the Regulation, including those based on article 17(2). In Austria, the authorities make reference to this clause mostly in cases where the asylum applicant is still in another country and applies for reunification with relatives in the country.[68] In Portugal, according to information provided by the new asylum authority in 2024, both article 17(1) and (2) may be applied for purposes of family reunion, humanitarian reasons, other family or cultural reasons depending on the interest of the parties involved.[69]

Several countries sent requests under the humanitarian clause for cases of relocations in the framework of the voluntary solidarity mechanism in 2024 (mainly **Cyprus**, **Malta**, **Greece**). In Cyprus, per information provided to AIDA, 852 persons (592 cases) were relocated in 2024 mainly to Germany and France, as well as in smaller numbers to Belgium and Bulgaria.[70] In Greece during 2024, 1,304 individuals were relocated to other EU Member States under the voluntary relocation scheme.[71]

ECRE considers the application of the discretionary and humanitarian clauses by certain Member States and the (albeit limited) implementation of the voluntary solidarity mechanism as a good practice, and has long underlined the importance of using these provisions of the Regulation – which will be transferred into the RAMM – in order to ensure rapid processing of asylum applications, and as a way to overcome the lengthy delays and situations of limbo which characterise the Dublin regime (and which may also affect the reformed common asylum system).

Article 3(2) paragraphs 2 and 3

States may also take a unilateral decision to become responsible for the asylum application under article 3(2) second and third paragraph of the Dublin Regulation, due to "systemic flaws in the asylum procedure and in the reception conditions for applicants in that Member State, resulting in a risk of inhuman or degrading treatment". However, the decisions reported under this ground have remained very low for the 3 years, with 317 in 2024.

Unilateral decisions per article 3(2) paragraphs 2 and 3[72]										
2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
430	1,353	10,987	2,525	2,055	1,413	938	893	362	272	317

66 AIDA, *Country report: Ireland – Update on the year 2024*, May 2025, available here.
67 AIDA, *Country report: Greece – Update on the year 2022*, June 2023, available here, 76.
68 AIDA, *Country report: Austria – Update on the year 2024*, July 2025, available here, 54.
69 AIDA, *Country report: Portugal – Update on the year 2024*, September 2025, available here, 69.
70 AIDA, *Country report: Cyprus – Update on the year 2024*, April 2025, available here, 57.
71 AIDA, *Country report: Greece – Update on the year 2024*, September 2025, available here, 97.
72 Please note than in the AIDA Dublin statistical report on 2023, this table present higher numbers of unilateral decisions based on article 3(2) para 2 and 3. However, as of 30 September 2025, the data pertaining to Switzerland has been updated to reflect 0 such decisions every year since 2014 (whereas it had previously reported between 346 and 3,349 such decisions by Switzerland for each year between 2014 and 2023), making for a significant decrease in the total number of decisions on this ground compared to data previously available on Eurostat. The table in this report has been updated to reflect this change in Eurostat data. It is not explained on Eurostat why the data on Switzerland was changed so significantly and for data spreading across over 10 years.

In 2024, out of the 317 decisions on this ground, 188 (i.e. 63% of all decisions on this ground) were taken by **Denmark** alone, followed by 99 by **France**, 12 by Malta, 9 by Austria, 4 by Sweden, 3 by Cyprus and 1 each by Lithuania and Switzerland. In previous years, **Belgium** and **Germany** had also taken a significant number of decisions on this ground.

Of the 188 unilateral decisions based on article 3(2) taken by **Denmark**, 184 related to transfers of asylum applicants to Greece, and 4 to Hungary. Of the 99 decisions taken by **France**, 49 pertained to Italy, 10 to Bulgaria, 10 to Germany, 9 to Spain, 7 to Croatia, 6 to Belgium, 2 each to Austria and Sweden, and 1 each to Romania, Cyprus, Slovenia and Switzerland.

Overall, these numbers are extremely low given the serious issues in access to the asylum procedure (registered, for example, in Bulgaria, Greece, Hungary, Italy, and Malta) and in reception conditions reported in multiple Member States (Belgium, France, Italy, France, the Netherlands for example).[73]

Despite these significant shortcomings the authorities still send requests to these country, forcing asylum applicants to "wait out" the mandatory transfer period – from 6 months to 18 months if the applicant is considered to have absconded – despite the lack of prospect of transfer, before being admitted to the asylum procedure and finally having their claim examined. This is illustrated by Italy receiving the highest number of incoming requests by far (24,214 per reporting to AIDA, 43,229 per reporting to Eurostat) despite having a comprehensive ban on incoming Dublin transfers in place since December 2022. In 2024, Italy allowed for 60 incoming transfers for Italy.

The following practice can be observed by other Member States in response to transfers to Italy:

- In 2024, as in 2023, Austria continued to issue requests and detain applicants with a view of conducting a Dublin transfer, and only admitted applicants to the procedure once the 6 months had passed, although the detention orders were usually annulled by courts due to lack of prospect for returns to resume;[74]
- As of September 2023, the Belgium Immigration Office continued to hand out Dublin decisions for Italy, highlighting that applicants could still return to Italy voluntarily although forced transfers were not organised. This seemed to continue in 2024 with 1,536 outgoing requests sent to Italy, 1,895 accepted requests but 0 transfers; [75]
- In France, since 2023 administrative courts generally find a systemic failure in the country to overturn transfer decisions or by find that the situation of asylum seekers in Italy requires application of the discretionary clause; despite this, the authorities still sent 8,386 requests to Italy in 2024;[76]
- In November 2024, the Danish Refugee Appeals Board found that, based on the current conditions in Italy, transfers could not take place without individual guarantees for access to the procedure and reception being obtained from the Italian authorities, but that these were very unlikely to be issued given the lack of incoming transfers genuinely accepted by Italy. The Board thus overturned the transfer decisions to Italy.[77]
- Conversely, German courts did not find that Italy's lack of willingness to accept incoming transfers constitutes systemic deficiencies which would justify annulling transfer decisions. Out of 12,841 outgoing requests to Italy by Germany, 3 transfers took place in 2024;[78]
- In the Netherlands, despite the Council of State ruling in April 2023 that there was no longer mutual trust vis-à-vis Italy due to the suspension, the authorities still send requests to Italy,

[73] AIDA, *Asylum in Europe: the situation of applicants for international protection in 2024*, September 2025, available here.
[74] AIDA, *Country report: Austria – Update on the year 2024*, July 2025, available here, 19.
[75] AIDA, *Country report: Belgium – Update on the year 2024*, June 2025, available here, 59 and 70.
[76] AIDA, *Country report: France – Update on the year 2024*, June 2025, available here, 74.
[77] Danish Refugee Board, 'The Refugee Appeals Board has made a decision in appeal cases under the Dublin Regulation concerning the general conditions for asylum seekers in Italy', 3 December 2024, available in Danish here.
[78] AIDA, *Country report: Germany – Update on the year 2024*, June 2025, available here, 78-80.

forcing applicants to wait 6 months before their application is examined in substance in the Netherlands;[79]

- In 2024, the Swiss authorities continued to issue Dublin decisions with return to Italy, and had to start the national procedure after the foreseen six months for a transfer in the Dublin-III-Regulation had passed.[80] At the end of 2024, during a press conference in Switzerland, 'the Italian Minister of the Interior announced his willingness to discuss resuming incoming Dublin transfers, but it remains to be seen if anything comes of this.[81]

In March 2025, the Prime Minister of Poland Donald Tusk announced a similar ban on incoming Dublin transfers,[82] but so far, the impact in practice and reaction of other Member States in response to this is not known.

Suspension of Dublin transfers and relevant case law

In 2024, the implementation of the Dublin III Regulation has remained the subject of extensive litigation across the EU. In accordance with well-established European jurisprudence,[83] a Dublin transfer is considered unlawful if it exposes the individual to a real risk of a serious violation of the prohibition of inhuman or degrading treatment under Article 3 ECHR and Article 4 of the Charter in the destination country. This requires of asylum authorities to assess *propio motus* the situation in the destination country in terms of, inter alia, access to the asylum procedure and reception system, as well as the risk of chain refoulement for Dublin returnees. This briefing does not examine these lines of jurisprudence in depth but rather seeks to present recent case law developments.

