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4.14.1.1. Recognition rates at first instance

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The overall EU+ recognition rate for first instance decisions on asylum applications was 39% in 2022. This means that out of 646,000 decisions issued, 252,000 were positive, granting the applicant either refugee status or subsidiary protection. The recognition rate went up by 5 percentage points compared to last year and was the highest since 2017. The rise was mainly due to more positive decisions being issued to Syrians *(see Section 4.14.1.2)*.

Most positive decisions at first instance granted refugee status (149,000 or 59% of all positive decisions) and subsidiary protection was granted in the remaining 103,000 cases (41%). As a result, the share of positive decisions granting refugee status declined for the second consecutive year.

Asylum applicants who were not eligible for international protection as defined in the recast QD may be granted an authorisation to stay for humanitarian reasons under national law. The EU+ recognition rate of 39% excludes authorisations to stay for humanitarian reasons. If such authorisations were included, the recognition rate for 2022 would hike to 50%. This considerable difference is largely due to humanitarian status granted to Afghans in Germany and Venezuelans in Spain, which combined represented more than 7 in 10 humanitarian permissions to stay in EU+ countries.

In 2022, more women and girls received positive decisions on their protection claims than a year earlier (45% compared to 41% in 2021). Men and boys, in turn, were granted protection in 36% of all decisions issued on their applications. However, the data available do not indicate which applications lodged by males or females were part of family groups.

Overall, 55% of first instance decisions issued protection to minors, which is considerably higher than for applications lodged by the 18-34 age group (33%), 35-64 age group (31%) and applicants aged 65 years or older (30%). Nevertheless, in 2022, recognition rates were higher than in 2021 for asylum applicants of all age groups and especially for those between 35 and 64 years of age.

In many EU+ countries, first instance recognition rates vary over time, usually because of changes in the volume or structure of caseloads. In 2022, overall recognition rates increased notably in some countries *(see Table 3)*:

Table 3. Recognition rates in EU+ countries with notable increases in 2022

	2021 (%)	2022 (%)
Bulgaria	62	91
Estonia	60	96
Latvia	45	58
Lithuania	13	41
Netherlands	65	82
Poland	60	75
Portugal	60	78
Slovakia	23	40
Slovenia	9	59

While the recognition rate also climbed in Hungary, from 58% to 86%, the overall number of decisions was very low (35 in 2022). This is due to the fact that since 2020, applicants are required to submit a declaration of intent at a Hungarian embassy in a non-EU country before they can enter the country and apply for international protection *(see Section 4.1)*.

In contrast, recognition rates dropped substantially in Austria (62% to 42%), Switzerland (60% to 47%) and – to a lesser extent – Italy (34% to 28%), Norway (81% to 78%) and Romania (28% to 25%). They continued to decline in Cyprus (19% to 6%), Ireland (56% to 34%) and Malta (22% to 15%). In all other EU+ countries, recognition rates in 2022 were higher than or similar to 2021.

Recognition rates at first instance for specific nationalities

Among the 20 nationalities which received the most first instance decisions in 2022, Syrians had the highest recognition rate at 93%. They were followed by Ukrainians (86%) and Eritreans (84%) *(see Figure 24)*. Other groups with relatively high recognition rates included nationals of Mali (65%), Somalia (57%) and Afghanistan (51%).

At the other end of the spectrum, some countries in specific regions had especially low recognition rates, such as Tunisians (2%) and Moroccans (5%) in northern Africa, Venezuelans (4%) and Colombians (6%) in Latin America, Albanians (6%) in the Western Balkans, as well as Bangladeshis (4%), Georgians (4%) and Pakistanis (9%).

Outside the Top 20 nationalities, recognition rates continued to be notably high for Belarusians (85%), Yemenis (84%), Palestinians (63%), Chinese (60%) and stateless persons (58%).[iix] However, low recognition rates were more common, particularly for citizens of countries which are exempt from visa requirements to enter the EU. These comprised applicants from the vicinity of the EU, including Bosnia and Herzegovina, Moldova, North Macedonia and Serbia, as well as some Latin American countries, such as Argentina, Chile and Peru.

