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4.7 Pending cases awaiting final decision

Once an application for international protection has been lodged with the responsible authority, the processing phase begins. The final outcome of this process is a decision at first instance, which can be appealed and followed by a decision at second or higher instances. The examination of a case can be closed for other reasons, including an explicit withdrawal initiated by the applicant, an implicit withdrawal, for example due to absconding, or 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. The number of pending cases is an important indicator of the workload experienced by national authorities and the pressure on national asylum systems, including reception systems.

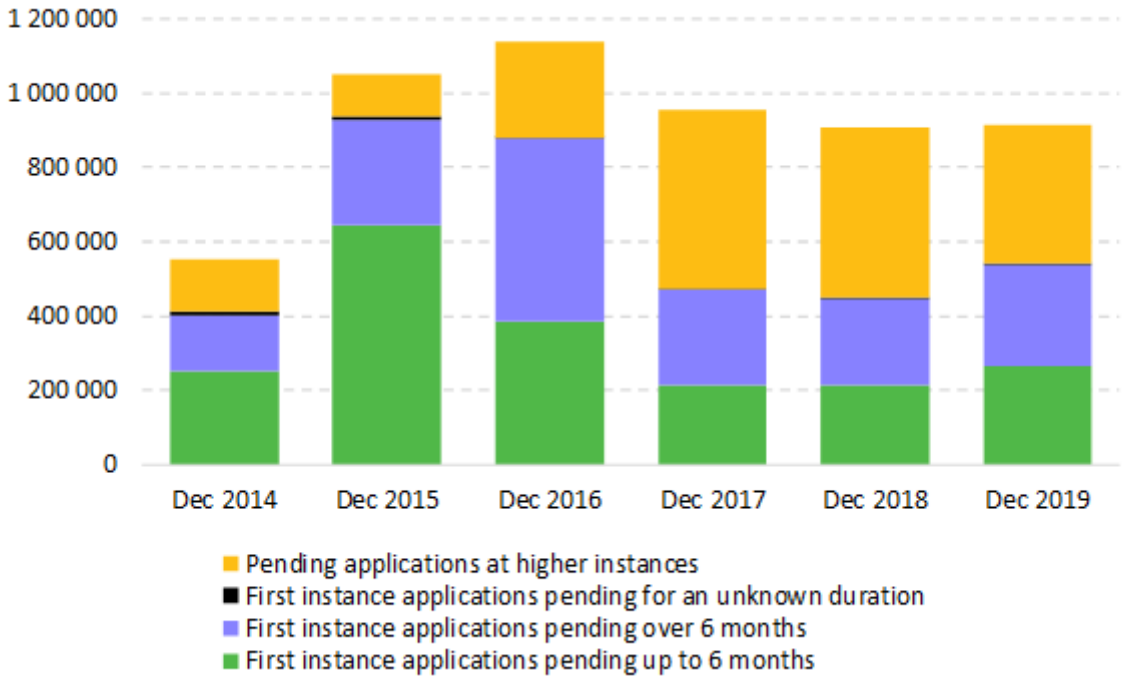
Data published by Eurostat are not disaggregated by the procedural stage at which an application is pending nor the time elapsed since the lodging. However, the Eurostat indicator can be combined with EASO data on cases pending at first instance, which can be disaggregated according to a duration of six months and longer. While EASO data are provisional and not validated, this calculation indicates the overall trend at the EU+ level.

At the EU level

There was no reduction in the backlog of pending applications across EU+ countries at the end of 2019. In fact, the close to 912 000 cases awaiting a decision represented almost 1 % more than in 2018. The regional total was still much higher than the pre-migration crisis level in 2014.

More than one-half of pending applications, or over 540 000, were awaiting a decision at first instance. In fact, the first instance backlog increased by over one-fifth compared to the end of 2018, while there was a reduction in the number of cases pending at higher instances *(see Figure 4.18).*

Figure 4.18 Pending applications for international protection in EU+ countries, at the end of the year, 2014-2019



Source: EASO and Eurostat.

At the national level

Germany had the highest number of pending applications at the end of 2019, accounting for more than one-third (36 %) of all cases across EU+ countries. Despite the considerable backlog, Germany continued to reduce the number of pending cases throughout the year, decreasing the total caseload by about 58 000 cases (15 %) when compared to the end of 2018 *(see Figure 4.19)*. A considerable decline also occurred in Italy, where the number of pending cases decreased by almost 56 000 (54 %). In addition, Austria and Sweden reduced their numbers of pending cases over 2019.

