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An asylum application is considered to be closed at first instance once a decision has been issued by a national authority. According to Regulation (EU) 2020/851 amending Regulation (EC) 862/2007,[470] there are five decision outcomes that should be reported by EU+ countries:

icon for decisions at first instance

- Refugee status (as per the 1951 Geneva Convention);
- Subsidiary protection status;
- Authorisation to stay based on humanitarian reasons under national law (humanitarian protection);[xxxvii]
- Temporary protection status (under EU legislation) – this is not analysed in this section; [xxxviii] and
- A negative decision resulting in the rejection of the application.

Decisions granting humanitarian protection are considered to be negative decisions for international protection.

In 2022, asylum authorities in EU+ countries issued approximately 646,000 first instance decisions, which was one-fifth more than in 2021 and the most since 2017. At the same time, many more applications were lodged in 2022 (up by one-half), particularly in the second half of the year.

Overall, more applications were lodged than first instance decisions issued *(see Figure 4.13)*, as seen in previous years. During the first half of 2022, the number of decisions taken lagged behind the number of applications received by around one-third. Following a surge in applications in the second half of the year, the gap widened further, with two-thirds more asylum applications than decisions at first instance. By the end of 2022, applications outnumbered first instance decisions by 345,000, leading to more cases pending at first instance across most EU+ countries than a year earlier *(see Section 4.6)*.

The gap widened between the number of applications lodged and decisions issued at first instance

Figure 13. Applications for international protection and first instance decisions in EU+ countries, Q1 2021–Q4 2022

Figure 13. Applications for international protection and first instance decisions in EU+ countries, Q

Source: Eurostat [migr_asydcfstq] and [migr_asyappctzm] as of 13 April 2023.

As in previous years, around one-half of decisions on first instance asylum applications were issued to 18-to-34-year-old applicants. Over one-quarter of all decisions were issued to minors. In total, women and girls received one-third of all decisions.

Three EU+ countries issued nearly two-thirds of all first instance decisions in 2022: Germany (31%), France (20%) and Spain (13%). These were followed by Italy (8%), Austria (6%) and Greece (6%) *(see Figure 14)*.

Ireland, Estonia, Iceland, Latvia and Slovenia issued the most first instance decisions on record. Austria and Germany issued the most first instance decisions since 2017, the Netherlands and Slovakia the most since 2016, Bulgaria since 2015 and Poland since 2009.

The increase in Germany was predominantly due to decisions issued to Afghan nationals. But the number of decisions also rose for other main nationalities, as seen for applicants from Syria, Iraq and Türkiye (in descending order). In addition, nationals of Colombia, Georgia, Moldova and Yemen received the most decisions on record in Germany.

For the second consecutive year, Austria issued roughly twice as many decisions than in the previous year, especially to applicants from India, Morocco, Pakistan, Syria, Tunisia, and, to a lesser extent, Afghanistan and Somalia.

First instance decision-making in Spain also rose from 2021, along with the rising number of applications. Nonetheless, decisions remained lower than during the peak in 2020. Spain continued to issue the majority of decisions to Venezuelans, Colombians and several other Latin American nationalities.

Estonia, which usually issues fewer than 200 decisions annually, reached 2,200 decisions in 2022, almost entirely because of applications lodged by Ukrainian nationals.

In contrast, first instance decision-making by France decreased slightly compared to 2021, despite rising applications. France issued fewer decisions to multiple nationalities, including applicants from Bangladesh, Guinea, Côte d’Ivoire and Nigeria. Nonetheless, decisions for some main citizenships – namely Albanians, Georgians and Turks – increased.

Despite increases in decisions on first instance applications between 2021 and 2022, the vast majority of EU+ countries had new applications outweighing the number of decisions issued, adding pressure to national asylum systems. Exceptionally, Greece issued more first instance decisions than it received applications in 2022.

Germany issued the most first instance decisions since 2017

Figure 14. First instance decisions by Top 10 EU+ countries in issuing decisions, 2022 compared to 2021

Figure 14. First instance decisions by Top 10 EU+ countries in issuing decisions, 2022 compared t
Source: Eurostat [migr_asydcfsta] as of 13 April 2023.

Most first instance decisions in EU+ countries were issued to nationals of Syria and Afghanistan *(see Figure 15)*, accounting for 3 out of 10 decisions issued in 2022. Both citizenships received decisions predominantly in Germany. In fact, Germany issued almost two-thirds of all decisions in the EU+ to Syrians and more than two-fifths of decisions to Afghan applicants.

In addition, Germany issued more than one-half of all decisions for citizens of Iran, Iraq, Moldova, North Macedonia, Serbia and others. Meanwhile, Spain issued 9 out of 10 decisions to applicants from Venezuela.

More first instance decisions issued in 2022 to nearly all main countries of origin

Figure 15. First instance decisions in EU+ countries by Top 10 countries of origin receiving decisions, 2022 compared to 2021

Figure 15. First instance decisions in EU+ countries by Top 10 countries of origin receiving decisio
Source: Eurostat [migr_asydcfsta] as of 13 April 2023.

Nationals of Türkiye (25,000), Bangladesh (21,000) and Georgia (19,000) received the most decisions on record, mainly in Germany and France for Georgians and Turks and in France and Italy for Bangladeshis. Decisions issued to citizens of Afghanistan, Egypt, Georgia, India, Mali, Morocco, North Macedonia, Tunisia and Venezuela increased at least by one-half from the previous year.[xxxix]

While increases in decisions were widely reported, a few citizenships had fewer decisions in 2022 than in 2021, namely applicants from Colombia, Côte d'Ivoire, Eritrea, Guinea, Iran, Moldova, Nigeria and Russia.[xl] In fact, decision-making on applications submitted by nationals of Iran and Russia decreased for the fifth consecutive year.

- [470]Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (Text with EEA relevance). http://data.europa.eu/eli/reg/2007/862/oj
- [xxxvii]Granting humanitarian protection is not harmonised at the EU level and is only reported to Eurostat by 23 out of 31 EU+ countries (Austria, Cyprus, Croatia, Czechia, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, Italy, Liechtenstein, Lithuania, Malta, the Netherlands, Norway, Poland, Romania, Slovakia, Spain, Sweden and Switzerland). In addition, various forms of humanitarian protection can be granted separate from the asylum procedure, and thus, the positive decisions may not be reported to Eurostat under this indicator.

- xxxviiiBased on the Temporary Protection Directive, Regulation 2001/55/EC.
- xxxixOnly nationalities with at least 5,000 decisions issued in 2022 were considered.
- xlOnly nationalities with at least 5,000 decisions issued in 2022 were considered.

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