

Asylum in Europe: the situation of applicants for international protection in 2025¹

The [Asylum information Database](#) (AIDA) is a database managed by the European Council on Refugees and Exiles (ECRE) containing detailed information on asylum procedures, reception conditions, detention, and the content of international protection in 27 countries. The country reports are written by national experts in cooperation with a variety of stakeholders, ranging from civil society organisations and lawyers to national authorities. The reports are edited and verified by ECRE. The database is widely used by European and national policy makers, legal practitioners, and courts.

This briefing provides key examples of the general trends that can be observed across asylum systems in Europe in 2025 as documented in AIDA.² It demonstrates that, while asylum systems are in place and functioning across Europe, the rights of people in need of international protection are still regularly violated and significant gaps in national asylum systems continue to be reported. Access to asylum remains a particular concern, as do the quality and length of asylum procedures. Reception systems came under pressure in an increasing number of countries, often due to a lack of sufficiently robust contingency planning, and detention of asylum applicants remained commonplace, rather than being a limited exception.

The European Pact on Migration and Asylum became applicable on 12 June 2026. As a result, significant changes to national asylum systems, and within their reception systems, are currently underway. It is crucial that information regarding long-standing shortcomings is used to inform the development of national implementation plans and strategies, to ensure stronger and fairer asylum and reception systems.

1. Applications for international protection decrease for the second consecutive year

- **Asylum applications in the EU**

In 2025, for the second consecutive year, applications for international protection presented in EU Member States decreased (-19.7% compared to 2024). Looking at a broader period of time, the number of total applications was 37.6% lower in 2025 than in 2015. According to Eurostat,³ 800,275 people applied for international protection in the EU in 2025. Out of this number, 671,730 were first time applicants and 127,465 were subsequent applicants. The decrease in the total number of applications was linked to first time applicants (-26.3%), as subsequent applications increased by 51.7% when compared with 2024. The distribution of asylum applications by nationality was more diverse in 2025 than in previous years, with almost half of all applicants originating from 12 different countries (compared to 8 in 2024), namely: Venezuela (89,485), Afghanistan (63,950), Syria (40,405), Bangladesh (35,645), Türkiye (24,225), Egypt (22,720), Ukraine (22,390), Colombia (20,895), Peru (19,865), Morocco (18,835), Mali (18,590) and Pakistan (16,895). Applications by Syrian nationals registered as significant decrease in 2025 (-74%), as did those of Afghan (-21%), Bangladeshi (-18%), Turkish (-54%), Egyptian (-5%), Ukrainian (-15%), Colombian (-59%), Moroccan (-17%) and Pakistani (-16%) nationals. Applications by Venezuelans grew substantially (+21%), representing the nationality

¹ This briefing was written by Charlotte Labrosse and Marie Trapet Llamas, with contributions from Archie Wood and Joana Barros Simões.

² Information presented in this overview was extracted and compiled from the 2025 Updates to the AIDA Country Reports, where further information, details and sources can be found [here](#). A complementary overview of the situation of temporary protection applicants and beneficiaries in Europe in 2025 is available [here](#).

³ Eurostat, 'Asylum applicants by type of applicant, citizenship, age and sex - annual aggregated data', data as of 9 July 2026, available [here](#).

with the highest number of applications in the EU in 2025. However, 94.1% of these applications was recorded in Spain alone. Applications by Malian nationals also increased, but at a lower rate (+12%). 82.6% of asylum applications in the EU were received in just 5 Member States: Germany, France, Spain, Italy, and Greece.

The situation in EU Member States and AIDA countries varied in terms of the number of asylum applications received. Over 80% of EU Member States (22 out of 27) witnessed a decrease in asylum applications in 2025.⁴ Similarly, 22 out of 25 AIDA countries⁵ registered a decrease in asylum applications. Among the most notable were Bulgaria (-68%), Romania (-50%), Cyprus (-50%), Ukraine (-42%), Serbia (-41%), Portugal (-35%), Austria (-34%), Germany (-33%), Ireland (-29%), Slovenia (-26%), Sweden (-24%), the Netherlands (-23%), Malta (-22%), Poland (-22%), Greece (-16%), and Italy (-15%). Spain, Belgium, Czechia, Switzerland, the UK and France also saw a decrease in asylum applications, albeit more moderate (all below -15%). Germany saw the biggest decrease in absolute numbers, with 82,175 less applications than in 2024, followed by Italy (-23,120), Spain (-22,445) and Greece (-12,055). Some decreases appear significant in percentage terms but are less significant in absolute terms, given the relatively small total number of applications. This is the case, for example, for Malta (-155 applications), Serbia (-89 applications) and Ukraine (-45 applications).

In contrast, a very limited number of EU countries witnessed moderate to significant increases in the number of asylum applications received.⁶ The largest relative increases in asylum applications were recorded in Hungary (+267%) and Latvia (+42%), followed by Croatia (+6%), Lithuania (+6%) and Slovakia (+3%). In absolute terms, however, all increases remained modest. Latvia recorded the largest numerical increase (+435 applications, for a total of 1,475), followed by Hungary (+80), Croatia (+65), Lithuania (+20) and Slovakia (+5). Hungary's particularly high percentage increase is explained by its very low baseline, as it corresponded in practice to only 80 additional applications.

Overall, the number of applications under-represents the number of persons attempting to access protection in Europe – and the need for international protection – given the widespread practices of denial of access to territory and/or to asylum procedures, as further detailed under [point 2](#). In at least 11 AIDA countries there were reports of pushbacks and/or lack of rescue at sea in the last reported year.⁷ In seven additional AIDA countries, there were reports (NGO reports, media, testimonies, etc.) of people refused entry at the border and returned without examination of their protection needs.⁸

- **Recognition rates and protection needs**

Protection needs among applicants for international protection in the EU remained substantial, as reflected by the 39.1% overall first-instance protection rate (28.7% when considering only international protection under EU law).⁹ This, however, represents a decrease with respect to 2024, when a form of protection was granted in 51.4% of first instance decisions. This decrease appears to be primarily driven by an 11.9 percentage point reduction in grants of subsidiary protection at first instance. It was significantly influenced by the decline in the protection rate among Syrian applicants, which decreased both in absolute terms (-122,115 positive decisions, representing a 92% decrease) and in relative terms:

⁴ Ibid.

⁵ Data for Serbia, the United Kingdom and Ukraine are not reported in Eurostat and, therefore, have been obtained from the figures reported in the relevant AIDA 2025 report updates. Data for Türkiye was not reported for the year 2025.

⁶ Ibid.

⁷ Italy, Spain, Greece, Bulgaria, Cyprus, Poland, Malta, Serbia, Slovakia, Croatia and Hungary.

⁸ Germany, the UK, France, Ireland, Switzerland, Romania and Czechia.

⁹ Eurostat, 'First instance decisions on applications by type of decision, citizenship, age and sex - annual aggregated data', data as of 2 June 2026, available [here](#).

from an overall protection rate of 91% in 2024 (including 63% subsidiary protection) to 29% in 2025 (including 17% subsidiary protection). At first instance, refugee status continued to be the main form of protection granted (20% out of the total first instance decisions, very similar to the 21.85% registered in 2024). Humanitarian protection was granted in more cases (10.4%) than subsidiary protection (8.7%) in 2025. In addition, 49,025 protection decisions were delivered upon appeal or review by EU Member States in 2025 (i.e., 26.3% of appealed first instance decisions were overturned in favour of the applicant with the granting of international or national protection at that stage).¹⁰ This proportion remained stable with respect to 2024 data (26.9%).

In absolute figures, in 2025 EU Member States granted protection status to 374,985 asylum seekers,¹¹ (438,000 in 2024). Among the total number of persons receiving protection in the EU in 2025, 49.4% were granted refugee status, 22.9% subsidiary protection and 27.7% humanitarian status. Afghan (36.2%), Venezuelan (21.9%) and Ukrainian (6.3%) nationals were the main beneficiaries of protection in the EU in 2025 by number of positive decisions.¹²

With almost 40% of applicants granted protection at first instance and more than a quarter succeeding on appeal - patterns consistent with most of the past decade - a substantial proportion of people seeking international protection in the EU are found to have protection needs. Moreover, these figures likely underrepresent actual protection needs. First, as ECRE has documented extensively,¹³ a person's chance of obtaining protection in the EU varies dramatically depending on the country examining their claim, likely due to gaps in the quality of decision-making. For instance, while the overall protection rate for Afghan nationals at first instance in the EU (including national humanitarian protection) remained high (73%) in 2025, the rates varied significantly across Member States: Afghan nationals were granted protection in only 5% of first-instance decisions in Bulgaria and 0% in Croatia, whereas they were granted protection in around 98% of cases in Greece, Italy and Portugal, and 100% of the cases in Czechia, Latvia and Slovenia.¹⁴ Another example is that of Venezuelan applicants, who had an overall recognition rate of 92% in 2025. However, recognition rates varied widely across Member States: in Germany, only 11.5% of Venezuelan applicants were granted a form of protection (including humanitarian protection) at first instance, compared with 99.6% in Spain.¹⁵ Second, Eurostat data runs together inadmissibility decisions and in-merit negative decisions, even though the former do not usually include an assessment of protection needs. For example, in 2025 in Belgium, 7,458 inadmissibility decisions were taken (representing 35.5% of the total number of rejection decisions (21,000)), and a new law of 2025 established that applications by persons who had already received a final positive or

¹⁰ Eurostat, 'Final decisions in appeal or review on applications by citizenship, age and sex - annual data', data as of 22 May 2026, available [here](#).

¹¹ This figure is calculated by adding all positive decisions at first instance and the appealed first instance decisions that were overturned in favour of the applicant on appeal. It should be noted that this could slightly over-represent the total figure of positive final decisions, as it could be that some of the appealed decisions were positive already at first instance (e.g., a first instance decision granting humanitarian status that is appealed and overturned on appeal to grant refugee status).

¹² Calculated as the share of total positive first instance decisions and positive decisions after appeal in the EU. Eurostat, 'Final decisions in appeal or review on applications by citizenship, age and sex - annual data', data as of 22 May 2026, available [here](#); and Eurostat, 'First instance decisions on applications by type of decision, citizenship, age and sex - annual aggregated data', data as of 2 June 2026, available [here](#).

¹³ ECRE, *Asylum statistics and the need for protection in Europe: Updated Factsheet*, July 2026, available [here](#).