Member States continue to be reluctant to adopt formal and uniform policies on Dublin transfers, despite well-documented systemic deficiencies in asylum systems in certain countries, which may lead to courts delaying or suspending transfers. Sometimes without policy or guidance from authorities, domestic courts assess case-by-case whether and to what extent the destination country's asylum and reception systems reaches the threshold of Article 3 ECHR and Article 4 of the Charter, which in turn precludes the asylum authority from carrying out the Dublin transfer. The case law in this area is also inconsistent, undermining both legal certainty for asylum seekers and a uniform implementation of the Dublin Regulation across the EU. In this sense, this section will outline case law regarding the Dublin III Regulation issued in 2024, analysing (i) the interpretation of the principle of mutual trust between Member States; (ii) the duty to investigate and obtain guarantees; and (iii) the suspension of transfers towards selected countries. This section will also include a brief outline of case law regarding the suspension of transfers of beneficiaries of international protection, albeit outside the scope of the Dublin III Regulation.

Mutual trust between Member States regarding Dublin transfers

The German Regional Administrative Court of Sigmaringen, in the context of a transfer to Italy, lodged a preliminary reference to the CJEU, asking it to clarify:[84] (1) whether a Member State becomes

79 AIDA, *Country report: Netherlands – Update on the year 2024*, May 2025, available here, 69.

80 AIDA, *Country report: Switzerland – Update on the year 2024*, May 2025, available here, 45.

81 News Service Bund (Swiss), 'L'Italie prête à discuter de la reprise des transferts Dublin', 26 novembre 2024, available in French here.

82 Nicoletta Ionta, 'Poland suspends asylum applications at Belarus border amid migration crackdown' (*Euractiv*, 27 March 2025), available here.

83 ECtHR, *M.S.S. v. Belgium and Greece*, App. No 30696/09, 21 January 2011; CJEU, Case C-578/16 PPU *C.K.*, 16 February 2017; CJEU, Case C-163/17 *Jawo*, 19 March 2019.

84 CJEU, pending case C-458/24 *Daraa*, available here. A summary of the preliminary reference lodged is available in the EUAA's page here. In October 2025, Advocate General Szpunar delivered his opinion, finding that "*the determining Member State (…) does not itself become responsible where the Member State initially designated as responsible (…) is not willing to take charge of persons who are the subject of a*

responsible for an asylum application if the Member State that would be responsible under the Dublin criteria is not willing to receive transfers and, if so, whether this also applies where there are no systemic flaws in the asylum procedure in the responsible Member State; (2) whether an asylum application may be rejected as inadmissible if the responsible Member State is not willing to receive Dublin transfers; (3) whether the second Member State needs to assume that the responsible Member State is not willing to receive Dublin transfers if its Ministry of Interior has declared that no Dublin transfers are being received for the time being and it subsequently prevents the reception of Dublin transferees; and (4) whether the refusal of the responsible Member State to receive Dublin transfers, in itself, infringes the subjective rights of the applicant and, if so, whether Article 27(1) of Dublin III Regulation provides for an effective remedy in such case. The case remains pending at the time of writing.

The Dutch Council of State delivered a judgment in which it clarified that national authorities cannot rely solely on the principle of mutual trust in relation to age assessments.[85] While national authorities can take into account the age that has been registered by another Member State, they must nevertheless conduct a thorough assessment and justify why they attach importance to this recorded information.

Also in relation to age assessments, on 21 May 2024, the UN Committee on the Rights of the Child (UNCRC) adopted a decision in which it found that Switzerland had violated Articles 3 and 12 of the UN Convention on the Rights of the Child because it had disregarded the conclusion of an age assessment carried out in Sweden which found that the applicant was a minor at the time of applying for asylum and, without carrying out an age assessment with the proper guarantees itself, ordered their transfer to Sweden.[86]

The duty to investigate and obtain guarantees

The duty to investigate and obtain guarantees to ensure the legality of Dublin transfers[87] continues to be interpreted and applied differently across Europe. For 2024, it appears that Member States generally did not request individual guarantees (either concerning reception conditions or access to the asylum procedure) for Dublin returnees as a matter of general practices.

In most Member States national asylum authorities do not require to obtain and investigate individual guarantees concerning the situation in specific destination countries prior to the transfer, even in cases of vulnerable persons (although **Belgium** sometimes requests guarantees to ensure the continuity of an applicant's medical treatment in the country of destination).[88] There are some exceptions, such as the requests for guarantees from **Belgium to Croatia**, and from **Sweden** and **Germany to Greece.**

At the same time, the substantial Dublin-related case law at the national level shows that domestic courts have often required that individual guarantees are obtained and investigated prior to Dublin transfers. This is the case of **Luxembourg**, whose courts require individual guarantees for effecting transfers to **Hungary**, the **Netherlands** for **Greece**, **Denmark** for **Bulgaria**; or, in some individual cases, from **Denmark** for **Italy**, or **the Netherlands** for **Belgium**. In most instances, such court decisions have not led to a change in the asylum authorities' official practice nor to the creation of a

transfer decision under that regulation and where there are no systemic flaws in the latter Member State, resulting in a risk of inhuman or degrading treatment within the meaning of Article 4 of the Charter of Fundamental Rights of the European Union. However, [it] does not preclude, on expiry of the time limit for transfer of the applicant (…), a transfer of responsibility under the conditions laid down in Article 29(2) of that regulation" (it is available here).

85 Dutch Council of State, *Applicant v. The Minister for Asylum and Migration*, 202201742/1/V2, 9 October 2024. A summary of the case is available in the EUAA's page here.

86 UNCRC, decision concerning the communication nº80/2019, 21 May 2024, available here.

87 *See*, *inter alia*, ECtHR, *Tarakhel v. Switzerland*, App. No 29217/12, 4 November 2014, available here.

88 AIDA, Country report: Belgium – Update on the year 2024, June 2025, available here, page 64.

consistent strand of jurisprudence, due to contradictory judgments and judgments being overturned by higher courts.

(i) Guarantees regarding access to asylum and risk of *refoulement* upon return

Several domestic courts have annulled or suspended Dublin transfers on account of the asylum authorities' failure to seek and investigate individual guarantees from destination countries despite well-documented pushback allegations and deficient assessments of asylum applications. Of note are destination countries such as **Hungary**, **Italy**, **Greece**, or **Croatia**. Nonetheless, national asylum authorities and higher courts seem still reluctant to suspend transfers on such grounds as a matter of general policy or formalised practice.

The "embassy procedure" in **Hungary**, without the provision of individual guarantees, was considered by courts in some Member States as limit to the possibility of effectively exercising the right to access the asylum procedure.[89] For example, courts in Luxembourg[90] found that Hungarian authorities could not provide individual guarantees that Dublin transferees would have an effective access to the asylum procedure, as a simple letter of acceptance of the transfer did not provide sufficient assurance. Therefore, it could not be considered that there were no "systemic flaws" within the meaning of the Dublin III Regulation. However, there were also cases where it was considered as irrelevant regarding Dublin transferees (e.g., in 2024 six transfers were completed from Austria to Hungary[91]).[92] The District Administrative Court in Latvia also ruled against a Dublin transfer to Hungary considering the lack of a legal guarantee that transferees would have access to the asylum procedure.[93]

The Danish Refugee Appeals Board upheld an appeal against a Dublin transfer to **Italy**. The Board considered that, given the problems in gaining access to the asylum system and the reception conditions and accommodation facilities, the conditions in Italy were of such a nature that transfers cannot take place without a prior guarantee being obtained from Italy that the complainant will be received and accommodated in accordance with Italy's obligations under EU law and other international obligations (see Blanket suspension of Dublin transfers to selected Member States).[94]

Several Member States have required individual guarantees to be provided by **Greece** regarding access to the asylum procedure before a Dublin transfer could be realised. In 2019, the Dutch Council of State ruled that transfers to Greece would result in a violation of Article 3 ECHR, unless the asylum applicant is guaranteed legal assistance during the asylum procedure by the Greek authorities.[95] As of March 2025, no decisions for Dublin transfers to Greece have been issued from the Netherlands.[96] On the contrary, in August 2024, the Swiss State Secretariat for Migration issued several Dublin decisions to Greece. Appeals are pending at the Swiss Federal Administrative Court. The Greek authorities agreed to the transfers and issued guarantees assuring their intention to comply with their obligations.[97]

89 EUAA, Fact sheet EUAA/IAS/2025/33, *Analysis of Jurisprudence on the implementation of the Dublin procedure*, June 2025, available here, page 25.