Syrians, Ukrainians and Eritreans had the highest recognition rates in 2022

Figure 24. First instance recognition rates for the Top 20 nationalities with the most decisions issued in EU+ countries, by nationality and status granted, 2022

AR 2023 Figure 24
Note: These 20 nationalities received the highest number of first instance decisions in EU+ countries in 2022. They are ordered (from the left to the right side) in terms of the number of decisions received.
Source: Eurostat [migr_asydcfsta] as of 13 April 2023.

Overall, the recognition rate increased the most for Ukrainians (+74 percentage points from 2021) and Syrians (+22 percentage points and the most since 2016). For Ukrainian asylum applicants, this was caused by the Russian invasion of Ukraine. For Syrians – who have had a relatively high recognition rate since 2012 – the rate had dropped considerably in 2021, due to negative decisions issued on a high number of subsequent applications in Germany, which were submitted after a CJEU ruling on refusing to perform military service in the Syrian army as grounds for a well-founded fear of persecution. 1058 In 2022, however, the recognition rate for Syrians bounced to high levels again. In addition, the CGRS in Belgium, where recognition rates for Syrians also increased significantly compared to 2021, prioritised certain files which had a likely positive outcome, and many of these files belonged to Syrian applicants.

Afghan asylum applicants (especially in Germany) and Venezuelan applicants (especially in Spain) were often granted humanitarian status, which permits applicants to remain in the receiving country but is not counted towards positive decisions in the recognition rate. For Venezuelans, 7 in every 10 decisions issued in EU+ countries granted humanitarian status, whereas for Afghans, it was 3 in every 10 decisions. Afghans in Germany alone accounted for almost two-fifths (27,000) of all cases in which humanitarian status was granted in 2022 in EU+ countries, and Venezuelans in Spain for over one-quarter.

Variations in recognition rates at first instance in receiving countries

As in the past, large variations in national practices were seen in granting protection to specific citizenships of applicants. For example, the recognition rate for Afghans was at least 44% in most countries that issued more than 200 decisions (in total 14 EU+ countries), but it was only 16% in Switzerland, 27% in Germany and 30% in Romania *(see Figure 25)*.

Conversely, the recognition rate for nationals of Venezuela was below 39%, except in Iceland (93%) and Italy (73%). Similarly, the rate for Colombians did not exceed 4%, except in Italy (28%) and France (18%). In fact, Italy continued to have recognition rates at the upper end of the range for several citizenships, while countries with recognition rates at the lower end of the range varied depending on the nationality.

Overall, discrepancies in recognition rates were most apparent for applicants from Afghanistan, ranging from 16% in Switzerland to 100% in Portugal. Wide ranges also continued for Turkish applicants (from 15% in France and Spain to 93% in Switzerland), as well as Iraqis (from 3% in Poland to 77% in the Netherlands) and Venezuelans (from 8% in Germany to 93% in Iceland).

Discrepancies in recognition rates were the most apparent for Afghan, Iraqi and Turkish applicants

Figure 25. Recognition rates for nationalities receiving the most decisions at first instance, by receiving country (each bubble represents a different receiving country in the EU+), 2022

AR 2023 Figure 25

Note: Each bubble represents a different EU+ country issuing more than 200 first instance decisions in 2022 for the selected nationality. The bubble size indicates the number of first instance decisions and the placement on the vertical axis denotes the recognition rate. The 10 nationalities presented received the most first instance decisions in 2022 and the order is in terms of overall decisions.

Source: Eurostat [migr_asydcfsta] as of 13 April 2023.

There are several reasons why the same nationality may have different recognition rates across EU+ countries. For example, applicants with the same citizenship can have significantly different profiles and protection needs or come from different regions of the same country. Recognition rates may also differ between first-time and subsequent applications lodged by the same nationality. Similarly, some applicants may have already received an EU protection status in another Member State, but they submitted a new application. EU+ countries may differ slightly in terms of their national policies and guidelines on asylum, in addition to the interpretation of certain legal concepts. In particular, receiving countries can have different lists of safe countries of origin and safe third countries or assess internal protection alternatives and the level of indiscriminate violence differently, which can impact eligibility for subsidiary protection.

- iixOnly nationalities with more than 1,000 decisions issued in 2022 were considered.
- 1058Court of Justice of the European Union. (2020, November 19). Press Release No 142/20. https://curia.europa.eu/jcms/upload/docs/application/pdf/2020-11/cp200142en.pdf

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