¹⁴ See also Ciaran King (Commissioned by ECRE), *Assessing Legal Grounds for Protecting Afghan Asylum Seekers in Europe*, March 2023, available [here](#); ECRE, *Afghans Seeking Protection in Europe*, December 2021, available [here](#); ECRE, *EU Support to Afghanistan: Scoring High on Humanitarian Assistance and Low on Protection in Europe?*, December 2021, available [here](#).

¹⁵ Eurostat, 'First instance decisions on applications by type of decision, citizenship, age and sex - annual aggregated data', data as of 2 June 2026, available [here](#).

negative decision on an asylum application in another EU Member State should be considered as ‘subsequent applications’ (although this has currently been suspended and referred for a preliminary ruling to the CJEU). Third, data on second instance decisions can vary depending on whether the authorities report as positive decisions only decisions where the court itself decides on the need for protection or whether they also include decisions that overturn the first instance decisions but send the case back to the first instance authority for reassessment. Fourth, protection rates are also influenced by state decisions to suspend the examination of certain caseloads. This has been most notably in the case of applications by Syrian nationals after the fall of the Assad regime in December 2024, after which eighteen EU Member States officially or informally suspended examination of international protection applications from Syrian nationals.¹⁶

2. Access to asylum in Europe: restrictions to access to the territory

Access to asylum remained a serious concern in 2025. Unlawful border practices were reported in half of the AIDA countries, violating people’s right to asylum and the principle of *non-refoulement*, as enshrined in EU and international law. National authorities used a wide array of measures: direct pushbacks at land and sea borders; pullbacks at sea; delayed or refused maritime assistance; reintroduction or tightening of border controls; deterrence measures criminalising humanitarian assistance and people seeking protection. At the same time, the limited availability of safe pathways left many with no effective means of accessing European territory other than through the routes where they were exposed to these measures. In 2025, at least 80,865 pushbacks were reported across Europe.¹⁷ Actual numbers are likely significantly higher, as pushbacks are underreported and very difficult to document.

- **Pushbacks and other violent practices at land borders**

Pushbacks at land borders were reported in 12 countries covered by the AIDA database in 2025. Regarding EU countries, pushbacks occurred both at internal and external borders.¹⁸

In May 2025, the German Minister of Interior authorised the rejection of asylum seekers at Germany’s borders. The administrative instruction was quickly ruled unlawful by courts in Berlin and Pasewalk,¹⁹ but the federal government maintained the practice regardless, refusing entry to or returning 41,500 people at the border in 2025. Only 241 people deemed to be in a vulnerable position were allowed to enter. The NGO PRO ASYL reported that people were unable to lodge claims, had them disregarded, or were returned despite formally seeking asylum. In France, the General Controller of Places of Deprivation of Liberty found that border police at three inspected stations near Italy consistently failed

¹⁶ Austria, Belgium, Bulgaria, Croatia, Cyprus (but this was in place since April 2024 and justified by the authorities by ‘increased arrivals’), Czechia, Denmark, Finland, France, Germany, Greece, Italy, Latvia, Luxembourg, Malta, the Netherlands, Norway, Poland and Sweden. See AIDA, *Asylum in Europe: the situation of applicants for international protection in 2024*, September 2025, available [here](#) and EUAA, ‘Annual report 2025’, June 2025, available [here](#), pp. 43-44.

¹⁷ See notably: 11.11.11 et al, *Beaten back at Europe’s borders: 2025 annual report on pushbacks*, February 2026, available [here](#); BMVN, *Monthly reports*, available [here](#); Oxfam and Egala, *Trapped, Pushed Back and Tortured: Poland’s Crackdown on Refugees at Europe’s Border*, March 2025, available [here](#); Alarm phone reports, available [here](#).

¹⁸ Bulgaria, Croatia, Cyprus, France, Germany, Greece, Hungary, Italy, Poland, Serbia, Spain, and Türkiye.

¹⁹ Administrative Court Berlin, VG 6 L 191/25, 2 June 2026, available in German [here](#); Administrative Court Pasewalk, 305 XIV 84-87/25, 29 July 2025, available in German [here](#) and 305 XIV 99/25, 01 August 2025, available in German [here](#).

to inform people of their right to seek asylum, and the UN Committee Against Torture raised concerns over the summary return of children.²⁰

In addition to its embassy procedure preventing effective access to the asylum procedure (see [point 3](#)), 5,580 pushbacks were recorded from Hungary to Serbia, while Serbia recorded 10,802 ‘preventions of illegal entry’, which are effectively pushbacks, as recognised by the European Court of Human Rights (ECtHR),²¹ to Bulgaria and North Macedonia. Poland continued violent pushbacks at the Belarusian border, with civil society reporting use of pepper spray, forced removal of clothing in freezing conditions, and razor-wire injuries suffered by persons attempting to cross the border. In Türkiye, pushbacks to Iran continued, particularly targeting Afghan men, who were held in unofficial detention for months without access to asylum or external actors before being pushed back.

Violent pushbacks continued to be extensively documented in Greece, demonstrating systematic practice from the authorities notably at the Evros river border, as attested by the ECtHR.²² Regarding the country, Frontex Serious Incident Reports spanning 2023–2025 documented violations of the right to asylum, the rights of the child, and healthcare access.²³ The NGO Greek Council for Refugees secured 24 urgent Rule 39 interventions by the ECtHR covering 131 asylum seekers in 2025 (all were granted, but the majority of the people involved were reportedly pushed back regardless).

- **Pushbacks, pullbacks and non-assistance at sea borders**

Pushbacks and pullbacks at sea, failures to assist people in distress and obstacles to NGO search-and-rescue (SAR) operations continued to be documented in 6 AIDA countries in 2025.²⁴

Multiple pushbacks were reported in Cyprus,²⁵ notably affecting Syrians and allegedly coordinated with the Syrian authorities and coastguard. At least 7 people died in a shipwreck off Cape Greco after a very delayed response by the Cypriot authorities.

In Greece, systematic, violent pushbacks and pullbacks continued,²⁶ generating further concern from the Council of Europe Commissioner for Human Rights.²⁷ Aegean Boat Report documented 5,841 people pushed back into Turkish waters, in addition to 25,060 people stopped by the Turkish Coastguard or police, per the Turkish authorities;²⁸ Refugee Support Aegean recorded at least 154

²⁰ Contrôleur Général des Lieux de Privation de Liberté, *Rapport de visite : Locaux de la police aux frontières de Menton*, 6 November 2025, available in French [here](#); *Rapport de visite : Service de la police aux frontières territorial de Modane*, 6 November 2025, available in French [here](#); *Recommandations en urgence du 31 juillet 2025 relatives au service interdépartemental de la police aux frontières de Montgenèvre (Hautes-Alpes)*, 6 November 2025, available in French [here](#); and UNCAT, *Concluding observations on the 8th periodic report of France*, CAT/C/FRA/CO/8, May 2025, available [here](#).

²¹ ECtHR, 57185/17, *O.H. and Others v. Serbia*, 3 February 2026, available [here](#).

²² ECtHR, 15783/21, *A.R.E. v. Greece*, 7 January 2025, available [here](#).

²³ Natasha Mellersh, ‘Greek border pushbacks: Frontex reports describe abuse, masked men and a climate of impunity’ (*Infomigrants*, 26 April 2026), available [here](#); Jessica Parker and Kostas Kallergis, ‘Greek police using masked migrants to forcibly push other migrants back across border’ (*BBC*, 14 April 2026), available [here](#).

²⁴ Cyprus, France, Greece, Italy, Malta, and Spain (Ceuta and Melilla).

²⁵ BVMN, *Cyprus continues its pushbacks in spite of M.A. & Z.R. v. Cyprus*, January 2026, available [here](#); UNHCR, ‘UNHCR concerned about reports of pushbacks of Syrians’, 18 March 2025, available [here](#).

²⁶ See for example: Thodoris Chondrogiannos, ‘Aegean Boat Report: Allegation of Pushback of Refugees off the Coast of Oinousses’ (*Govwatch*, 30 October 2025), available [here](#); Thodoris Chondrogiannos, ‘Aegean Boat Report: Allegation of Pushback of Refugees off the Coast of Tilos’ (*Govwatch*, 26 September 2026), available [here](#); Eliana Nunes, ‘Greece: Illegal, violent deportations: the heavy toll of seeking asylum in Europe’ (*Statewatch*, 26 August 2025), available [here](#); BVMN, *Illegal pushbacks and border violence reports – Monthly report December 2025*, February 2026, available [here](#).

²⁷ Council of Europe Commissioner for Human Rights, *Memorandum on migration and border control, following the Commissioner’s visit to Greece from 3 to 7 February 2025*, 17 April 2025, available [here](#).

²⁸ Aegean Boat report, available [here](#).

people dead or missing.²⁹ Frontex considered reducing funding to the Greek Coastguard over persistent human rights concern.³⁰ In October 2025, both Frontex and the ECtHR found that the Greek Coastguard had violated migrants' right to life in separate incidents involving a fatal shooting and failures in SAR.³¹

Civil society in Malta continued to document non-assistance at sea and cooperation with the so-called Libyan coastguard. A leaked EU memo from the EU Naval Force Mediterranean Operation IRINI stated that despite numerous incidents taking place in Malta's SAR zone 'Malta never responds and refuses to follow these operations'.³² Similar patterns of non-assistance, pushbacks and pullbacks by the so-called Libyan and Tunisian coastguard were documented in Italy in 2025,³³ in addition to measures hindering NGO SAR operations (see below, Criminalisation).

In the Channel, the UK's Cranston Inquiry identified systemic failures by the UK coastguard regarding an incident occurred in November 2021 that saw at least 27 people drown. On the other side of the Channel, NGOs and media revealed the dangerous tactics used by the French police to prevent departures, namely using tear gas, flash balls, and slashing and sinking boats up to 300 meters away from the coast, in violation of international maritime and human rights law. The media also reported unlawful police practices in Mayotte, allegedly leading to drownings. The UK-France migration agreement, ratified in August 2025, introduced a one-for-one transfer mechanism under which people arriving via the Channel are returned to France in exchange for eligible applicants transferred to the UK, but UN Special Rapporteurs and NGOs have raised serious human rights concerns regarding the agreement, including reports of mistreatment in detention.³⁴

- **Reinforced internal Schengen border controls**

Provisional internal Schengen border controls, now effectively permanent in at least six Member States that have maintained them (quasi) continuously for over a decade,³⁵ expanded further in 2025. Nine countries maintained controls throughout the year, usually through successive six-month renewals.³⁶ These controls moreover had a wide geographic scope: Germany controlled all land borders; Sweden and France all air, land and sea borders; the Netherlands all land and air borders; Italy only its border with Slovenia. Bulgaria introduced controls at its border with Romania immediately upon full Schengen accession, citing migratory pressure, along with additional police, Frontex personnel and surveillance. Several Member States relied on migration- and asylum-related justifications, such as (potential) migratory pressure and strain on asylum and reception systems, despite internal border controls being intended only for exceptional threats to public policy or internal security.