90 Luxembourg, Administrative Tribunal, *Applicant* v *Ministry of Home Affairs*, No 50847, 30 August 2024; and *Applicant* v *Ministry of Home Affairs*, No 50977, 20 September 2024. A summary of the cases by the EUAA is available here and here.

91 Austrian Ministry of Interior, Answer to parliamentary request 635/AB XXVIII. GP, 19 May 2025, available in German here.

92 EUAA, Fact sheet EUAA/IAS/2025/33, *Analysis of Jurisprudence on the implementation of the Dublin procedure*, June 2025, available here, page 25.

93 District Administrative Court of Latvia, *Applicant v. Office of Citizenship and Migration Affairs of the Republic of Latvia*, 8 April 2025. A summary is available in the EUAA's page here.

94 Danish Refugee Appeals Board, decision Dub-Ital/2024/28/leuds, Dub-Ital/2024/28/leuds, 1 November 2024. A summary of the case is available in the EUAA's page here.

95 Council of State, Decision No 201904035/1/V3, 23 October 2019, available in Dutch here; Council of state, Decision No 201904044/1/V3, 23 October 2019, available in Dutch here.

96 AIDA, Country report: the Netherlands – Update on the year 2024, May 2025, available here, page 70.

97 AIDA, Country report: Switzerland – Update on the year 2024, May 2025, available here, pages 47 and 51.

Regarding **Croatia**, since 2019, Dublin transfers have been completed without Austria asking for individual guarantees.[98] However, the Belgian Immigration Office asks for individualised guarantees for every individual applicant to be transferred to Croatia.[99]

(ii) Guarantees regarding reception conditions upon transfer

Some domestic courts have required authorities to seek and investigate individual guarantees from destination countries regarding acceptable reception conditions in the Member States of destination. Of note are countries such as **Greece**, **Italy**, **Bulgaria**, and **Belgium**.

Regarding the duty to investigate and obtain guarantees regarding reception conditions for Dublin returnees, on 15 October 2024, the ECtHR ruled in the case of *H.T. v. Germany and Greece*.[100] The case concerned the transfer from Germany to **Greece** of a Syrian national, under an administrative arrangement between the two countries and without a proper asylum procedure or any individual risk assessment. The Court found that Germany had also violated the applicant's rights under Article 3 ECHR, in its procedural limb, by failing to conduct a thorough and individual risk assessment before transferring him to Greece. In finding so, the Court referred to the principles it had previously established requiring Member States to assess the risks of inhumane or degrading treatment in the receiving Member State before carrying out a Dublin transfer.[101] Also concerning transfers to Greece, the Austrian Constitutional Court dismissed an appeal regarding a Dublin transfer, as Greek authorities had issued an individualised guarantee regarding the applicant's accommodation.[102] Although Sweden continues to submit requests for Dublin transfers to Greece, it does not transfer applicants unless individual guarantees have been obtained by Greek authorities. As these are often not received, in practice Sweden does not transfer applicants to Greece under the Dublin Regulation.[103] According to a letter from the German Federal Office for Migration and Refugees, since 31 January 2024, applicants from Algeria, Morocco, Pakistan and Bangladesh are to be transferred from Germany back to Greece if there is a EURODAC hit from Greece. The BAMF stated that Greece is accepting returns of people from these countries and will individually guarantee their human rights-compliant accommodation.[104]

As mentioned above, the Danish Refugee Appeals Board upheld an appeal against a Dublin transfer to **Italy**, as it considered that, given the challenges in gaining access to the asylum system and the reception conditions and accommodation facilities, the conditions in Italy were of such a nature that transfers cannot take place without a prior guarantee being obtained from Italy that the complainant will be received and accommodated (see Blanket suspension of Dublin transfers to selected Member States).[105] Swiss courts did not identify any systemic deficiencies in Italy's asylum system. The sovereignty clause is only applied in cases of very vulnerable persons, or in case of a combination of different special circumstances, with guarantees having to be obtained from the Italian authorities in family cases,[106] as well as in take-back procedures for persons with serious health issues.[107] Since December 2022, however, Dublin decisions are issued and after six months the national procedure in Switzerland is started (see Blanket suspension of Dublin transfers to selected Member States). In 2024, this was most likely the reason for the majority of the 681 applications of the sovereignty clause.[108] It is also relevant to note in this context that the Austrian Federal Administrative Court ruled, upholding a

98 AIDA, Country report: Austria – Update on the year 2024, July 2025, available here, page 64.
99 AIDA, Country report: Belgium – Update on the year 2024, June 2025, available here, pages 63-64.
100 ECtHR, *H.T. v. Germany and Greece*, App. No. 13337/19, 15 October 2024, available here.
101 See ECtHR, *Tarakhel v. Switzerland*, App. No. 29217/12, 14 November 2014, available here.
102 Decision W161 2299884-1, 21 November 2024, available in German here.
103 AIDA, Country report: Sweden – Update on the year 2024, May 2025, available here, page 51.
104 AIDA, Country report: Germany – Update on the year 2024, June 2025, available here, page 77.
105 Danish Refugee Appeals Board, decision §29b-Ita/2024/2/EEB (available in Danish).
106 Swiss Federal Administrative Court, Reference Decision F-6330/2020, 18 October 2021.
107 Swiss Federal Administrative Court, Reference Decision D-4235/2021, 19 April 2022.
108 AIDA, Country report: Switzerland – Update on the year 2024, May 2025, available here.

transfer of a beneficiary of international protection to Italy, that the requirement by the ECtHR regarding individual guarantees established in *Tarakhel v. Switzerland* was specifically relating to *Dublin* transfers, without there being a requirement for Member States to obtain individual guarantees in a case regarding a beneficiary of international protection in another Member State (in that case, Italy).[109]

While establishing that the shortcomings in the **Bulgarian** asylum system did not meet the threshold of "systemic deficiencies" that would prevent Dublin transfers, the Danish Refugee Appeals Board requires that Denmark seek individual guarantees for reception and accommodation of Dublin transferees based on the vulnerability of the applicant.[110]

The District Court of the Hague – Groningen found that an applicant would be at risk of a violation of their rights under Article 4 CFREU if transferred from the Netherlands to **Belgium** on account of the serious issues in the reception system there and the fact that the national authorities had provided neither any evidence to the contrary nor individual guarantees for the applicant.[111]

Suspension of transfers towards selected countries

In countries which are affected by longstanding, more severe and systemic deficiencies, transfers may be suspended *de jure* or *de facto*. This section analyses, first, those individual cases for which Dublin transfers have been suspended and, second, policies regarding the blanket suspension of Dublin transfers to a given Member State.

Although not falling within the scope of the Dublin III Regulation, EU[112] and domestic courts[113] have also assessed the specific situation of beneficiaries of international protection and, in some cases, also limited transfers.

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109 Austrian Federal Administrative Court, decision W232 2300054-1, 4 November 2024, available in German here.

110 Danish Refugee Appeals Board, Dub-Bulg/2024/1/sme, April 2024.

111 District Court of the Hague – Groningen, *Applicant v. The Minister for Asylum and Migration*, 11 April 2025. A summary of the decision by the EUAA is available here.

112 On 18 June 2024, the CJEU delivered its judgment in case C-753/22 *QY v. Bundesrepublik Deutschland* (available here), finding that Member States are not required to automatically grant refugee status to a person solely because they have been granted asylum by another Member State. However, the Court also stressed that when a Member State cannot reject as inadmissible an application made by an applicant who was already granted international protection in another Member State because it identified a serious risk of the applicant suffering inhuman or degrading treatment there, the second Member State must carry out a new, individual, full and up-to-date examination of that application. Moreover, the Court stressed that, in conducting said examination, the Member State must take full account of the decision of the first Member State to grant international protection to the applicant, as well as the elements on which that decision was based.