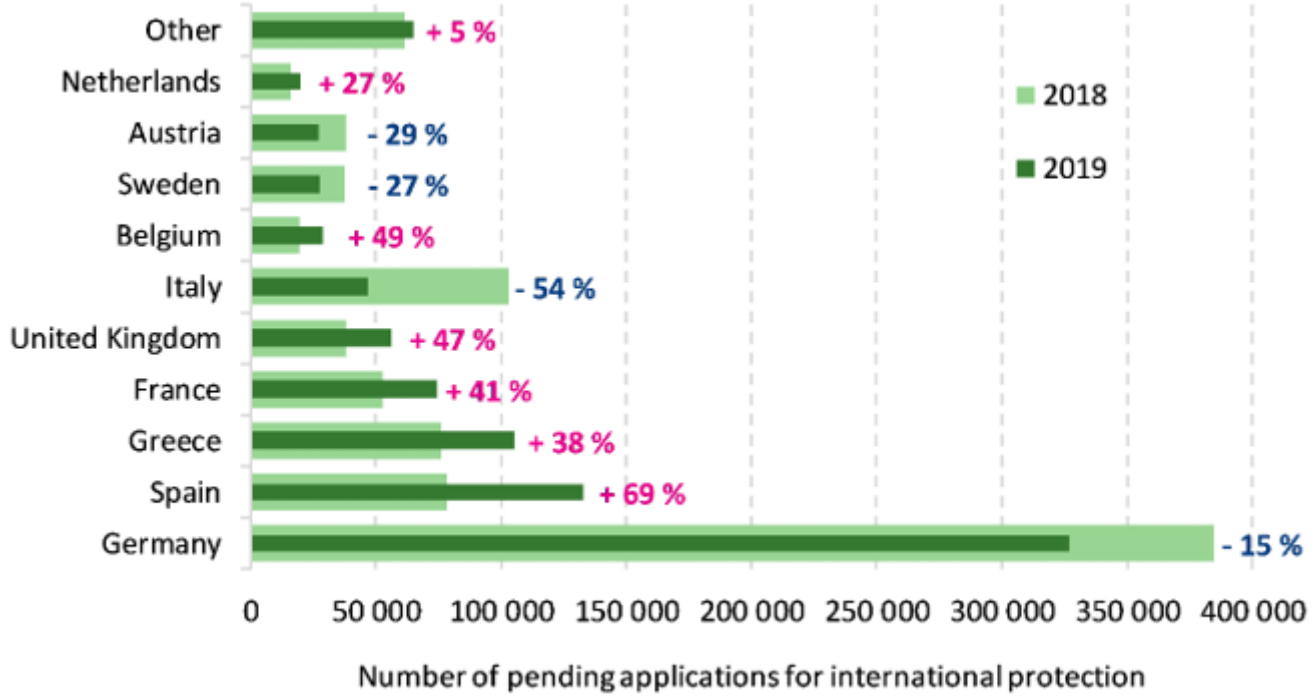
The opposite trend occurred in other countries with high numbers of pending cases in 2019. The number of applications awaiting decision increased in Spain (by 69 %), Belgium (by 49 %), the United Kingdom (by 47 %), France (by 41 %) and Greece (by 38 %). In absolute terms, the number of pending cases increased by about 54 000 in Spain.

Among the countries with significant increases in the number of pending cases, the trend was largely driven by the fact that more applications were lodged, so most of the backlog was accrued at first instance. This was particularly the case in Spain, where more first instance decisions were issued than previously but not enough to offset the surge of applications that were being lodged.

Likewise, new applications for international protection contributed largely to the rising stock of pending cases in France, despite more decisions being issued at higher instances. Other countries, such as Cyprus, Greece and the Netherlands, registered slight increases in decisions at both first and higher instances, indicating that they could not keep up with the rising numbers of applications.

In Belgium, the number of pending cases increased by almost one-half during 2019 due to a rise in applications being lodged and a decrease in decisions at both first and higher instances. A drop in the number of applications lodged allowed Germany and Italy to decrease the number of pending cases. Preliminary analysis using Eurostat and EASO data suggests that Italy's backlog reduction mostly took place at first instance, whereas in Germany it occurred at higher instances.