On 2 June 2026, the European Commission issued opinions on the nine Member States with controls exceeding 12 months, urging a gradual phase-out and noting that implementation of the Pact should strengthen the conditions for lifting them.³⁷ Of the four countries whose controls were coming up for

²⁹ Refugee Support Aegean, 'At least 98 refugees dead or missing at Greece's maritime borders in 2025', 16 March 2026, available [here](#).

³⁰ Nektaria Stamouli, 'EU border agency threatens to slash Greek funding amid alleged illegal pushbacks of migrants' (*Politico*, 10 April 2025), available [here](#).

³¹ 11.11.11 et al, *Beaten back at Europe's borders: 2025 annual report on pushbacks*, February 2026, available [here](#); ECtHR, 17622/21, *F.M. and others v. Greece*, 14 October 2025, available in French [here](#).

³² Jacob Borg, James Cummings, 'Malta 'refuses' to cooperate in migrant rescue missions – leaked EU memo', (*Times of Malta*, 13 March 2025), available [here](#).

³³ Among others: BVMN, *Illegal pushbacks and border violence reports – Monthly report December 2025*, February 2026, available [here](#).

³⁴ UN special rapporteurs' letter to the UK, 8 December 2025, available [here](#); Letter to France, 8 December 2025, available in French [here](#).

³⁵ Austria, Denmark, France, Germany, Norway and Sweden have had controls in place since 2015/2016.

³⁶ Austria, Denmark, France, Germany, Italy, the Netherlands, Norway, Slovenia, and Sweden.

³⁷ Austria, Denmark, France, Germany, Italy, the Netherlands, Norway, Slovenia, and Sweden: European Commission, *Commission issues opinions on temporary internal border controls in Schengen Area*, 2 June 2026, available [here](#).

renewal, the Netherlands and Austria issued shorter renewal notifications (three months rather than six), while Italy renewed for a further six months regardless; Slovenia, chose not to renew its controls with Croatia and Hungary upon their expiry mid-2026.

- **Criminalisation of humanitarian assistance and people seeking protection**

The criminalisation of humanitarian assistance and of migrants themselves was a growing concern in 2025.³⁸ In Poland, courts acquitted the ‘Hajnówka Five’ activists and another volunteer prosecuted for assisting asylum seekers, but humanitarian workers continued to face risks of prosecution and restrictions on access to the border area. In Greece, proposed reforms to NGO registration and continued restrictions on civil society drew renewed concern from the UN Special Rapporteur on Human Rights Defenders.³⁹ The Italian authorities also continued to hinder NGO SAR operations. Between February 2023 and the end of 2025, 36 detention measures were imposed on NGO vessels, keeping them ashore for more than 800 days in total. In 2023, 2024 and 2025, the courts suspended or annulled the detention measures in some cases, notably ruling that the ships had not created any dangerous situations during their rescue operations, or that orders to cease rescues from the Libyan coastguard could not be considered legally binding but upheld them in other cases. In July 2025, the Constitutional Court held that, while the detention regime was not illegal in itself, orders conflicting with the duty to save life at sea, including those by the Libyan authorities exposing rescued people to return to unsafe places, cannot lawfully be enforced.⁴⁰

Several countries also intensified the criminalisation of migrants. Greece introduced criminal penalties of up to five years’ imprisonment for remaining after a final asylum rejection and continued prosecuting people, including more than 200 Sudanese nationals, for steering boats or performing other basic tasks during their own journeys to safety.⁴¹ In the UK, the Border Security, Asylum and Immigration Act 2025 created a new offence of ‘endangering another during sea crossing to the United Kingdom’. Italy continued the systematic prosecution of alleged migrant boat drivers, with 467 arrests for ‘facilitating irregular immigration’ recorded in 2025. Although courts issued acquittals in some cases,⁴² others like those of the 2023 Cutro shipwreck were sentenced to 10 to 20 years of imprisonment. Criminalisation of irregular entry was also reported in Croatia and Serbia. In Slovenia, over 71% of asylum applicants in 2025 were first processed at the Novo Mesto police station, where the Ombudsperson’s visit revealed that applicants, including families and unaccompanied children, were held in steel cages, in violation of their right to human dignity.

- **Lack of safe pathways to Europe**

In 2025 national authorities continued to maintain safe pathways at limited levels, with resettlement, humanitarian admission, community sponsorship and relocation schemes remaining restricted or further reduced in several country contexts. The Pact introduced the Union Resettlement Framework, but rather than improving the situation, the 2026-2027 pledging exercise yielded only 10,430 resettlement and humanitarian admission places combined, just 0.4% of global resettlement needs for

³⁸ Croatia, Greece, France, Italy, Malta, Poland, Serbia, Slovenia, and the United Kingdom. See notably PICUM and wing, *Criminalisation of solidarity with migrants in the EU – 2025 report*, 2026, available [here](#); BVMN, *Illegal pushbacks and border violence reports – Monthly report November 2025*, February 2026, available [here](#); EU Agency for Fundamental Rights, *Search and rescue operations in the Central Mediterranean and fundamental rights - June 2026 update*, June 2026, available [here](#).

³⁹ *Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the human rights of migrants*, 16 September 2025, available [here](#).

⁴⁰ Constitutional Court, 101/2025, 8 July 2025. See ASGI, *Decreto Piantedosi – La Corte Costituzionale ribadisce il primato del soccorso in mare*, available in Italian [here](#).

⁴¹ BVMN, *Illegal pushbacks and border violence reports November 2025*, February 2026, available [here](#).

⁴² BVMN, *Illegal pushbacks and border violence reports –November 2025*, February 2026, available [here](#).

2026 alone and an 83% drop from the 60,735 pledged for 2024–2025.⁴³ Only 9 Member States participated, down from 14 in 2024–2025 and 17 in 2023. Moreover, actual resettlement figures for 2024–2025 were far lower, with around 20,900 people relocated to pledging countries in 2024–2025, i.e. less than 40% of the pledged total. Many countries did not have a resettlement programme for 2025,⁴⁴ and among those that did,⁴⁵ three suspended it,⁴⁶ and all but one (Sweden, which significantly reduced its commitments in 2022) fell short of their 2024–2025 pledges.

In March 2026, the UK introduced a restrictive ‘visa brake’, suspending student visas issuance for nationals of for Cameroon, Myanmar and Sudan and both student and work visas for Afghans, citing increased asylum claims by visas holders; the measure is currently under legal challenge. Conversely, in Italy, the civil court of Rome ordered the issuance of humanitarian visas to people in Gaza, holding that Italy has a duty of protection towards persons exposed to a serious and immediate risk to their life.⁴⁷ In Spain, community sponsorship initiatives in Navarra and the Basque country became permanent programmes in 2025, and several public universities, along with UNCHR, took initial steps towards pilot educational pathways for refugees in 2026,

While some positive practices have been developed in past years, the limited availability of safe pathways forced many to use dangerous routes to Europe. According to IOM data, at least 2,185 people went missing in the Mediterranean in 2025 alone; Caminando Fronteras estimated that 3,090 people died attempting to reach Spain in 2025. Actual numbers are likely significantly higher, as deaths at the border and at sea are very difficult to document.

3. Access to asylum in Europe: constraints in access to the asylum procedure

- **Suspension of the right to apply for international protection**

In 2025, four countries suspended the right to claim asylum outright, in violation of EU and international law. Poland suspended the right to apply for international protection at the Belarusian border, first for 60 days from 27 March 2025, and then renewed continuously throughout the year. The ban applied both to irregular crossings and to those applying at official crossing points. Domestic courts in Białystok and Olsztyn reached opposing conclusions on the ban’s compatibility with national, EU and international law. Ukraine’s ban on applications at the border, initially introduced in 2023, also continued throughout 2025. Greece imposed a three-month suspension (14 July–14 October 2025) on asylum applications from those arriving irregularly by boat from North Africa, resulting in blanket administrative detention of all people arriving. The authorities alleged this was necessary given the number of arrivals during the first half of the year, however NGOs revealed that arrivals were consistent with previous years and that accommodation centres were only about 50% full.⁴⁸ In August 2025, the ECtHR issued interim measures ordering Greece not to deport eight Sudanese asylum seekers whose applications had not been registered by the Asylum Service due to the suspension. Hungary’s embassy procedure, in force since 2020 and found incompatible with EU law by the CJEU in 2023 (C-823/21), largely remained in

⁴³ ECRE, ‘Joint Statement: EU states must not backtrack on refugee resettlement commitments’, 12 January 2026, available [here](#).

⁴⁴ Austria, Cyprus, Czechia, Greece, Croatia, Hungary, Malta, Poland, Slovakia, Slovenia, Serbia, Türkiye, and Ukraine.

⁴⁵ Belgium, Bulgaria, Germany, Spain, France, Ireland, Italy, the Netherlands, Portugal (arrivals in 2025 corresponded to the 2023 pledge; 2024–2025 pledge remains unfulfilled) Romania, Sweden, Switzerland (49 people allowed entry, for the first time since December 2022) and the United Kingdom.

⁴⁶ Belgium (suspended March 2025), Germany (suspended April 2025, intent to terminate it ‘as far as possible’ confirmed as of January 2026).

⁴⁷ ASGI, *Visti umanitari* and the working group on Gaza, available in Italian [here](#); Civil Court of Rome, urgent orders of 2025 on the issuance of humanitarian visas to persons fleeing Gaza (Article 25 of Regulation 810/2009 and Article 10(3) of the Italian Constitution).