113 In some cases, transfers were suspended by courts on the grounds that a risk of inhuman or degrading treatment could not be excluded for beneficiaries of international protection in these countries, although the case law on this issue was not consistent. Illustratively, as in previous years, this was the case in: (i) France for refugees in **Greece** (see decision n°23031311), albeit with exceptions (see decision nº457524) and **Latvia** (see decisions n°23053112 and 23053113); (ii) Belgium regarding transfers of beneficiaries to **Croatia** (see decisions 316507 and 316506).

Several courts in Germany (see cases by the Administrative Courts of Baden-Württemberg and Düsseldorf), the Netherlands (see, for example, cases NL24.43754 or NL24.20397) and Austria (see here) dismissed appeals against transfer decisions of beneficiaries of international protection to **Bulgaria**. Both the Austrian and German Federal Administrative Courts also consistently dismissed appeals against transfers of beneficiaries of international protection to **Italy** (see, for Austria W185 2297021-1 or W185 2297019-1, and for Germany Az. 1 C 24.23 or 1 C 24.23). Similarly, in Germany a court dismissed an appeal against the transfer of a beneficiary of international protection to **Poland** (W 4 S 24.31681). Courts in Austria, Switzerland allowed transfers of beneficiaries of international protection to Greece, considering that conditions in **Greece** had improved (see the judgments by the Austrian Constitutional Court and High Administrative Court, and of the Swiss Federal Administrative Court in decisions D-4772/2024 and D-4627/2024). Dutch courts also dismissed appeals regarding transfers of beneficiaries of international protection to **Germany**, **France** (NL24.41965 and NL24.33633). Dutch (NL24.29137) and Belgian (decision

(i) Suspension of individual Dublin transfer decisions

Notwithstanding European domestic courts' reluctance to recognise the existence of systemic deficiencies in some Member States' reception and wider asylum system, numerous individual transfers were suspended in 2024 based on concerns regarding, *inter alia*, the possibility for Dublin returnees to access the asylum procedure and reception conditions, risks of *refoulement,* and access to rights for beneficiaries of international protection.

- **Transfers to Bulgaria:**

In 2024, in one case in which the applicant claimed to have suffered violence in Bulgaria because of his homosexuality, the appeal was sustained by the **Austrian** Federal Administrative Court, the decision was annulled and sent back to first instance for further investigations.[114] As of May 2024, Dublin transfers from Austria to Bulgaria are generally conducted and the appeals against negative decisions are dismissed.[115]

On occasions, the **Belgian** CALL has not upheld Dublin transfers to Bulgaria when it considered that applicants at risk of committing suicide could face problems regarding access to and the quality of psychological care in Bulgaria, and declared it merited a further assessment of the vulnerability of the applicant.[116] The CALL also upheld several appeals considering the individual circumstances of applicants (which had specific vulnerabilities) made it likely they would not be able to enjoy the rights

313399) courts also upheld transfers of beneficiaries of international protection to **Romania**. A Dutch court also dismissed an appeal regarding a transfer to **Cyprus** of a beneficiary of international protection, considering that a situation of extreme material deprivation upon return had not been proven (NL24.30155).

There appears to be also mixed national practices regarding transfers of beneficiaries of international protection to **Greece**, **Italy**, **Germany, Spain** and **Sweden**. Belgian courts have sometimes found that an individual assessment of the person's situation remains necessary in each case (see, for example, this decision by the CALL), but also annulled an admissibility decision of a beneficiary of international protection in Greece with a psychological vulnerability (313706) and other reasons (decisions 318435 and 316508), but also dismissed appeals against such transfers arguing that the shortcomings in reception conditions for beneficiaries of international protection did not attain the required level of seriousness to suspend the transfers (319313 or 318998). In Germany, some upheld some appeals against transfers to Greece (see, *inter alia*, 10 K 1614/23. A, 34 L 210/24 A, or 2 A 1132/24. A) arguing, among others, on the existence of a general serious risk that beneficiaries will not receive decent accommodation, but also dismissed other such appeals, highlighting, among others, the existence of housing options in government-sponsored accommodation, abandoned houses or overcrowded apartments (see, *inter alia*, VG 9 L 542/24 A, or 12 A 3228/24). The approach of Dutch courts regarding transfers of beneficiaries of international protection to **Italy** depended mostly on the beneficiary's vulnerability and whether the transfer could lead to a situation of extreme material deprivation due the applicant's medical problems (a summary by the EUAA of a decision by the Council of State can be found here, while the dismissal of such appeals can be seen in cases such as NL24.37458 and NL24.34802). The Belgian CALL upheld an appeal regarding a transfer to **Germany** of a beneficiary of international protection, as it considered that there was the risk that their minor daughter - who had no beneficiary status in Germany- would not be recognized international protection (decision 315298), but also dismissed another appeal against a return to Germany, arguing there was no difference in treatment regarding access to healthcare between German nationals and persons enjoying international protection (decision 315017). The Belgian CALL upheld some appeals against decisions to transfer beneficiaries of international protection to **Spain**, for, *inter alia*, cases of potential criminal offenders that could be excluded from international protection in Spain (see, for example, decisions 318670 or 318668), but also rejected such appeals, for example in cases where there had been an incorrect understanding of the international protection having been revoked (see, for example, decision 318586). The Belgian CALL upheld an appeal against a transfer of a beneficiary of international protection to **Sweden**, concerning a vulnerable applicant with psychiatric care needs (decision 312424), but also dismissed two appeals against the transfer to Sweden of beneficiaries of protection (decisions 314558 and 312802).

114 Austrian Federal Administrative Court, W239 2286457-1/4E, 22 February 2024, available in German here.

115 See, for example, Austrian Federal Administrative Court, decisions W1442299534-1, of 25 September 2024, available here; W2322289145-1, of 28 October 2024, available here; or W1442303464-1, of 2 December 2024, available here.

116 Belgian CALL, decision nº 316893, 19 November 2024, available here.

derived from their status upon their return to Bulgaria.[117] Instead, it generally dismissed appeals against transfers for cases in which it considered that individual circumstances of applicants did not reach the required level of severity.[118]

The practice of **German** courts in 2024 regarding Dublin transfers to Bulgaria varied. Generally, German courts upheld Dublin transfers to Bulgaria considering that there are no systematic deficiencies in the asylum procedure for non-vulnerable applicants.[119] On the contrary, some courts annulled Dublin transfer decisions in the case of vulnerable applicants.[120]

Case law regarding Dublin transfers to Bulgaria varied in **the Netherlands**. The Dutch Council of State ruled that the conditions in Bulgaria did not meet the threshold of systemic deficiencies.[121] However, this reasoning was disputed by the Court of Rotterdam in December 2024, questioning the effectivity of the available legal remedy to challenge exclusion from reception conditions (as asylum seekers are, in practice, only informed orally of their exclusion from reception).[122] Moreover, in two separate judgments, the courts of Utrecht and Haarlem considered that there were systemic errors in the Bulgarian asylum procedure regarding the treatment of Turkish asylum seekers.[123]

- **Transfers to Hungary:**

Jurisprudence from different Dublin countries in 2024 varied significantly regarding the suspension of transfers to Hungary due to the existence of "systemic deficiencies" in its asylum procedure.

In some Member States - such as **Germany**,[124] **Luxembourg**,[125] or **Latvia**[126] -, courts concluded that, if transferred, applicants (a) would risk be subject to ill-treatment because of the "systemic deficiencies" in the national asylum procedure and/or reception system; and (b) because asylum seekers who have not yet applied for asylum in Hungary would likely not be granted access to the procedure and risk

117 Belgian CALL, decisions nº 317036, 21 November 2024, available here; nº 315661, 29 October 2024, available here; or nº313523, 26 September 2024, available here.

