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Once an application for international protection has been lodged with a national authority, the processing phase begins. The final outcome of this process is a decision at first instance, which can be appealed and followed by another decision. The examination of a case can also be closed for other reasons, including an explicit withdrawal initiated by the applicant, an implicit withdrawal, for example in the case of absconding, and an acceptance of responsibility by a partner country in the context of a Dublin procedure.

While an application is under examination, it is part of the stock of pending cases. Pending cases are a key indicator reflecting the workload experienced by national authorities and the pressure on national asylum systems, including reception systems.

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

While the number of pending cases remained relatively stable until July 2022, it started rising continuously afterwards, in line with the growing number of asylum applications *(see Section 4.4)*. Meanwhile, decisions at first instance started to considerably lag behind applications in the last two quarters of 2022 than in the first two. Hence, the stock of pending cases was far higher than in the pre-crisis level in late 2014 *(see Figure 21)*, adding pressure on national reception systems.

When combining Eurostat data with the EUAA's Early Warning and Preparedness System (EPS) data,[i] the number of cases pending at first instance and at second or higher instances can be disaggregated. EUAA EPS data allow to further analyse pending cases by a duration of 6 months or longer at first instance.

The results indicate that the overall stock of pending cases increased at first instance, whereas it continued to decrease at higher instances. The annual total of pending cases was influenced by different trends: while cases pending at first instance rose throughout the year and more strongly in the second half of 2022, cases at higher instances decreased at the beginning of the year and then remained relatively stable.

Considerably more cases were pending at first instance than at higher instances

Figure 21. Pending cases in EU+ countries at the end of each year, 2014-2022

Caption Figure 21. Pending cases in EU+ countries at the end of each year, 2014-2022
Source: Eurostat [migr_asypenctzm] as of 13 April 2023 and EUAA EPS.

At the end of 2022, some 636,000 cases were pending at first instance, accounting for 71% of the total. This was a notably higher share than a year earlier. Among the cases awaiting a decision at first instance, the majority were pending for up to 6 months, a direct result of the rising number of applications lodged in the second half of 2022. Based on the evolution of the caseload distribution in previous years, the recent increase in cases awaiting a decision at first instance is likely to result in a forthcoming shift of pressure from first instance determining authorities to second or higher instances.

Close to one-third (30%) of all pending cases continued to be awaiting a decision in Germany, with a total of 269,000 open files *(see Figure 22)*. While the overall stock in Germany increased only marginally, its share of the EU+ total declined (down from 35% at the end of 2021). Other EU+ countries with a large number of pending cases included France (143,000), Spain (135,000), Italy (80,000) and Austria (54,000).

Compared to the end of 2021, the caseload approximately doubled in Austria and Italy and, on a smaller scale, more than doubled in Croatia, Estonia, Ireland, Norway, Portugal and Switzerland. In absolute terms, the largest increases were in Italy, Spain, Austria, the Netherlands and Belgium (in descending order). In all of these countries, the number of cases under determination accumulated in the second half of 2022. At the end of 2022, Belgium (42,000), Ireland (15,000), the Netherlands (38,000) and Iceland (1,200) had the most pending cases on record, since at least 2008 when harmonised data collection began.li

While most cases awaiting a decision were still in Germany and France, notable increases took place in Italy, Spain and Austria

Figure 22. Pending cases in EU+ countries at the end of 2022 compared to the end of 2021

Figure 22. Pending cases in EU+ countries at the end of 2022 compared to the end of 2021
Source: Eurostat [migr_asypenctzm] as of 13 April 2023.

Greece was the only country with a considerable decrease in pending cases, both in absolute (-15,000) and in relative (-40%) terms, and the decrease took place particularly in the first half of 2022. On a much smaller scale, there were declines also in Malta and Poland, among others.

Syrian applicants (116,000) had the most pending cases in EU+ countries at the end of 2022, overtaking Afghans (98,000) due to an increase by one-fifth compared to the end of 2021 *(see Figure 23)*. While the caseload for Syrians decreased gradually in the first half of the year, in August the trend was reversed and by the end of the year it reached the most since October 2017. Although pending cases for Afghan applicants also started to increase towards the end of 2022, the stock in late December was marginally lower than a year earlier.

Following a surge in asylum applications to unprecedented levels *(see Section 4.4)*, nationals of Türkiye had 58,000 open cases at the end of 2022, the most on record since at least 2008. Pending cases reached record values also for citizens of Colombia (47,000), Bangladesh (29,000), Georgia (23,000), Morocco (16,000), the Democratic Republic of the Congo (15,000), Egypt (13,000) and Algeria (8,200). In October 2022, caseloads rose to an all-time high also for Indians (12,000) and Tunisians (8,500) but then started to decrease.

Most applications for many of the top nationalities were pending in Germany, where a decrease in the caseload for Afghan and Nigerian applicants was offset by an increase in cases for Turkish and Georgian applicants. Colombians and Venezuelans held the most pending cases in Spain, while it was Bangladeshis and Pakistanis in Italy.

Rising number of pending cases for applicants from Syria, Türkiye and Colombia

Figure 23. Pending cases in EU+ countries at the end of 2022 compared to the end of 2021 by Top 10 countries of origin of applicants for international protection

Figure 23. Pending cases in EU+ countries at the end of 2022 compared to the end of 2021 by Top
Source: Eurostat [migr_asypenctzm] as of 13 April 2023.

While pending cases for Syrian applicants remained stable in Germany, there were considerable increases in Austria, Bulgaria, Cyprus and the Netherlands. Although the caseload for applicants from Afghanistan decreased in Germany, it rose in Austria, Belgium, Cyprus, France and Switzerland. In addition to Germany, but on a smaller scale in absolute terms, the stock of pending cases for Turks grew also in Austria, France and Switzerland.

The stocks of cases for applicants from Bangladesh and Pakistan in Italy (13,300 and 14,300, respectively) reached all-time highs, as did those of Colombians and Peruvians in Spain (40,300 and 10,200, respectively). A record high was also reported for cases pending for Georgians in Germany (8,600).

Seven in 10 pending cases at the end of 2022 pertained to male applicants. For almost all nationalities, more males were awaiting a decision than females. The only exception was for applicants from Côte d’Ivoire, with 53% of cases pending for women and girls. There was a gender balance for pending cases for many Latin Americans (Colombians, Peruvians, Salvadorans and Venezuelans) and for Ukrainians.[lii]

While 57% of all pending cases belonged to adult males, children accounted for over one-fifth (22%) of all applicants awaiting a decision. Boys were still the majority (58%) in the group of children. Syrians, Afghans, Iraqis and Turks jointly accounted for about two-fifths of all minors. In total, 72% of all minors who had yet to learn the outcome of their application for international protection were below 14 years of age.

- [i]EUAA data cover first instance cases. They are provisional and not validated, but they provide information on overall trends at the EU+ level. EUAA EPS data do not include information on Iceland and Liechtenstein.
- [ii]At the end of 2022, Croatia (1,300) also had the most pending cases on record since 2013.
- [iii]Only nationalities with at least 5,000 pending cases at the end of 2022 were considered.

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