⁴⁸ 11.11.11 et al, *Beaten back at Europe’s borders: 2025 annual report on pushbacks*, February 2026, available [here](#).

place, preventing almost all asylum applications. The situation nevertheless improved from previous years, as unaccompanied children, detained persons and persons with compulsory placement of stay were allowed to apply from inside the country. In 2025, the ECtHR issued a joint judgment in three cases directly calling on Hungary to end collective expulsions and found that its embassy procedure does not provide genuine and effective access to legal entry.⁴⁹

- **Structural barriers to registration**

Moreover, in several countries, applicants continued to face significant practical obstacles to registering their asylum applications in 2025.⁵⁰ Without registration, applicants risk deportation, are generally unable to access reception and are thus forced into precarious situations.

In Bulgaria, fewer than 2% of people apprehended at the Turkish border were able to register an asylum claim without first being detained. In Spain, applicants typically waited over three months for a registration appointment. France introduced a new registration system, the early implementation of which created new problems, with applicants confined on-site for the full day without information, food options and childcare. Delays remained extreme in Mayotte and French Guiana (22 months in the latter), although the situation improved in Grenoble following a court ruling. Registration also remained particularly difficult in mainland Greece due to problems with the mandatory online platform, in Portugal because of the incomplete rollout of asylum services across the territory, and in Türkiye, where the registration system remained effectively frozen in 1,169 neighbourhoods, and across the country single men from Afghanistan, Iran and Iraq were quasi-automatically and systematically denied registration. In Italy, persistent delays in access to asylum registration, discriminatory practices and shortcomings in hotspot procedures continued to hinder access to asylum. The situation on the mainland prompted several successful legal challenges against the police authorities in 2025 and 2026.⁵¹

Similar concerns over access to the procedure were reported at Serbia's Nikola Tesla Airport, as highlighted by the ECtHR,⁵² while Ireland issued more than 4,000 refusals of leave to land at Dublin Airport in the first ten months of 2025, including to people from active conflict zones. In Malta, 48 people rescued at sea were detained for two weeks without access to UNHCR or civil society before being returned, raising concerns about effective access to asylum.

4. The use of special procedures

An overview of the use of special procedures in Europe shows that border procedures, as well as accelerated and inadmissibility procedures, continued not to be applied uniformly across AIDA countries in 2025.

⁴⁹ ECtHR, *H.Q. v. Hungary*, Application No. 46084/21, *Z.A. v. Hungary*, Application No. 40185/22 and *A.S.A. v. Hungary*, Application No. 53952/22, Judgment of 24 June 2025, available [here](#).

⁵⁰ Bulgaria, France, Greece, Ireland, Italy, Portugal, Serbia, Slovenia, Spain, Türkiye and Ukraine (inside the territory, as there is a ban on applying at the border).

⁵¹ For example, Civil Court of Trieste, decision no. 5434/2025 of 13 December 2025; decision no. 4780/2026 of 18 June 2026; Court of Turin, ruling no. 3818/2025, available on ASGI website in Italian [here](#).

⁵² ECtHR, 3158/20, *H.G.D. v. Serbia*, 7 October 2025, available [here](#).

- **Border procedures**

As of January 2026, thirteen EU Member States did not apply border procedures, namely: Bulgaria, Cyprus, Estonia, Croatia, Hungary, Ireland, Lithuania, Luxembourg, Malta, Poland, Sweden, Slovenia and Slovakia.⁵³

Efforts to implement the provisions of the EU Pact on Migration and Asylum were also observed in some countries. In Ireland, for example, applications from nationals of Georgia, India, and Brazil started to be processed in a manner intended to mirror the border procedure under the Pact. This transition did not yet include certain elements envisaged under the Pact, such as restrictions on freedom of movement or the establishment of an independent rights monitoring mechanism.

In Portugal, the border procedure has been systematically applied since it was resumed in November 2023 and problematic practices continued to be highlighted by NGOs in 2025: the lack of application of special procedural and reception needs, and the failure to adapt interview conditions (including the repeated use of the telephone translation services), as well as severe issues in detention conditions. Conversely, the border procedure continued to be applied only in a very limited number of cases in Romania in 2025.

Access to the asylum procedure at the airport remained a serious problem in Serbia in 2025. Many cases of automatic refusal of entry, deprivation of any risk assessment of *refoulement*, were recorded.

Lodging an asylum application at the border remained impossible in Ukraine also in 2025, as applications are not accepted by border authorities.

- **Use of accelerated and inadmissibility procedures**

There is no separate admissibility procedure in Germany, the Netherlands, Slovakia, Croatia, Serbia and Ukraine. While there is an admissibility procedure provided for in law, Slovenia rarely applies inadmissibility grounds in practice and Spain does not apply the procedure since 2019. Conversely, in Czechia inadmissibility grounds are often applied in practice. In Austria (except some cases for children) and Switzerland, all asylum applicants need to undergo the admissibility procedure. In Portugal, in practice, also all asylum applicants undergo an interview that assesses admissibility along with the merits of the application. As for the use of the accelerated procedure, this is not provided for in law in Sweden, UK, Slovakia, Ukraine, Ireland and Spain. However, in the latter two, a “prioritised” examination procedure exists. In Serbia, while provided for by law, the accelerated procedure is not applied in practice since 2022, and it is only seldomly applied in practice in Poland and the Netherlands.

In Portugal, NGOs continued to observe several issues regarding the use of special procedures in 2025. First, in a significant number of cases applications were simultaneously deemed inadmissible and rejected as manifestly ill-founded. Second, significant delays in the recognition of automatic admission to the regular procedure from admissibility and accelerated procedures was observed (frequently requiring proactive intervention by applicants or their legal counsel). Accelerated procedures continued to be used very often in Portugal in 2025, especially based on irrelevance grounds, the use of the “safe country of origin” concept, having mislead authorities, or having entered or prolonged the stay in the country unlawfully and without presenting an asylum application as soon as possible. However, accelerated procedures were often applied without proper evidence to support the use of these grounds.

⁵³ EMN, ‘Currently applicable asylum procedures at the border in view of implementing the Pact on Migration and Asylum’, January 2026, available [here](#).

From April 2024, Ireland began accelerating the processing of applications from the country of origin with the highest number of applications within a given period. This included nationals from Nigeria, Jordania, and then also Pakistan.

In Belgium, a new law of 2025 established that applications by persons who had already received a final positive or negative decision on an asylum application in another EU Member State should be considered as ‘subsequent applications’. In February 2026, the Belgian Constitutional Court temporarily suspended the new stipulation and referred the case to the CJEU for a preliminary ruling.⁵⁴

- **Use of safe country concepts**

In August 2025, the CJEU issued a landmark ruling on the “safe country of origin” concept.⁵⁵ The Court held that: (1) the designation of a country of origin as “safe” may be made by a legislative act if it can be subject to effective judicial review; (2) the information sources on the basis of which such designation was made must be made accessible to the applicant to which the concept is being applied, and also to the national judicial authority conducting the review; and (3) Member States cannot designate a third country as a “safe country of origin” if it does not offer adequate protection for certain categories of persons.

Geographic and personal exceptions to the designation of safe countries of origin will, however, be possible under the Asylum Procedure Regulation, which became applicable from July 2026. Moreover, in 2026, the EU co-legislators also agreed on legislative changes that will substantively change the application of the concepts of “safe country of origin” and “safe third country”. Among them, the elimination of the connection requirement between a third-country national and the country of return for the latter to be considered a “safe third country”, or the introduction of an EU-list of safe countries of origin, namely: EU accession candidate countries, Bangladesh, Colombia, Egypt, India, Kosovo, Morocco and Tunisia.

Several countries amended their safe country lists, adding and/or withdrawing countries. In Belgium, India and Moldavia were removed from the list of safe countries of origin, whereas Morocco was added (against the advice of the Office of the Commissioner General for Refugees and Stateless Persons). In the Netherlands, South Korea is no longer considered a safe third country and the applicability of the “safe country of origin” concept was suspended in September 2025 to wait for the new rules from the Asylum Procedures Regulation (which, as noted above, allow for the designation of countries as such with territorial and personal exceptions).

Greece continued to issue safe third country inadmissibility decisions for applicants who had transited through Türkiye, despite the absence of transfer prospects. On 4 October 2024, the CJEU ruled that although a country may be designated as safe even where returns are generally suspended, individual asylum applications cannot be rejected as inadmissible on safe third country grounds if the applicant will not be admitted to that country.⁵⁶ In February 2025, following this ruling, the Greek Council of State annulled the Joint Ministerial Decision designating Türkiye as a safe third country, finding that it merely summarised international sources without sufficiently engaging with the applicable legal criteria.⁵⁷ However, in April the government reissued the designation, updating its analysis – although largely

⁵⁴ Belgian Constitutional Court, judgment n° 23/2026 of 26 February 2026, available in Dutch [here](#) and in French [here](#); Court of Justice Cause list numbers 8548.

⁵⁵ CJEU, Joined Cases C-758/24 *A/ace* and C-759/24 *Canpelli*, judgment of 1 August 2025, available [here](#).

⁵⁶ CJEU, C-134/23 *Elliniko Symvoulío gia tous Prosfyges and Ypostirixi Prosfygon sto Aigaio*, judgment of 4 October 2024, available [here](#).

⁵⁷ Greek Council of State, Decision No. A1048/2025, 27 February 2025, published 6 June 2025 available in Greek [here](#).

based on sources favourable to its position while disregarding other key reports and evidence - and argued that Türkiye's inclusion remained pertinent and legally sound, as returns might become possible again in the future. This prompted new legal challenges in June 2025.

In Germany, a legislative change was adopted in December 2025 allowing the Federal Government to designate safe countries of origin by statutory ordinance, removing the requirement for parliamentary approval and substantially lowering the threshold for future designations.