118 Belgian CALL, decisions nº 316514, 14 November 2024, available here; or nº 315852, 4 November 2024, available here.

119 Higher Administrative Court of Nordrhein-Westfalen, 11 A 1460/23. A, 10 September 2024, available here; Administrative Court of Darmstadt, 7 L 97/24. DA.A, 25 January 2024, available here; Higher Administrative Court of Baden-Württemberg, A 4 S 257/24, 19 July 2024, available in German here; or Administrative Court Saarland, 3 L 776/24, 27 June 2024, available in German here; Higher Administrative Court of Bayern, 24 B 22.31108, 28 March 2024, available in German here; or Administrative Court Darmstadt, 7 L 97/24.DA.A, 25 January 2024, available in German here.

120 Higher Administrative Court of Mecklenburg-Vorpommern, 4 LB 653/22 OVG, 2 February 2024, available here; Administrative Court Saarland, 3 L 699/24, 28 June 2024, available in German here; or Administrative Court Lüneburg, 5 A 577/21, 17 January 2024, available in German here.

121 Dutch Council of State, 202403145/1/V3, 27 June 2024, available here; 202403896/1/V3 and 202403896/2/V3, 11 July 2024, available here; 202405876/1/V3 and 202405876/2/V3, 30 September 2024, available here; 202406476/1/V3 en 202406476/2/V3, 29 October 2024, available here. See also Court of Utrecht, NL24.40544, 11 November 2024, available here; Court of Middelburg, NL24.39235, 14 November 2024, available here

122 Court of Rotterdam, NL24.47452, 23 December 2024, available here.

123 Court of Utrecht, NL24.24213, 15 July 2024, available here; Court of Haarlem, NL24.36498, 12 November 2024, available here.

124 Administrative Court of Minden, 12 K 2146/24.A, 10 October 2024. However, other German courts took a different approach regarding Dublin transfers to Hungary. For example, the Administrative Court of Düsseldorf concluded that no systemic weaknesses exist in Hungary's asylum system or reception conditions for healthy, employable individuals during the asylum process or after being granted international protection - Administrative Court of Düsseldorf 22 L 764/24.A, 15 May 2024.

125 Administrative Tribunal of Luxembourg, *Applicant v. Ministry of Home Affairs*, 30 August 2024; or *Applicant v. Ministry of Home Affairs*, No 50977, 20 September 2024. A summary is available in the EUAA's page here and here.

126 District Administrative Court of Latvia, *Applicant v. Office of Citizenship and Migration Affairs of the Republic of Latvia*, 8 April 2025. A summary is available in the EUAA's page here.

deportation to their country of origin without a prior decision on their asylum application or *refoulement* assessment.

The **Austrian** Federal Administrative Court upheld Dublin transfers to Hungary, arguing, among others, that the "embassy procedure" did not apply to Dublin returnees.[127]

- **Transfers to Italy:**

Since 2023, several **French** courts have annulled transfer decisions to Italy due to manifest errors in assessing the applicants' vulnerability under Article 17 of the Dublin Regulation.[128]

In 2024, there have been mixed decisions by **German** Administrative Courts regarding appeals on Dublin transfers and transfers of beneficiaries of international protection Italy,[129] with some courts finding no systemic deficiencies in the Italian asylum system even for vulnerable applicants.

- **Transfers to Croatia:**

Dublin transfers to Croatia have been the focus of numerous legal challenges before European domestic courts, notably in relation to the country's well-documented pushback practices and deficient asylum system. Considering that there were no systemic deficiencies in the country's reception and asylum system, courts in **Germany**,[130] **Luxembourg**,[131] **the Netherlands**,[132] **Slovenia**,[133] and **Switzerland** dismissed such appeals.[134] However, other domestic courts have upheld appeals against or suspended Dublin transfer decisions to Croatia: (i) the **Belgian** CALL suspended a transfer in a case concerning an applicant with psychiatric care needs;[135] (ii) **German** courts considered concerns regarding, among others, a risk of chain *refoulement* to Bosnia-Herzegovina;[136] (iii) courts in **France** found systemic deficiencies in the asylum procedure in Croatia;[137] (iv) a courts in **Italy** annulled and suspended transfers due to the possible violation of Article 3(2) of the Dublin III Regulation;[138] (v) courts in **the Netherlands** suspended a Dublin transfer considering, among others, the potential for pushback

127 Austrian Federal Administrative Court, decisions W241 2299378-1, 21 November 2024, available in German here; or W144 2284434-1, 18 January 2024, with a summary by the EUAA available here.

128 Administrative Court of Appel of Nantes, 11 December 2024, n°24NT01921. Administrative court of Nantes, 21 March 2025, n°2502851.

129 Administrative Court of Berlin, 9 K 235/23 A, 23 April 2024; Administrative Court of Berlin, 9 L 327/24.A, 09 July 2024; Administrative Court of Darmstadt, 1 L 2602/24.DA.A, 08 November 2024.

130 Higher Administrative Court of Rheinland-Pfalz, 13 A 10945/22. OVG, 23 January 2024; Administrative Court of Munich, M 6 K 24.30057, 2 April 2024; Administrative Court of Gießen, 8 L 1516/24. GI.A, 28 June 2024Administrative Court of Kessel, 1 K 1033/20. KS.A, 25 September 2024; Administrative Court of Düsseldorf, 22 L 497/24.A, 20 March 2024; Administrative Court Berlin, 9 K 668/23 A, 29 May 2024; Administrative Court of Munich, M 10 S 24.50738, 30 July 2024; Administrative Court of Munich, M 10 K 24.50768, 9 September 2024.

131 See, for example, Administrative Tribunal of Luxembourg, decision nº 51397, 25 October 2024, available in French here.

132 See, for example, Dutch Council of State, *Applicant v. the Minister for Asylum and Migration*, 9 October 2024 (a summary is available in the EUAA page here); or Court of the Hague, decisions NL24.27727 and NL24.27728, 22 August 2024, available in Dutch here.

133 See EUAA, *Quarterly Overview of Asylum Case Law*, June 2024, available here; and September 2024, available here.

134 See, for example, Swiss Federal Administrative Court, decision F-663/2023, 17 January 2024, available in German here.

135 Belgian CALL, decision 313994, 4 October 2024, available in French here.

136 Administrative Court of Munich, M 10 K 22.50477 and M 10 K 22.50479, 22 February 2024; Administrative Court of Munich, M 10 S 24.50732, 29 July 2024. Decisions upholding such transfers include: Administrative Court of Berlin, 24 L 185/24, 4 September 2024; Administrative Court of Hessen, 2 A 1129/20. Z.A, 6 April 2024; Administrative Court of Ansbach, AN 17 S 24.50087, 16 February 2024; Administrative Court of Wiesbaden, 7 K 324/24. WI.A, 25 April 2024.

137 Administrative Court of Strasbourg, Decision N°2308967, 4 January 2024; Administrative court of Nantes, 4 July 2024, n° 2409970; Administrative court of Nantes, 21 March 2025, n°2502851.

138 Civil Court of Trieste, decision of 16 February 2024; Civil Court of Turin, decision of 9 June 2023.

practices and a serious shortage of reception capacity (also for vulnerable people);[139] and (vi) the Slovenian Supreme Court upheld the appeal against a vulnerable applicant's transfer.[140]

- **Transfers to Germany:**

Dublin transfers to Germany have generally been upheld by European domestic courts, refusing the existence of structural shortcomings in the reception system or the asylum procedure.[141] Only on one occasion concerning an applicant with psychiatric care needs, the **Belgian** CALL suspended a Dublin transfer to Germany.[142]

- **Transfers to Spain:**

Dublin transfer decisions to Spain were generally upheld by European domestic courts in 2024, finding there is no evidence that there are structural deficiencies in access to employment, housing or healthcare in Spain for applicants for international protection (including mental health care).[143] However, the **Belgian** CALL suspended one such transfer, based on the lack of motivation of the decision of the administrative authority.[144]

- **Transfers to Slovenia:**

Transfers to Slovenia have been consistently upheld by European domestic courts. Illustratively: (i), a court in **Germany** argued that there was not sufficient evidence to sufficiently confirm a risk of a further deportation to Croatia;[145] and (ii) the **Swiss** Federal Administrative Court argued that an applicant would have access to the necessary medical treatment upon transfer.[146]

- **Transfers to Greece:**

There were mixed decisions by **German** courts regarding appeals on Dublin transfers and transfers of beneficiaries of international protection to Greece, with different conclusions regarding the existence of systemic weaknesses in the reception and asylum system in Greece that would lead to a risk of inhuman or degrading treatment.[147]

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139 Court of the Hague, decision NI24.30184, 6 August 2024, available in Dutch here; Court of the Hague, decision NL24.28715, 10 September 2024, available in Dutch here.