Figure 4.19 Pending applications for international protection in EU+ countries, at the end of 2018 and 2019

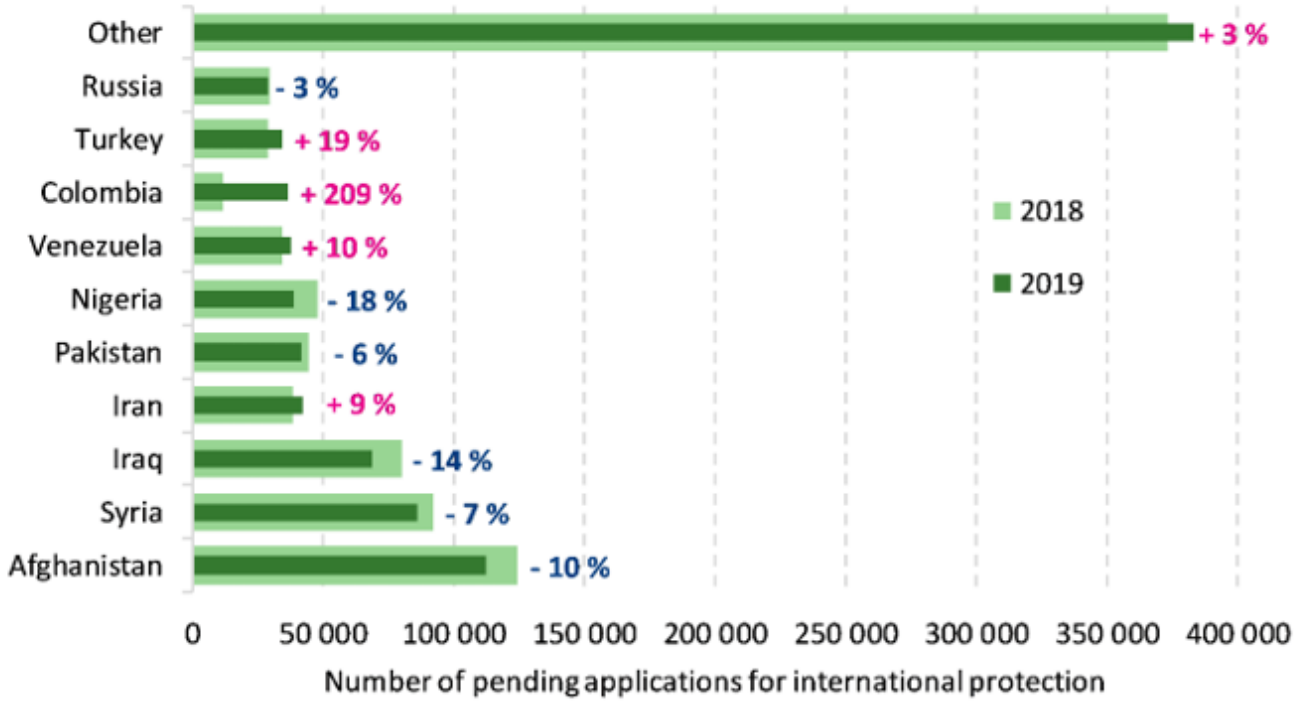


Source: Eurostat.

Nationality of applicants

Applicants from Afghanistan continued to have the most pending cases (accounting for 12 % of all applications awaiting a decision in EU+ countries), despite a notable reduction compared to the end of 2018 (a decrease of 12 445 pending cases, see Figure 4.20). They were followed by Syrians (9 %) and Iraqis (8 %), who at the end of 2019 also had fewer cases awaiting a decision than a year earlier. For each of these three nationalities, most cases were pending in Germany and Greece.

Figure 4.20 Pending cases in EU+ countries, by country of origin of applicants for international protection, at the end of 2018 and 2019



Source: Eurostat.

A significant decrease in pending cases was also noted for Nigerians applying for international protection, dropping by 8 655 cases compared to the end of 2018. To a somewhat lower extent, declines also occurred for nationals of Eritrea, Pakistan, Senegal and The Gambia.