5. Quality of asylum procedures and procedural safeguards

Access to quality procedures and adequate procedural safeguards – essential to ensure effective protection from refoulement - remained a serious concern in 2025. A few examples include:

- **Legal assistance and appeals**

As previously documented in ECRE's legal note on legal aid and legal counselling for asylum applicants,⁵⁸ access to legal aid and assistance has been a persistent challenge across Europe in recent years. Universal access to state-funded legal aid at the first instance remains restricted in several countries.⁵⁹ In Germany, a legislative amendment removing the guaranteed legal representation previously provided in the context pre-removal custody was passed in December 2025. In 5 AIDA countries.⁶⁰ Legal aid providers and civil society organisations in Croatia, Hungary, Poland, Serbia, and Türkiye reported experiencing challenges in the provision of legal aid, facing bans from operating in border buffer zones and difficulties in accessing reception or detention centers, as well as funding shortages. Several challenges were also highlighted in Malta, where detained applicants experienced communication cutoffs, including disabled phone lines and transfers between different zones, making contacting legal aid providers difficult. Depending on the region in which the asylum seekers are accommodated or arrived, they may face significant difficulties in accessing legal aid and procedural guarantees due to the centralisation of the services in major cities.⁶¹

Some challenges regarding the appeal stage were reported in 2025. Some EU countries (Bulgaria, Cyprus, Czechia, Greece, Italy and Slovenia) introduced legislation reducing the deadlines to appeal asylum decisions in 2025. In Slovenia, due to difficulties in accessing refugee counsellors and short time limits for the judicial review, some asylum applicants were unable to exercise their right to a legal remedy. The recognition rate after an appeal remained low in several countries (Portugal, Serbia - where the second-instance Asylum Commission did not issue a single positive decision for the fifth consecutive year-, Greece and Hungary). In France, 28% of appeal decisions were issued by a Court order without having provided for a hearing. In Greece, formalistic rejections remained an issue of concern, with close to half of all the appeals that were dismissed as inadmissible having being rejected on account of a late submission. In Ireland, the majority of appeals proceeded only a remote basis via audio-video link. Additionally, several countries experienced sever backlogs of cases at appeal level in 2025. In Belgium, the overall backlog of pending appeals before the Council of Alien Law Litigation increased significantly for a third year in a row. In Ireland, in October it was announced that staff from the EUAA would be seconded to the International Protection Appeals Tribunal to assist with their increasing caseload. Huge caseload backlogs were also reported in the UK at the end of 2025.

⁵⁸ ECRE, 'The Guarantees of the EU Charter of Fundamental Rights in respect of legal counselling, assistance and representation in asylum procedures', June 2024, available [here](#).

⁵⁹ Austria, Belgium, Cyprus, Greece, Italy, Sweden and Ukraine.

⁶⁰ Belgium, Bulgaria, Czechia, Portugal and Serbia.

⁶¹ As was the case, for example, in Bulgaria and Portugal.

- **Quality of the decision making**

As previously highlighted (see [point 1](#)), recognition rates registered a decrease in 2025, partly due to relevant geopolitical shifts. Following the fall of the Assad regime in December 2024, once countries generally re-started examining their applications, recognition rates for Syrian applicants dropped significantly. Notably, UNHCR⁶² still alerts that since the situation in Syria has not been proved fundamental, stable and durable, the cessation of refugee status is not justified. Despite this recommendation, Greece and Germany have revoked international protection for Syrians.

Beyond these developments, some shortcomings were reported regarding the overall quality of the asylum procedure in different countries. In Germany, Austria, Czechia, Poland, Spain, and Croatia, interpreters often lacked formal training on asylum terminology and vulnerability sensitivity. Issues related to the translations and interpretations, such as dialect mismatches, poor transcripts and unrecorded minutes, were reported in Switzerland, Cyprus, France, Sweden, Slovenia, Hungary and Portugal. Additionally, financial constraints, such as low payments for interpreters, affected Bulgaria, Romania, and Greece. Regarding asylum interviews, standardised templates and preliminary questionnaires in Belgium, Bulgaria, Spain, and Portugal limited the free narrative of the asylum seekers, and same-sex interviewer requests were ignored or not followed up in Austria and Bulgaria. Furthermore, intrusive or humiliating questioning regarding vulnerabilities was documented in Austria, Portugal, Greece, and Hungary, where lack of privacy during interviews was reported (see [point 6](#)). In Czechia, concerns regarding the use of information to decide on cases of applicants from safe countries of origin remained. In particular, the single document that is used to decide on these cases often contains information that is very brief and general, and does not always sufficiently demonstrate that the country meets all the conditions for being designated as safe. Courts have, in some cases, criticized the designation of particular cases as safe, especially considering the lack of relevant and up-to-date Country of Origin Information (as was, for example, the case of Algeria). In Portugal, there is no domestic asylum law that requires COI to be precise or up-to-date. Meanwhile, authorities in Germany and Sweden use digital origin-determination tools to get information, this includes speech or dialect software (DIAS), smartphone screening, and image biometrics.

- **Length of procedures**

Lengthy asylum procedures remained a structural challenge across several European states in 2025, with significant backlogs and prolonged decision-making times. Applicants faced delays (in some cases, up to several years) in accessing the asylum procedure, realizing their initial interview and obtaining a decision (Belgium, France, Netherlands, Slovenia, Spain). The countries with the longest recorded length of procedures - reaching up to three or more years -, were the Netherlands, Portugal, Ireland, Serbia and Italy. On the contrary, Romania, Sweden and the UK's presented some improvements regarding the length of procedures, with decreased backlogs and shorter time periods for issuing decisions.

6. Treatment of vulnerable applicants

- **Identification of vulnerabilities**

Across AIDA countries, a common structural weakness persists regarding the identification of vulnerabilities in the context of the asylum procedure: the absence of a standardised and transparent mechanisms for identifying vulnerable applicants at the point of arrival or registration. In practice, vulnerability assessments are often carried out only at a later stage of the procedure, partly due to

⁶² UNHCR, International Protection Considerations with Regard to Asylum-Seekers from the Syrian Arab Republic, May 2026, available [here](#).

capacity constraints within the responsible authorities. As a result, the identification of vulnerable applicants frequently relies on civil society organisations,⁶³ despite the fact that funding cuts have already reduced their capacity to provide such support. This is particularly evident in Serbia, where vulnerability assessment relies almost entirely on external actors and, partly due to their limited capacity for intervention multiple cases went undetected for months in 2025. Greece presented a similar pattern, with legal representatives and NGOs continuing to play a substantial role in flagging vulnerabilities missed during initial reception screening, particularly on the islands where access to specialised psychosocial support remains severely constrained. A May 2026 GRETA report found no systematic vulnerability screening occurs in Malta's reception or detention centres at all, attributing this to severe understaffing within Agency for the Welfare of Asylum-seekers' assessment team, which had shrunk to just two assessors at the time of the visit, down from thirteen when EUAA support was previously in place.

- **Unaccompanied children**

Age assessment procedures remain a persistent point of concern across the majority of AIDA countries.⁶⁴ In several countries an applicant who declines to undergo an age assessment is automatically treated as an adult for the purposes of the asylum procedure.⁶⁵ In Switzerland, if an asylum seeker refuses to undergo an age assessment, their refusal may be regarded as affecting the credibility of their statements. In other countries, issues concern the lack of a right to appeal against the age assessment decision itself.⁶⁶ Ireland's more holistic approach to age assessment, relying on documentary evidence, interview, and professional judgement, was instead regarded by civil society organisations as comparatively positive model. Since 2024, the authorities in Portugal often suspend asylum procedures in cases involving unaccompanied children that have been referred to courts. These suspensions are rarely notified to the child concerned or their legal representative, and tend to be prolonged, in some cases lasting several months or even a year. During this period, no progress is made in the asylum procedure, as the child is not heard on the merits of the claim and is only entitled to a certificate of asylum application. In 2025, 295 unaccompanied children applied for international protection in Poland. Reports indicate that children were also often subjected to pushbacks without undergoing proper medical age examinations.

In countries such as Spain and the Netherlands, the guardianship systems was under significant pressure, and challenges were reported regarding whether guardians had sufficient preparation to support children in the asylum process in Slovakia. Concerns regarding the independence of the guardians were reported in countries such as Portugal or Malta. Some challenges have also been reported in Cyprus, where children remain without adequate guardianship and often without effective legal representation, and are as such exposed to various risks, such as trafficking, sexual or labour exploitation. In Austria, a protection gap affecting unaccompanied minors was highlighted by the *Qualitätsbeirat*, with repeated calls for immediate guardianship arrangements from the first day of a child's arrival in Austria. By contrast, Belgium's Guardianship Service reported in November 2025 that, for the first time in several years, it no longer faced a waiting list for guardian appointments, attributing the improvement to falling arrival numbers, NGO partnerships, and successful recruitment campaigns, allowing guardians to now be assigned within the legal eight-week timeframe.

⁶³ This occurs in Italy, Spain, Ireland, Germany, Austria, Croatia, Serbia, Greece, Bulgaria, and Cyprus.

⁶⁴ Notably, this is the case in Portugal, Spain, France, Ireland, the United Kingdom, Belgium, the Netherlands, Switzerland, Germany, Sweden, Malta, Italy, Czechia, Austria, Poland, Croatia, Hungary, Romania, Serbia, Greece, Bulgaria and Türkiye.

⁶⁵ Notably, in Slovakia, Croatia, Cyprus, Czechia, Hungary and Poland.

⁶⁶ This is the case in Austria, Bulgaria, Croatia, Cyprus, Hungary, Romania, Slovakia, Slovenia, Spain or Switzerland.

- **Reception for vulnerable applicants**

Challenges were reported also regarding the accommodation of vulnerable persons, including unaccompanied children.

In Croatia, high turnover at reception centres - with many applicants staying less than 24 hours before onward transfer - was reported to actively hinder proper needs assessment. More positively, however, the country maintained separate, tailored accommodation for women and vulnerable applicants in Kutina, alongside continued AMIF-funded specialist healthcare provision through 2025. In the Netherlands, no dedicated reception centre exists for LGBTQI+ applicants; instead, some COA locations provide separate rooms or units alongside designated attention officers, an approach the COA has not prioritised despite researcher recommendations since 2021 to open specialised units. Research conducted by COC Nederland in 2024, published October 2025, found that half of surveyed LGBTQI+ asylum seekers felt unsafe at their COA location - rising to daily unsafety for 42% of respondents - with over half having experienced direct incidents of discrimination or violence, most severe at Ter Apel.

Regarding the reception of children, challenges persisted across Europe. In Austria, NGOs have once again reported on the inadequate reception conditions (including, among others, poor hygienic conditions of private homes). Accommodation of both accompanied and unaccompanied children in federal and cantonal reception centres in Switzerland remained challenging. Finding placements in appropriate facilities for unaccompanied asylum-seeking children remained a challenge in Poland in 2025. Positive advancements were instead observed in some countries. Three safe zones for unaccompanied children at asylum reception centres continued to operate in Bulgaria. In Spain, in May 2025 the Supreme Court issued a landmark ruling affirming that unaccompanied asylum seeking children are entitled to access and remain within the asylum reception system, which means they should not be placed in the general facilities for unaccompanied children or in shelters for abandoned children. In France, as of 2024, the accommodation of children in hotels has been prohibited.