140 See, for example, Slovenian Supreme Court, *Applicant v. Ministry of Interior*, 22 April 2024. A summary of the judgment can be found in the EUAA's page here.

141 See, for example, Danish Refugee Appeals Board, decision Dub-Tysk/2024/19/MKTO; or Court of the Hague, decision NL24.38172, 20 December 2024, available in Dutch here; Belgian CALL, decision 313202, 19 September 2024, available in French here: or Belgian CALL, decision 311894, 27 August 2024, available in French here.

142 Belgian CALL, decision 319271, 23 December 2024, available in French here.

143 See, for example, Belgian CALL, nº 317117, 22 November 2024, available here; Administrative Court of Bayreuth, B 3 S 24.50089,18 October 2024, available here; Court of the Hague, decision NL24.40250, 22 November 2024, available in Dutch here; Icelandic Immigration Appeals Board, *A,K, M v. Directorate of Immigration*, No 287/2024, 21 March 2024 (a summary of the case is available in the EUAA's page here); or Slovenian Supreme Court, *Ministry of the Interior v. Applicant*, VS00076907, 28 June 2024 (a summary of the case is available in the EUAA's page here).

144 Belgian CALL, decision 310468, 24 July 2024, available in French here.

145 Administrative Court of München, decision D-4455/2024, of 30 July 2024, available in German here.

146 Swiss Federal Administrative Court, decision F-4455/2024, 30 July 2024, available in German here.

147 Administrative Court of Hamburg, 12 AE 5345/24, 22 November 2024, available in German here. See also Administrative Court of Berlin, 23 K 507/23 A, 28 May 2024; Administrative Court of Hessen, 2 A 1132/24. A and 10 K 1614/23. A, 6 August 2024 (systemic issues for persons of non-working age of retirement due to illness and who do not have to expect assistance from relatives); Administrative Court of Munich, M 17 K 23.30508, 29 August 2024; Administrative Court of Berlin, 34 L 210/24 A, 30 September 2024; Administrative Court of Wiesbaden, 7 L 1538/24.WI.4, 28 October 2024; Administrative Court of Saarland, 3 L 1461/24, 4 November 2024. On the contrary, see Administrative Court Ansbach, AN 17 S 24.50516,

- **Transfers to Malta:**

In recent years, several European domestic courts took similar approaches towards Malta's detention policy and suspended transfers. Illustratively, courts in the Netherlands found that the structural detention of Dublin returnees breaches Article 3 ECHR and requires that the asylum authorities conduct further investigation to prove they can rely on the principle of mutual trust.[148] Conversely, courts in **Germany** have also upheld transfers to Malta.[149]

- **Transfers to Poland:**

Case law regarding Dublin transfers to Poland has been overall consistent across different Member States in 2024, with courts generally upholding the transfers finding no systemic deficiencies in its asylum system – including in **Austria**,[150] **Belgium**,[151] **Luxembourg**,[152] or **the Netherlands**[153]. However, courts in the **Netherlands**[154] and **Denmark**,[155] found systemic deficiencies in the asylum procedure risking *refoulement* (in one case even despite guarantees having been provided by Poland after an interim measure adopted by the ECtHR[156]).

- **Transfers to Romania:**

Appeals against Dublin transfers to Romania have generally been rejected by European domestic courts in 2024, considering that transferees can access the asylum procedure properly without being subjected to pushbacks,[157] or that there were no systemic deficiencies in the national reception system.[158] The UNCAT ruled Switzerland had not committed a violation of Article 3 of the UN Convention Against Torture regarding the allegations of pushbacks.[159] On the contrary, a court in **Italy** annulled a transfer decision considering the deficiencies in the reception system and procedural guarantees in the asylum procedure in Romania.[160]

decision of 27 August 2024, available in German here. See also Administrative Court of Hamburg, 12 A 4048/22, 28 June 2024; Administrative Court of Hessen, 2 A 1131/24 and 2 A 489/23. 26 August 2024 (no systemic issues for male BIPs who return to Greece alone and are young, healthy and able to work); Administrative Court of Berlin, 9 L 542/24 A, 20 September 2024.

148 (Netherlands) Dutch Council of State, ECLI:NL:RVS:2021:2791, 15 December 2021, available in Dutch at: https://bit.ly/3JPAFUz.

149 Administrative Court of Kassel, 7 K 225/18. KS.A, 27 June 2024.

150 See, for example, Austrian Federal Administrative Court, decision W6102299049-1, 20 September 2024, available in German here.

151 See, for example, Belgian CALL, decision nº310727, 1 August 2024, available here.

152 See, for example, Administrative Tribunal of Luxembourg, judgment nº50897, 28 August 2024, available in French here.

153 See, for example, Dutch Council of State, decisions 202406642/1/V3 and 2024006642/2/V3, of 2 December 2024, available here.

154 Dutch Council of State, *Applicant v. The Minister for Asylum and Migration*, 202402084/1/V3, 4 September 2024. A summary of the case is available in the EUAA's page here.

155 Danish Refugee Appeals Board, decisions Dub-Pole/2024/14/diei and Dub-Pole/2024/13/kdo, available here.

156 District Court of the Hague – Haarlem, *Applicant v. the Minister for Asylum and Migration*, 15 May 2025. A summary of the case is available in the page of the EUAA here.

157 See, for example, Danish Refugee Appeals Board, decision Dub-Rumae/2024/2/marau; or Administrative Court of Ansbach, AN 17 S 24.50237, 14 May 2024.

158 Czech Regional Court, *BGS v. Ministry of the Interior*, 20 Az 1/2024 - 31, 5 March 2024. A summary of the case is available in the EUAA's page here.

159 UNCAT, decision in communication No. 1096/2021, available here.

160 Civil Court of Rome, judgment of 1 July 2024.

- **Transfers to Austria:**

Transfers to Austria have generally upheld by European domestic courts (e.g., by courts in the **Netherlands**, [161] **Denmark**,[162] and **Luxembourg**[163]). Some courts – such as those from **Italy**,[164] or the **Netherlands**[165] - have, on occasion, annulled Dublin transfers due to the systemic deficiencies in the Austrian reception system and asylum procedure (including considering applicants' vulnerabilities and the risk of a possible chain *refoulement* to Hungary, then to Croatia and Bosnia-Herzegovina).

- **Transfers to Belgium:**

The practice of European domestic courts regarding Dublin transfers to Belgium was varied. Some courts in **Germany**,[166] the **Netherlands**[167] have not upheld these transfers based on the systemic shortages in access to the reception system in Belgium. Conversely, other **German**,[168] **Dutch**,[169] **Luxemburgish**,[170] and **Austrian**[171] courts have upheld transfers to Belgium considering, among others, that these systemic weaknesses in the reception conditions with regard to single male asylum seekers does not necessarily entail a violation of the right under Article 3 ECHR in individual cases. Due to the recent developments in Belgium, the **Dutch** Council of State will decide on this matter once more, with a judgment expected in 2025.