At the same time, there were considerable increases in the number of cases pending for various citizenships from Latin American countries. In absolute terms, the largest rises affected nationals of Colombia, with pending cases more than tripling in volume (by over 24 000), followed by nationals of Honduras, Nicaragua, Peru, El Salvador and Venezuela. It is worth noting that citizens of all of these countries are exempt from the requirement to hold a visa to enter into the Schengen zone.

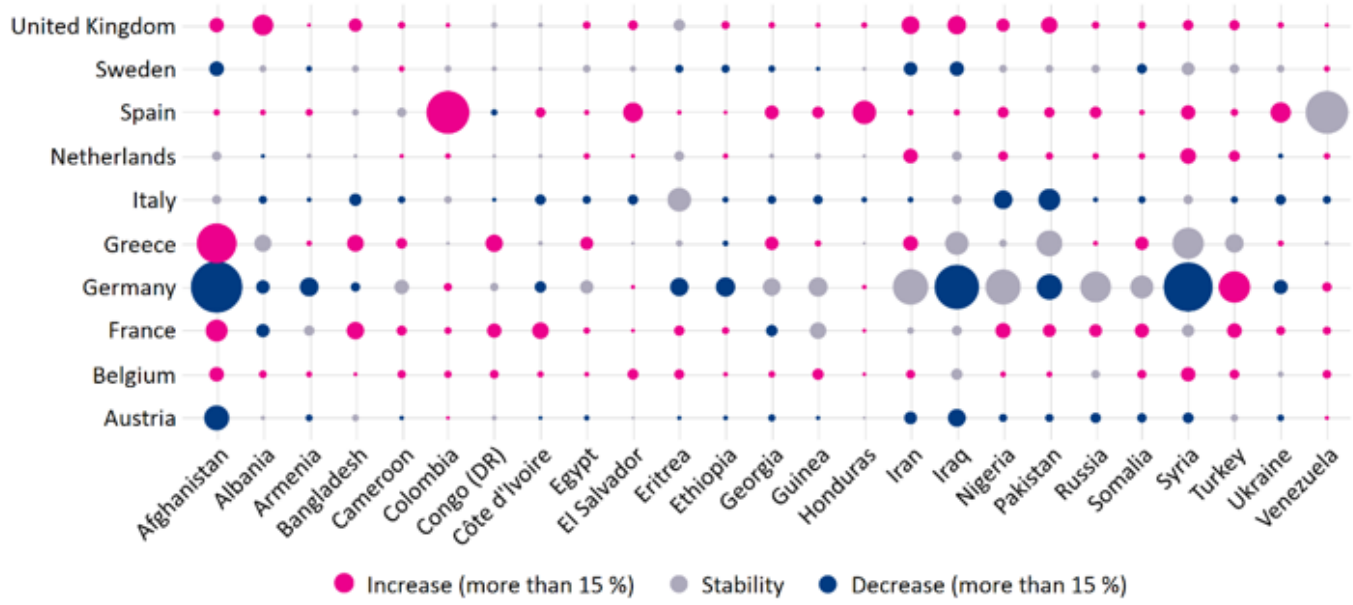
Increases in the number of applications awaiting a decision were also registered for nationals of Iran, the Democratic Republic of the Congo and Turkey.

Receiving countries

Figure 4.21 shows that at the end of 2019 the largest pairs of receiving countries and citizenships for pending cases included Afghans, Iraqis and Syrians in Germany, jointly accounting for 15 % of all pending cases in EU+ countries despite decreases for each.

Colombians and Venezuelans also faced high numbers of pending cases in Spain. While the number of pending cases for Colombians in Spain rose throughout 2019, for Venezuelans the trend was moderated by an increase in the number of issued decisions (particularly at first instance). Similar to Colombians but on a lower scale, increases also affected other Latin American nationalities in Spain (partially visible in Figure 4.20). The number of applicants from Afghanistan awaiting a decision in Greece more than doubled at the end of 2019 compared to the end of 2018.

Figure 4.21 Number of pending cases (end of 2019) and relative change compared to the end of 2018, by top countries of pending cases and top citizenships



Notes: The size of the bubble corresponds to the total number of pending cases at the end of 2019. The colour of each bubble indicates the change in pending cases compared to the end of 2018, with red representing an increase by more than 15 %, blue representing a decrease by more than 15 % and grey representing stability.
Source: Eurostat.

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