7. Access to reception and reception conditions: key challenges remain

In 2025, persistent shortages in reception systems and insufficient capacity continued to affect many EU countries. One of the most significant challenges remained the lack of adequate accommodation for asylum applicants, resulting in a continued reliance on emergency reception facilities, and substandard reception conditions provided.

- **Access to reception and reception capacity**

The general trend of reduced asylum applications (see [point 1](#)) had a direct impact on the reception systems of several countries in Europe. In Austria, transfers to facilities of the federal states were faster in 2025 than in previous years, although many provincial facilities closed, thereby creating capacity constraints. In Germany, decreased applications led to decreasing occupancy rates at reception facilities in several Federal States, although those in larger cities remained under pressure. In Italy, the state of emergency due to the number of arrivals in place since 2023 was no longer renewed in 2025 (even though an ordinance provided for the temporary continuation of the extraordinary financial arrangements under the state of emergency regime to allow the completion of measures already initiated). In other countries (e.g., Romania and Serbia), reception centres continued to operate below capacity.

In Poland, the situation at the Belarusian border continued to leave many individuals without access to material reception conditions, including medical assistance in 2025. Crucially, on 27 March 2025, the right to apply for international protection at the Belarusian border was fully suspended. This led to cases

where persons reaching the border were denied the right to apply for asylum, effectively excluding them from material assistance available to registered applicants. In Greece, Italy, Portugal and Spain, the late registration of asylum applications in certain cases led to people seeking protection being destitute and living in precarious conditions also in 2025. Some applicants in Malta, such as those in a Dublin outgoing procedure, were in a similar situation due to not longer being recognised as asylum applicants and consequently refused access to reception conditions. In France, although thousands of asylum seekers were not granted access to reception conditions in 2025, further funding cuts to the reception system were envisioned for the 2026 budget.

Belgium's reception crisis, persisting since 2021, has produced an extraordinary volume of litigation: as of January 2025, Fedasil had been condemned 11,030 times by Belgian Labour Courts for violating the right to reception, while the European Court of Human Rights had separately granted 2,285 interim measures ordering Belgium to provide shelter.⁶⁷ Yet enforcement has proven largely ineffective - Fedasil has openly refused to pay the resulting fines, a policy the Minister for Asylum and Migration has repeatedly confirmed, prompting open criticism from the judiciary in September 2025.⁶⁸ Similar shortcomings were reported in Ireland, where a significant number of male applicants were left without any State accommodation offer at all during 2025. The Netherlands' Ter Apel facility continued to operate at or beyond capacity at points throughout the year, with people at times sleeping outdoors, despite the ongoing rollout of the Spreidingswet intended to distribute reception responsibility more evenly across municipalities. Greece's reception system also remained under considerable strain, with island reception centres facing overcrowding during arrival peaks even as mainland capacity continued a gradual scale-down.

- **Reception conditions**

The quality of reception conditions provided also proved subpar in certain AIDA countries. Croatia's newly established Dugi Dol reception centre was found by the Ombudswoman and National Preventive Mechanism to fall below CPT standards within months of opening, lacking basic provisions including mattresses, bedding, and adequate sanitation, with no vulnerability assessments conducted at the site due to insufficient staff training. In Slovakia, monitoring visits found conditions generally adequate but noted insufficient room size for larger families and residents' dissatisfaction with food quality and diversity, particularly affecting children. Reports of a lack of information, social support and reception solutions following the presentation of an application persisted in Portugal. In Ireland, 2025 saw the continued reliance on emergency centres, which were overcrowded and without access to basic public services. In Sweden, the Government continued its progress in presenting further restrictive legislative proposals regarding the reception of asylum seekers, including strengthened obligations for asylum seekers, such as participation in attendance checks at their accommodation, compliance with reporting obligations to the Swedish Migration Agency, and restrictions requiring individuals to remain within the county where the assigned accommodation is located. Non-compliance with these obligations, including leaving the assigned county, may result in a reduction of the daily allowance. Conditions in all national reception centres in Bulgaria continued to deteriorate, with reduced capacity, limited support to accommodation, nutrition and medical assistance, as well as pest infestations. In some cases (e.g., the Ovcha Kupel shelter in Sofia) the deterioration was so acute that closure of a centre was considered.

Some limited positive developments regarding reception conditions were also registered throughout the year. While conditions in the reception centres in Cyprus improved, the majority of asylum applicants

⁶⁷ Fedasil, 'Contact Meeting International Protection', 19 November 2025, available in French and Dutch [here](#), 38.

⁶⁸ Van Bossuyt, 'Committee on Internal Affairs, Security, Migration and Governance: CRIV COM 56 COM 355', 22 April 2026, available in French and Dutch [here](#), 37.

are hosted in the community rather than in reception centres and still often lived in extremely poor conditions throughout 2025. While some reception difficulties documented in previous years somewhat diminished in 2025 in Portugal, access to services continued to be hampered by difficulties in contacting authorities outside Lisbon, directly impacting the provision of reception conditions. In Ireland, some temporary reception structures that had been the object of legal challenges were dismantled in 2025. A pilot project in Switzerland had asylum seekers whose behaviour disrupted operations housed in a separate area within reception centres (instead of being sent to special centres). In Bulgaria, in October 2025, the Ministry of Interior took over the guarding of the reception centres, which is expected to improve the safety and security of asylum seekers who are accommodated in the reception centres.

8. Detention of asylum seekers continues to be a common practice across Europe⁶⁹

Despite the strict requirements under EU law and the limits imposed by the ECtHR, which provide that detention should only be used as a measure of last resort, the detention of asylum applicants and other migrants remained widespread across European countries in 2025. Challenges continued to be reported, including the limited use of alternatives to detention, inadequate detention conditions, the detention of unaccompanied minors, and insufficient access to effective legal remedies.

- **Grounds for detention**

In Greece, new legislation drastically expanded administrative detention grounds and lengthened maximum migration-related detention up to 48 months.

In 2025, civil society organisations and lawyers in Belgium observed an increasing number of arrests at the premises of the Immigration Office in the context of appointments related to a subsequent asylum application. While some courts have found that such practices constitute an unfair strategy intended to mislead the asylum seeker and, as a violation of Article 5 of the ECHR, should result in their release. Some other courts consider that the practise is lawful.⁷⁰

- **Border detention and detention in the Dublin procedure**

Cases of *de facto* detention at land, air or sea borders continued to be reported in Austria, Bulgaria, Croatia, Germany, Greece, Italy, Romania, Spain, Switzerland, Serbia, the UK and Türkiye. In 2025, the ECtHR found that *‘the arrest and subsequent detention of irregular migrants – a kind of temporary forced disappearance – formed part of the documented modus operandi of the practice of “pushbacks”*’ in Greece.⁷¹ In 2025, asylum applicants were again frequently detained in the airport transit zone in Portugal, in appalling conditions due to the lack of capacity of the corresponding detention facility. More positively, the practice in Malta whereby all newly-arrived asylum seekers – save vulnerable persons – were detained for around two months upon arrival on public health grounds was significantly reduced in 2025.

In April 2026, the CJEU issued its judgment in a preliminary reference by Belgian courts concerning the asylum applications lodged at Brussels airport by third-country nationals who were detained in facilities

⁶⁹ For a more detailed overview of detention practices in Europe, see AIDA, ‘At the margins: Places and Conditions of Detention’, July 2026, available [here](#); and AIDA, ‘The Legal Framework for the Detention of Asylum Seekers in Europe’, July 2026, available [here](#).

⁷⁰ Move coalition, Newsletter Detention 2-2025, May 2025, available in French [here](#) and in Dutch [here](#), p. 3-4; and Newsletter Detention 3-2025, September 2025, available in French [here](#) and in Dutch [here](#); Newsletter Detention 1-2026, February 2026, available in French [here](#) and in Dutch [here](#).

⁷¹ ECtHR, *A.R.E. v. Greece*, Application No 15783/21, 7 January 2025, para 288, available [here](#).

situated within Belgian territory but legally treated as border facilities. The Court ruled that a detention centre holding an asylum applicant whose application is processed under a border procedure does not have to be located exactly at the border.⁷²

The detention of people under a Dublin procedure was systematic in Hungary and France. In Germany, in early 2025, the so-called ‘Dublin centres’ opened, where people in the Dublin procedure could be detained up to 2 weeks. As of mid-2025, there are two operational Dublin centres (in and Hamburg and Eisenhüttenstadt), with capacities of several hundred places, although only 20 asylum applicants were housed in Eisenhüttenstadt in July 2025. A 2026 ruling by the German Federal Court of Justice clarified that detention for Dublin transfers is inadmissible if obstacles to conducting the transfer - such as known capacity issues in Italy - are apparent at the time of detention.⁷³ After the general suspension of Dublin transfers by the Italian government in 2022, no Dublin transfers from Austria took place between December 2022 and 2025. However, detention of Dublin returnees was ordered also in these cases.

Regarding the operationalization of the Italy-Albania Protocol, Italian legislation was amended to equate the relevant areas in Albania to the hotspots and repatriation detention centres (CPRs). In March 2025, the Italian Government amended the relevant law ratifying the Protocol, introducing, among the categories of people who can be transferred to Albania, those who are already detained in CPRs due to their irregular stay, without the need for any new validation by courts. Several Italian Courts lodged preliminary references to the CJEU, aiming at understanding the legality of the scheme under EU law.⁷⁴

- **Detention conditions**

Concerns over poor and inadequate conditions in detention remained widespread in 2025. The French General Controller of Places of Detention conducted an unannounced visit of border police facilities at the French-Italian border and noted “*the appalling conditions in which migrants are detained*”, particularly regarding the “*unsuitable, undersized premises lacking essential facilities*”. The conditions in the administrative detention centres remained precarious and seriously impacted the health of residents also in Belgium, with multiple detainees initiating a hunger strike in 2025. The Serbian National Preventive Mechanism also outlined the complete lack of adequate health care and vulnerability screening upon arrival, as well as lack of meaningful activities in detention centres for foreigners.