- **Transfers to Cyprus:**

The case law of courts in the **Netherlands** regarding Dublin transfers to Cyprus was varied in 2024. Several Regional Courts had previously ruled that Dublin transfers cannot be effected, considering the lack of sufficient reception capacity (e.g., for Dublin transferees, only women and families were assured of receiving shelter).[172] However, in March 2025, the Dutch Council of State settled the dispute, ruling that the principle of mutual trust with Cyprus can be relied upon.[173]

- **Transfers to other countries implementing the Dublin III Regulation:**

Appeals against Dublin transfers to Switzerland have consistently been rejected by European domestic courts arguing, among others, that the fact that the reception facilities for asylum seekers in Switzerland are under pressure, no structural problems of such a serious nature to amount to ill-treatment had been

161 See, for example, Court of the Hague, decision NL24.27715, 21 August 2024, available in Dutch here.
162 Danish Refugee Appeals Board, decision Dub-Østr/2024/2/leuds.
163 Administrative Court of Luxembourg, case 50639, 9 July 2024, available in French here.
164 Civil Court of Rome, decision of 18 November 2024; Civil Court of Rome, judgment in case N. R.G. 30468/2023, 13 March 2024.
165 See, for example, Court of the Hague, decisions NL24.31461 and NL24.31462, 19 December 2024, available in Dutch here.
166 Administrative Court of Ansbach, AN 14 K 24.50066, 21 November 2024, available in German here.
167 Court of the Hague, NL24.18274, of 4 July 2024, available in Dutch here.
168 Administrative Court of München, M 10 S 24.50708, 11 July 2024, available in German here; Administrative Court of München, M 10 K 24.50707, 30 July 2024, available in German here.
169 See, among others, Court of the Hague, decisions NL24.34746, of 8 October 2024, available in Dutch here; or NL24.31978, of 8 November 2024, available in Dutch here; Court of the Hague, NL24.37527 and NL24.37528, of 25 November 2024, available in Dutch here; Dutch Council of State, NL23.7635, 13 March 2024, available in Dutch here.
170 Administrative Tribunal of Luxembourg, decisions 50759, 7 August 2024, available in French here; or 50669, 24 July 2024, available in French here.
171 Austrian Constitutional Court, *Applicant v. Federal Office for Immigration and Asylum*, E 2913/2023-14, 23 September 2024.
172 Regional Court Middelburg, Decision No NL23.18813, 12 October 2023, available in Dutch here.
173 Dutch Council of State, *The Minister for Asylum and Migration* v, *Applicant*, No 202403478/1/V3, 26 March 2025.

evidenced.[174] The same is true for Dublin transfers to the Netherlands,[175] France (including in medical cases[176]),[177] and Sweden.[178]

(ii) Blanket suspension of Dublin transfers to selected Member States

As in previous years, some Member States maintained blanket suspensions against Dublin transfers to Bulgaria, Hungary, Greece, Italy and Malta. The practice of different European domestic administrative and judicial authorities has, however, remained inconsistent.

- **Transfers to Bulgaria:**

Transfers to Bulgaria resumed in several European countries. With a previous blanket suspension operating regarding Dublin transfers from **Belgium** to Bulgaria, in April 2023, transfers were resumed as evidence was considered to show that Bulgaria acts in compliance with requirements by the Dublin III Regulation and international obligations. This policy was confirmed by the Belgian CALL in several cases, and remains unchanged as of 2025.[179] The **Danish** Refugee Appeals Board found that the shortcomings in the Bulgarian asylum system did not meet the threshold of "systemic deficiencies" but, however, required that Denmark seek individual guarantees for reception and accommodation due to the vulnerability of the applicant (see Guarantees regarding reception conditions upon transfer).[180] Similarly, the **Swiss** Federal Administrative Court consistently upheld Dublin transfers to Bulgaria as it found no systemic deficiencies in the Bulgarian asylum procedure (including allegations of pushbacks) and, although it identified certain deficiencies in the reception conditions (including access to healthcare), it did not consider they qualified as systemic weaknesses.[181]

Conversely, in 2025, a court in **France** concluded that the situation of asylum seekers in Bulgaria still justified cancellation of transfers to this country.[182]

174 See, for example, Court of the Hague, decision NL24.35077, 18 November 2024, available in Dutch here; or Belgian CALL, decision 314006, 6 October 2024, available here.

175 See, for example, Belgian CALL, decision 315068, 18 October 2024, available here.

176 See, for example, Dutch Court of The Hague, *Applicant v. State Secretary for Justice and Security*, NL23.40065 V, 4 April 2024; and NL23.40068 V, 4 April 2024. A summary of the cases is available in the EUAA's page here and here. See also Irish High Court, *RG v. The International Protection Appeals Tribunal, The Chief International Protection Officer, The Minister for Justice and the Attorney General*, IEHC 579, 20 September 2024.

177 See, for example, Belgian CALL, decision 309777, 12 July 2024, available here; Court of the Hague, decision NL24.28958, 13 August 2024, available in Dutch here; or Swiss Federal Administrative Court, F-6537/2024, 28 October 2024, available in German here.

178 See, for example, Belgian CALL, decision nº 319304, 26 December 2024, available here; Danish Refugee Appeals Board, decisions Dub-Sver/2024/1/CARA, Dub-Sver/2024/10/Saba, or Dub-Sver/2024/9/lnk; or Administrative Court of München, M 3 S 24.50984, 10 December 2024, available in German here.

179 AIDA, Country report: Belgium – Update on the year 2024, June 2025, available here, page 69.

180 Danish Refugee Appeals Board, Dub-Bulg/2024/1/sme, April 2024. See also the AIDA, Country report: Bulgaria – Update on the year 2024, March 2025, available here, page 52.

181 See, for example, Swiss Federal Administrative Court, decisions D-6675/2024, of 30 October 2024, available in German here; F-2093/2024, of 18 April 2024, available in German here; F-6287/2024, of 17 October 2024, available in German here; D-3810/2024, 21 June 2024, available in German here; F-3048/2024, 25 June 2024, available here; or E-328/2024, 25 January 2024, available here.

182 Administrative court of Nantes, 6 February 2025, n°2500780.

- **Transfers to Hungary:**

The blanket suspension on Dublin transfers to Hungary continues to be applied in several Member States due to the many shortcomings in the Hungarian asylum and accommodation facilities, namely **Belgium**,[183] the **Netherlands**,[184] **Sweden**,[185] and **Switzerland**.[186]

- **Transfers to Greece:**

Transfers to Greece of asylum seekers were suspended after the 2011 ECtHR and CJUE rulings in the cases of, respectively, *M.S.S. v. Belgium and Greece* and *N.S. v. Secretary of State for the Home Department*. Since then, many EU countries do not carry out transfers to Greece in practice, despite a fourth recommendation to that end from the European Commission in 2016.[187] This is notably the case in **Belgium**,[188] **Spain**,[189] **Hungary**,[190] **Italy**,[191] **Poland**,[192] **Portugal**.[193] Moreover, as noted above, although Sweden continues to submit requests for Dublin transfers to **Greece**, it does not transfer applicants unless individual guarantees have been obtained by Greek authorities. As individual guarantees from the Greek authorities are barely received, in practice Sweden does not transfer applicants to Greece under the Dublin III Regulation.[194] In **Belgium**,[195] **Bulgaria**,[196] **Ireland**,[197] **Romania**,[198] and **Slovenia**,[199] while take back or take charge requests are being issued to Greece, these are mostly not being effected in practice.

