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3.2.3.3. Decisions on take charge and take back requests

3.2.3.3. Decisions on take back and take charge requests

icon for decisions take back take charge requests

The Dublin III Regulation distinguishes between two categories of requests: take charge and take back. A Member State may send a take charge request (Articles 8-16 and 17(2)) asking another Member State to take responsibility for an applicant who has not applied for international protection in the requesting Member State but criteria under the Dublin III Regulation indicate that the other Member State should be responsible. The criteria include family reunion (in particular for unaccompanied minors), documentation (visas, residence permits), entry or stay reasons (using information from Eurodac) and humanitarian reasons.

A Member State may send a take back request (Articles 18(1b-d) and 20(5)) asking another Member State to take responsibility for an applicant who applied for international protection within the reporting country but had already applied in the requested Member State or because the requested Member State previously accepted responsibility through a take charge request.

About 69% of all decisions (with a reported legal basis) issued in EU+ countries in 2023 were in relation to take back requests.[xxv]The share of decisions on take back requests declined for 2 consecutive years and was 8 percentage points lower than the peak level in 2021. However, marked differences persisted at the country level. In particular, the share of decisions received on take back requests was relatively low for Cyprus (3%) and Greece (7%) and above the EU+ average for Slovenia (96%), Italy and Ireland (both 89%).[xxvi]

The acceptance rate for take back requests in 2023 was 69%, 12 percentage points higher than in 2022 and at the highest level in 6 years. The increase in the acceptance rate for take back requests was partly driven by more positive decisions issued by Croatia (four times as many as in 2022) and fewer negative decisions by Greece.

The EU+ share of accepted take charge requests stood at 80% (up by 13 percentage points from 2022 and the highest since 2017). This increase was due to many more positive decisions by Italy (almost double from 2022) and Croatia.

- xxvUntil September 2023, EUAA EPS data did not contain information on the specific article of the Dublin III Regulation which was used as a basis for sending a request but only distinguished between responses to take charge and take back requests.
- xxviOnly countries which received at least 500 Dublin decisions in 2023 on take back and take charge requests altogether were considered.

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