A new detention centre was opened in 2025 in Spain. However, others that were expected to become operational in Cyprus in 2025 remained closed, as a result of which people continued to be detained in holding cells and police stations in sub-standard conditions and with challenges to access the asylum procedure.

- **Detention of vulnerable people**

The detention of vulnerable persons in the context of asylum and return procedures continued to be a practice across Europe in 2025. Unaccompanied children continued to be detained in at least 22 AIDA countries, namely Austria, Malta, Greece, Bulgaria (despite a prohibition to that effect being enshrined in law), the UK (pending removal), Ukraine, Türkiye (following a wrong age determination), Switzerland, Sweden, Spain (due to deficiencies in the age assessment procedure), Serbia, Romania Portugal,

⁷² CJEU, Joined Cases C-50/24 to C-56/24, *Danané and Others*, 16 April 2026, available [here](#).

⁷³ German Federal Court of Justice, Decision of 17 December 2025 – XIII ZB 8/23, available in German [here](#).

⁷⁴ CJEU, Joined Cases C-758/24 *Alace* and C-759/24 *Canpelli*, 1 August 2025, available [here](#). Among others, the Court considered it contrary to EU law for a Member State to designate a safe country of origin with exceptions for certain categories of people. The progress of the pending cases can be found in Curia under the following references: Joined cases C-706/25 *Comeri* and C-707/25 *Sidilli*, and C-414/25 *Sedrata*.

Poland (among others, when accompanied by unrelated adults or when in doubt about their minority), the Netherlands, Italy (following wrong age assessments or *de facto* detention in hotspots, despite a prohibition being established by law), Germany (for Dublin transfers), France, Croatia, Belgium, Czechia and Slovakia. Moreover, in several AIDA countries the law expressly allows for the detention of families with children (Malta, Portugal, Bulgaria, Romania, Spain and Serbia) and even unaccompanied children (Croatia, Malta and Portugal).

A positive development has been the adoption, in recent years, of legislative reforms in Germany, Belgium and France prohibiting the detention of asylum-seeking children. However, this is not always respected in practice in Belgium and France. In fact, the UN Committee of the Rights of the Child highlighted in October 2025 described the detention of unaccompanied children in airport waiting zones as “disproportionate and therefore arbitrary”, adding that it was harmful to the children’s mental health. Moreover, the new Belgian Minister for Asylum and Migration announced in March 2025 that the prohibition of child detention might be revised in the coming years.

In Poland, an identification system for victims of violence is not yet in place. This leads, for example, to victims of torture being placed in detention centres despite legislation prohibiting detention in these cases. Similarly, in Portugal there is no formal and systematic mechanism of identification of vulnerabilities at border points.

While civil society organizations in Portugal noted an improvement in internal procedures regarding the non-detention of unaccompanied children and accompanied children up to the age of 12, in 2025 they also observed that particularly vulnerable persons, such as children, pregnant women, elderly and sick people, victims of torture/violence and others, were held in detention, including in the airport transit zone.

- **Safeguards for detained asylum seekers (judicial review, legal assistance and access of organisations)**

In Portugal and Türkiye, judicial decisions frequently automatically approve detention orders at the border without an assessment of necessity and proportionality, individual assessment or alternatives to detention. Similarly, the detention of asylum seekers often remains automatic in practice in Poland, with courts insufficiently examining individual circumstances and alternatives to detention, and detainees not being brought before courts when detention is prolonged.

In Germany, the safeguard introduced in 2024 requiring courts to automatically appoint a lawyer for unrepresented persons in pre-removal detention and custody pending departure proceedings was reversed in 2025. More positively, several Federal Constitutional Court Rulings in 2025 found that arrests made ahead of detention orders violated the constitutional judge-reservation requirement where no prior judicial authorisation had been obtained and where no prompt *ex post* judicial decision followed.⁷⁵

The pre-removal detention of people without reasonable prospect of return continued throughout 2025 in Greece.

Limited access for civil society organizations to detention facilities was identified as a key challenge in several AIDA countries, including Hungary, Malta and Türkiye. In Czechia, there was a three-week gap

⁷⁵ Chamber decisions of the German Federal Constitutional Court 2 BvR 329/22, 330/22 and 1191/22.

in the provision of legal counselling in detention facilities October 2025 due to administrative delays in funding.

Challenges in accessing the asylum procedure from detention in 2025 were reported in Croatia, Cyprus, France, Ukraine, Türkiye.

9. Content of protection: access to rights

- **Documentation and access to rights**

Administrative hurdles to accessing identity documents and residence permits continued to prevent beneficiaries of international protection (BIPs) from exercising their rights in 7 AIDA countries.⁷⁶ On the contrary, improvements were noted in Bulgaria and Ukraine. Thanks to legislation adopted in October 2024, as of December 2025 over 13,000 BIPs had been issued ID in Bulgaria on the basis of the new assigned address service. In France, since early 2025, prefectures are no longer required to wait for the issuance of civil status documents from OFPRA, a process that took almost one year, before processing residence permit applications from BIPs. However, obstacles remain, mainly due to the persistent shortcomings of the mandatory online platform. In Italy, waiting times to renew residence permits can reach up to 18 months, and the interim documentation provided is not always recognised as valid. In Ukraine, more BIPs were able to independently, i.e. without legal assistance, obtain return permits from Ukrainian embassies to enter Ukraine and renew their documentation. However, in Greece there were significant delays in renewing residence permits, and some applicants were in effect subject to re-examination procedures (see Cessation and withdrawal *infra*). In Portugal, the lack of accessible AIMA services outside of Lisbon created difficulties for BIPs seeking information or renewal of their documents.

- **Naturalisation and citizenship**

Naturalisation requirements were tightened in several AIDA countries in 2025 and early 2026.⁷⁷ Fees increases were introduced in Belgium (from € 150 to € 1,000), leading to a constitutional challenge by civil society organisations, and Poland (from roughly € 52 to € 236). Germany,⁷⁸ Ireland, Portugal and Sweden increased or voted to increase the minimum residence period. Malta's 15 years minimum residence period, introduced in 2023, prevented access to naturalisation for most BIPs. Ireland also introduced a new self-sufficiency requirement, and Sweden introduced mandatory language and civic-knowledge tests, stricter conduct requirements, and financial self-sufficiency requirements, all of which also apply to pending applications. Lastly, through guidance issued in 2025, the UK removed the ten-year limit on holding an 'unlawful entry' against a citizenship applicant, meaning this can now be held against BIPs indefinitely as proof of not fulfilling the 'good character' requirement. The Refugee Council estimated that 71,000 BIPs could be affected as of February 2025. A legal challenge before courts is pending.

Moreover, Ireland and Sweden respectively reinstated and voted to introduce a citizenship revocation process. In Belgium, problems continued regarding children born to Palestinian parents, as the Immigration Office persisted in instructing municipalities and public prosecutors to withdraw Belgian

⁷⁶ France, Greece, Hungary (returnee BIPs), Ireland, Malta (travel documents), Portugal and Slovakia (travel documents).

⁷⁷ Belgium, Germany, Ireland, Poland, Portugal, Sweden, United Kingdom, as well as persistent severe difficulties in Cyprus, Hungary, and Malta.

⁷⁸ While it did not change the standard residence requirement of 5 years, Germany abolished the 3 year fast-track for particularly well-integrated people introduced in 2023.

nationality from the children, despite interventions by the Ombudsperson and contrary national court rulings.

- **Cessation and withdrawal of protection status⁷⁹**

Procedures for cessation and withdrawal of international protection status increased markedly in several countries,⁸⁰ particularly in reaction to the fall of the Assad regime in Austria, Germany, Greece and the UK. In Greece, in addition to widespread revocation procedures against Syrians, in late 2025 and early 2026 the Hellenic Police effectively introduced a re-examination on the merits regarding BIPs having received protection under the ‘old procedure’ applying for a renewal of their residence permits, leading to multiple non-renewals and cessations of protection. In Portugal, contrary to practice prior to 2023 by the former asylum authority, AIMA ceased the protection status of reunited family members and child beneficiaries upon naturalisation of their sponsor beneficiary, without notifying them beforehand, preventing them from providing any observations, requesting a hearing or a judicial review. Similarly, in Malta, family members continued to lose their derivative status automatically at age 18 with no independent route to a residence permit.

- **Family reunification**

Family reunification came under sustained pressure across AIDA countries in 2025,⁸¹ further hindering long term inclusion of BIPs. Most notably, Austria suspended almost all family reunification procedures in July 2025 on public security grounds, a claim found unsubstantiated in practice by NGOs and scholars. Similarly, Germany suspended family reunification for all subsidiary protection beneficiaries for two years from July 2025, along with ending all state-level *ad hoc* reunification programmes. Belgium's new law, in force from August 2025, introduced a two-year waiting period, barred reunification with subsidiary protection minor children, and shortened the grace period regarding income and housing requirements from one year to six months. However, the Constitutional Court suspended several of these measures in February 2026 pending a CJEU referral.⁸² Ireland also introduced stricter financial and accommodation requirements. The UK closed its dedicated Refugee Family Reunion route in September 2025. Conversely, Poland expanded the definition of eligible family members to include parents and, in some cases, siblings of child beneficiaries.

While no new measures were introduced, access to family reunification remained extremely challenging in Cyprus and Malta -where beneficiaries of subsidiary protection still cannot access family reunification – as well as in France, where the process largely consists of difficult-to-obtain consular appointments, lengthy proceedings and unjustified refusals.

However, several courts challenged restrictive state practices in 2025.⁸³ Austria's constitutional court ruled that applications submitted before the end of the statutory three-year waiting period for subsidiary

⁷⁹ In 2025, ECRE published a comprehensive legal assessment of cessation and review procedures: ECRE, *Legal Note 17: The Cessation of International Protection and Review of Protection Statuses in Europe*, April 2025, available [here](#); and a specific note on international protection following the fall of the Assad regime: ECRE, *Policy Note 46: Maintaining International Protection in Europe During Syria's Transition*, March 2025, available [here](#).

⁸⁰ Withdrawals and cessations nearly quadrupled in HU (from 50 to 187), although not formally linked to the context in Syria. Additional concerning practices regarding cessation and withdrawal were noted in Bulgaria, Portugal.

⁸¹ New restrictions adopted or proposed in Austria, Belgium, Germany, Ireland, the Netherlands (proposal), Portugal (not extended, for now, to BIPs), Sweden (proposal), and the United Kingdom. Persistent problems reported in Cyprus, France, Italy, and Malta.