However, in 2024, **Austria** recommenced the issuance of take back requests to Greece (10 in 2024),[200] with different courts rejecting appeals against Dublin transfer decisions to Greece.[201] A reference judgement of the **Swiss** Federal Administrative Court regarding Dublin transfers to Greece is expected in 2025.[202]

From 1 January to 31 December 2024, out of a total of 17,177 incoming requests from other Member States, only 26 Dublin transfer to Greece were carried out (mostly by Germany).[203]

183 AIDA, Country report: Belgium – Update on the year 2024, June 2025, available here, page 69.
184 Dutch Council of State, Decision No 201507248/1, 26 November 2015, available in Dutch here. See also the AIDA, Country report: the Netherlands – Update on the year 2024, May 2025, available here, page 71.
185 AIDA, Country report: Sweden – Update on the year 2024, May 2025, available here, page 51.
186 AIDA, Country report: Switzerland – Update on the year 2024, May 2025, available here, page 51.
187 European Commission, Commission Recommendation (EU) 2016/2256 of 8 December 2016 addressed to the Member States on the resumption of transfers to Greece under Regulation (EU) No 604/2013 of the European Parliament and of the Council, 8 December 2016, available here.
188 AIDA, Country report: Belgium – Update on the year 2024, June 2025, available here, page 69.
189 AIDA, Country report: Spain – Update on the year 2024, April 2025, available here, page 66.
190 AIDA, Country report: Hungary – Update on the year 2024, May 2025, available here, page 54.
191 AIDA, Country report: Italy – Update on the year 2024, July 2025, available here, page 102.
192 AIDA, Country report: Poland – Update on the year 2024, July 2025, available here, page 39.
193 AIDA, Country report: Portugal – Update on the year 2024, August 2025, available here, page 74.
194 AIDA, Country report: Sweden – Update on the year 2024, May 2025, available here, page 51.
195 AIDA, Country report: Belgium – Update on the year 2024, June 2025, available here, page 69.
196 AIDA, Country report: Bulgaria – Update on the year 2024, March 2025, available here, page 49.
197 AIDA, Country report: Ireland – Update on the year 2024, May 2025, available here, page 63.
198 AIDA, Country report: Romania – Update on the year 2024, August 2025, available here, page 64.
199 AIDA, Country report: Slovenia – Update on the year 2024, August 2025, available here, page 52.
200 AIDA, Country report: Austria – Update on the year 2024, July 2025, available here, page 63.
201 Austrian Federal Administrative Court, Decision W144 2299891-1, 07 October 2024, available in German here; and W161 2299884-1, 21 November 2024, in German available here.
201 Austrian Federal Administrative Court, Decision E 4746/2024, 27 February 2025, available in German here; Austrian Constitutional Court, Decision E 4746/2024, 27 February 2025, available in German here.
202 AIDA, Country report: Switzerland – Update on the year 2024, May 2025, available here, page 51.
203 AIDA, Country report: Greece – Update on the year 2024, September 2025, available here, page 91.

- **Transfers to Italy:**

Dublin transfers to **Italy** continued to be the subject of extensive jurisprudence at the domestic level in EU Member States. On 5 December 2022, the Italian Dublin Unit announced the suspension of incoming transfers because of the saturation of its reception system. The state of emergency in Italy was extended on 10 October 2024.[204] No transfers to Italy had been carried out in 2024 from countries including **Austria**,[205] **Ireland**,[206] **Poland**,[207] the **Netherlands**,[208] and mostly in **Belgium**[209] and **Denmark** (considering it unlikely that Italy could issue individual guarantees).[210] This is illustrated in transfer figures, with only 181 transfers having been effected in 2024 out of a total of over 24,000 take charge and take back requests to Italy, with none of those effected transfers corresponding to a take back request.[211]

However, some countries' courts found no systemic deficiencies in Italy's asylum and reception system. The sovereignty clause is only applied in **Switzerland** in cases of very vulnerable persons, or in case of a combination of different special circumstances (with guarantees having to be obtained from the Italian authorities in family cases,[212] as well as in take-back procedures for persons with serious health issues[213]). In **Germany**, some courts have determined that, despite existing doubts about the feasibility of Dublin transfers following the refusal of Italy to accept Dublin transfers since 2022, the practical impossibility of effecting Dublin transfers should not automatically shift responsibility to Germany when the time frame under Article 29 of the Dublin III Regulation had not yet passed.[214]

- **Transfers to Malta**

According to its own manual,[215] the Swiss Migration Authority does not transfer vulnerable asylum applicants to Malta if they are facing detention. Two Dublin transfers took place to Malta from Switzerland in 2024.[216]

204 Delibera del Consiglio dei Ministri del 10 ottobre 2024 - Proroga dello stato di emergenza in conseguenza dell'eccezionale incremento dei flussi di persone migranti in ingresso sul territorio nazionale attraverso le rotte migratorie del Mediterraneo, published on 11 November 2024, available here.
205 AIDA, Country report: Austria – Update on the year 2024, July 2025, available here, page 63.
206 AIDA, Country report: Ireland – Update on the year 2024, May 2025, available here, page 63.
207 AIDA, Country report: Poland – Update on the year 2024, July 2025, available here, page 39.
208 AIDA, Country report: the Netherlands – Update on the year 2024, May 2025, available here, pages 69-70.
209 AIDA, Country report: Belgium – Update on the year 2024, June 2025, available here, page 70.
210 Danish Refugee Appeals Board, decisions Dub-Ital/2024/28/leuds, Dub-Ital/2024/28/leuds, 1 November 2024.
211 AIDA, Country report: Italy – Update on the year 2024, July 2025, available here, page 92. These figures exclude the transfers based on the "family unity" criterion.
212 Swiss Federal Administrative Court, Reference Decision F-6330/2020, 18 October 2021.
213 Swiss Federal Administrative Court, Reference Decision D-4235/2021, 19 April 2022.
214 See, for example, German Regional Administrative Court, *Applicants v. Federal Office for Migration and Refugees*, 9 K 668/23 A, 29 May 2024. A summary of the case is available in the page of the EUAA here.
215 Manuel Asile et retour, C3 Procédure Dublin, available in French here.
216 AIDA, Country report: Switzerland – Update on the year 2024, May 2025, available here.

THE ASYLUM INFORMATION DATABASE (AIDA)

The Asylum Information Database (AIDA) is a database managed by the European Council on Refugees and Exiles (ECRE), containing information on asylum procedures, reception conditions, detention and content of international protection across 25 countries. This includes 19 European Union (EU) Member States (Austria, Belgium, Bulgaria, Cyprus, Germany, Spain, France, Greece, Croatia, Hungary, Ireland, Italy, Malta, Netherlands, Poland, Portugal, Romania, Sweden, Slovenia) and 6 non-EU countries (Egypt, Switzerland, Serbia, Türkiye, Ukraine and the United Kingdom).

The overall goal of the database is to contribute to the improvement of asylum policies and practices in Europe and the situation of asylum seekers by providing all relevant actors with appropriate tools and information to support their advocacy and litigation efforts, both at the national and European level. These objectives are carried out by AIDA through the following activities:

- **Country reports:** AIDA contains national reports documenting asylum procedures, reception conditions, detention and content of international protection in 25 countries.

- **Comparative report:** AIDA comparative reports provide a thorough comparative analysis of practice relating to the implementation of asylum standards across the countries covered by the database, in addition to an overview of statistical asylum trends and a discussion of key developments in asylum and migration policies in Europe. Annual reports were published in 2013, 2014 and 2015. From 2016 onwards, AIDA comparative reports are published in the form of thematic updates, focusing on the individual themes covered by the database. Thematic reports have been published on reception (March 2016), asylum procedures (September 2016), content of protection (March 2017), vulnerability (September 2017), detention (March 2018), access to the territory and registration (October 2018), reception (May 2019), asylum authorities (October 2019) digitalisation of asylum procedures (January 2022), family reunification (February 2023), and access to socio-economic rights for beneficiaries of temporary protection (August 2023 and January 2025).

- **Fact-finding visits:** AIDA includes the development of fact-finding visits to further investigate important protection gaps established through the country reports, and a methodological framework for such missions. Fact-finding visits have been conducted in Greece, Hungary, Austria, Croatia, France, Belgium, Germany, Poland, and Romania.

- **Legal briefings:** Legal briefings aim to bridge AIDA research with evidence-based legal reasoning and advocacy. With the assistance of information gathered from country reports, these short papers identify and analyse key issues in EU asylum law and policy and identify potential protection gaps in the asylum *acquis*. Legal briefings so far cover: (1) Dublin detention; (2) asylum statistics; (3) safe countries of origin; (4) procedural rights in detention; (5) age assessment of unaccompanied children; (6) residence permits for beneficiaries of international protection; (7) the length of asylum procedures; (8) travel documents for beneficiaries of international protection; (9) accelerated procedures; (10) the expansion of detention; (11) relocation; and (12) withdrawal of reception conditions.

- **Statistical updates** AIDA releases short publications with key figures and analysis on the operation of the Dublin system across selected European countries. Updates have been published for 2016, the first half of 2017, 2017, the first half of 2018, 2018, the first half of 2019, 2019 and the first half of 2020, 2020, 2021, 2022 and 2023.

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