⁸² Constitutional Court, nr. 24/2026, 26 February 2026, available in Dutch [here](#) and in French [here](#).

⁸³ Austria, Czechia, the Netherlands, Malta, Poland, and the United Kingdom.

protection beneficiaries cannot be rejected solely on that basis, requiring an individualised Article 8 ECHR assessment; and that family reunification cannot be automatically denied merely because a revocation procedure against the sponsor is pending.⁸⁴ The Dutch Council of State ruled in November 2025 that a sponsor's acquisition of Dutch nationality during the reunification procedure does not extinguish the right to family reunification.⁸⁵ In the UK, a partly successful 2025 legal challenge required that the government review its policy on refugee children sponsoring family members.⁸⁶

- **Access to housing**

Access to adequate housing remained a persistent challenge.⁸⁷ In Spain, structural barriers, namely a shortage of social housing, high deposit and income requirements, and widespread discrimination, continued to expose BIPs to destitution. Similar difficulties in accessing housing persisted in Romania and for returnee BIPs in Hungary. In Germany, the lack of affordable private housing forced many BIPs to remain in collective accommodation, where they accounted for 35% of residents in Thuringia. In the UK, the move-on period between the grant of protection and the end of asylum support was reduced from 56 to 28 days for most beneficiaries despite rising homelessness, before being extended to 42 days in December 2025 following legal challenges. In Malta, older beneficiaries remained excluded from residential and care services reserved for Maltese nationals.

- **Integration and inclusion support**

Integration and inclusion support for beneficiaries of international protection remained limited, underfunded, or entirely absent in several countries.⁸⁸ 2025 marked the twelfth consecutive year of the 'zero integration' policy in Bulgaria, with no measures planned, funded, or available, and the 18th year with no meaningful inclusion support in Serbia. Slovakia's Supreme Audit Office found that the implementation of the integration policy was fragmented, inconsistent and lacked clear objectives, indicators or monitoring. Austria's new mandatory integration programme presented in May 2025 is based on sanctions (mainly reductions in benefits and administrative penalties) for beneficiaries who do not actively participate in it. On a positive note, after several years, Cyprus's multi-year integration strategy was finalised, with implementation to be monitored in 2026. In Switzerland, the INVOL/INVOL+ pre-apprenticeship programme introduced in 2024 was extended until 2027, a national conference focused on improving labour market integration and a new pilot project aims to facilitate access to higher education.

- **Access to social welfare**

Unequal treatment in access to social welfare was a significant issue in Greece, Italy, Spain and Belgium. In Greece, the document given to BIPs pending renewal of their residence permit still lacks a unique identification number, preventing access to the labour market and social welfare. This is compounded by changes made in 2023 which make activation of a social security number (AMKA) for adult beneficiaries almost impossible. In November 2025, the European Commission officially referred

⁸⁴ VfGH, Decision E 1957/2025, 16 December 2025, available in German [here](#); and VfGH, Decision E1209/2025 ua, 16 December 2025, available in German [here](#).

⁸⁵ Council of State, ECLI:NL:RVS:2025:5376, 7 November 2025, available in Dutch [here](#).

⁸⁶ Court of Appeal, *R (DM) v Secretary of State for the Home Department* [2025] EWCA Civ 1273, available [here](#).

⁸⁷ Germany, Hungary, Italy, Malta (particularly regarding elderly beneficiaries), Romania, Spain and the United Kingdom.

⁸⁸ Austria, Bulgaria, Cyprus (continued lack of inclusion opportunities, plan adopted for 2026), Germany (funding cuts), Spain, France (restricted scope), Hungary (lack of funding and inclusion measures), Romania, Slovakia and Serbia.

Greece to the CJEU due to discriminatory treatment regarding BIPs' access to social welfare.⁸⁹ In 2025 the Belgian government announced its intention to limit BIP access to social welfare by introducing a five-year waiting period and linking the right to social benefits to integration parameters. In Spain, broad discrimination affected, *inter alia*, beneficiaries' access to financial services.

10. Implementation of the EU Pact on Migration and Asylum

Following the European Commission's Common Implementation Plan launched in 2024,⁹⁰ national implementation of the Pact on Migration and Asylum ahead of its entry into application on 12 June 2026 was a central focus of national migration and asylum policies in 2025. Despite the two-year transition period, many Member States entered the Pact's application phase with gaps in their legal and operational frameworks. According to the report on the state of play of implementation published by the Commission in May 2026, at that time only five Member States had adopted most of the relevant legislation,⁹¹ at least eleven were still undergoing parliamentary procedures,⁹² and most others were still finalising their proposals to be submitted to their national parliaments.⁹³

The legislative implementation process drew sustained criticism from civil society and, in some cases, from official advisory bodies. For example, the German Institute for Human Rights and multiple civil society organisations warned that the draft law undermined constitutional and international safeguards and went further than the EU reform requires, particularly regarding detention grounds, restricted NGO access, and the absence of procedural guarantees on alternatives to detention.⁹⁴ The Swedish Human Rights Institute and the Council on Legislation criticised the unusually short consultation period for the Pact implementation law and highlighted general and serious concerns regarding the rule of law and human rights restrictions.⁹⁵ Some countries (e.g. France, Italy, Spain) have sought to implement the pact through legislative decrees, prompting concerns about rule of law and the democratic process.

Some countries moved to anticipate specific Pact elements before 12 June 2026.⁹⁶ On the basis of the definition of 'subsequent applicants' in the Pact, Belgium began excluding applicants who had already received international protection in another EU Member State from reception in November 2024. In August 2025, a new law entered into force to give Fedasil legal grounds for this practice; it was quickly found unlawful by the Brussels Labour Court, but the Minister instructed Fedasil to continue despite subsequent suspensions by the Belgian Constitutional Court and Council of State.⁹⁷ Italy also sought to frontload elements of the Pact relating to safe countries of origin, notably the ability to designate a country as safe with exceptions for parts of its territory, a practice deemed unlawful under then current

⁸⁹ European Commission, 'May infringement package: key decisions, 7 May 2026, available [here](#).

⁹⁰ European Commission, *Common Implementation Plan for the Pact on Migration and Asylum*, June 2024, available [here](#).

⁹¹ Czechia, Cyprus, Germany, Ireland and Slovakia. See European Commission, *State of play on the implementation of the Pact on Migration and Asylum*, 8 May 2026, COM(2026) 196 final, available [here](#).

⁹² Austria, Croatia, Denmark, Estonia, France, Ireland, Italy, Luxembourg, the Netherlands, Finland and Romania.

⁹³ Belgium, Latvia, Lithuania, Spain and Sweden.

⁹⁴ German Institute for Human Rights, Statement on the Draft GEAS Adjustment Act (Stellungnahme zum Entwurf eines GEAS-Anpassungsgesetzes), 24 October 2024, available in German [here](#); PRO ASYL, *GEAS-Umsetzung in Deutschland: Mit voller Härte*, 16 September 2025, available in German [here](#).

⁹⁵ Lagrådet, Lagrådsremiss - Utmönstring av permanent uppehållstillstånd och anpassning av svensk rätt till EU:s migrations- och asylpakt, available in Swedish [here](#); the Human Rights Institute opinion is available [here](#).

⁹⁶ See also ECRE, *Policy Paper 15: Creating More "Safe" Countries and Frontloading the Pact*, July 2025, available [here](#).

⁹⁷ Brussels Labour Court, 25/554/K, 21 August 2025, available in French [here](#); Constitutional Court, judgement nr. 23/2026, 26 February 2026, available in French [here](#).

EU law by the CJEU in August 2025,⁹⁸ but that is foreseen in the Pact. In summer 2025, Ireland started introducing a Pact transition process intended to mirror the Pact border procedure regarding applications by a limitative list of nationalities.

A first assessment of the implementation phase through the AIDA database provides limited evidence that governments are using this opportunity to strengthen their asylum systems as a whole. Rather, implementation efforts have so far appeared focused on minimum compliance, been selective in scope, and have not systematically addressed existing gaps in national reception and asylum systems.⁹⁹ For example, Germany, Ireland and Slovakia all expanded detention powers and restrictions on freedom of movement in preparation for the Pact.¹⁰⁰ In contrast, Spain's implementation plan highlighted alternatives to detention as the general rule in border procedures.

In some countries, implementation legislation was used to introduce additional restrictions not required by the Pact. In the Netherlands, Pact draft legislation also included a proposal to abolish permanent asylum residence permits and lowering asylum permits' duration from 5 to 3 years, as well as a proposal to further restrict family reunification. Czechia's Pact implementation legislation, adopted in 2025, abolished the existing national humanitarian protection status because it is not harmonised at the EU level, ended indefinite refugee status in favour of three-year residence permits, renewable if reasons for protection continue to exist, and restricted state-funded healthcare for adult asylum applicants to necessary and emergency care. In March 2026, amidst Pact preparations, the German government announced it would end funding for independent legal counselling as introduced in 2023, which had supported over 170 projects in 2025. German Pact legislation moreover introduced a legal basis to prohibit applicants awaiting a Dublin transfer from leaving reception centres and newly established 'secondary migration centres', based on a broad assumption of flight risk that applicants must disprove, a restriction not required by the Pact.

Nevertheless, a few countries also used Pact implementation reforms to improve elements of their asylums system. In Austria, the new standards on legal guardianship of unaccompanied children in the Pact led to an entire draft law on guardianship which includes *ex lege* transfer to child and youth welfare authorities, a long-standing civil society request. Germany's Pact legislation extended statutory health insurance access to all children receiving basic Asylum Seekers' Benefits Act support. Slovakia converted subsidiary protection from a renewable one-year status into an indefinite status granting permanent residence, and the introduction of free legal counselling at first instance in the Pact constitutes an improvement over the previous situation in the country.

A complementary overview of the situation of temporary protection applicants and beneficiaries in Europe in 2025 is available [here](#).

⁹⁸ CJEU C-758/24 and C-759/24, *Alace and Canpelli*, 1 August 2025, available [here](#).

⁹⁹ See also ECRE, *Policy Note 49: All Packed-Up and Ready? Assessment of the State of Play on Pact Implementation*, October 2025, available [here](#).

¹⁰⁰ Germany, Ireland and Slovakia.

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