Section 4.6 Pending cases

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 followed by another decision if the decision is appealed. However, the examination of a case can be closed for other reasons, including an explicit withdrawal initiated by the applicant, an implicit withdrawal, for example in the case of no-shows/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.

Given that there were more decisions issued than applications lodged in 2020, the stock of pending cases dropped in EU+ countries. Approximately 773,600 asylum applications were awaiting a decision at the end of 2020, representing an 18% decrease compared to 2019. Nonetheless, pending cases were still higher than in the pre-crisis level in 2014
(see Figure 4.17).

Eurostat data do not distinguish between procedural stages at which applications are pending nor the time elapsed since lodging an application. Therefore, Eurostat data are combined with EASO's EPS data on cases pending at first instance, which can be disaggregated according to a duration of 6 months or longer. While EASO data are provisional and not validated, they are nonetheless sufficient to indicate overall trends at the EU+ level. Using Eurostat and EASO statistics together allows a deeper analysis of trends in the processing of applications. The comparison of the data highlights that at both first and higher instances the annual drop in the stock of pending cases was quite similar: the backlog was reduced by nearly one-fifth at both first and higher instances. More than one-half of the cases awaiting a decision, or over 412,600, were pending at first instance.

The stock of pending cases reduced by almost one-fifth in EU+ countries compared to the previous year

Figure 4.17: Pending cases in EU+ countries at the end of each year, 2014-2020

Source: Eurostat [migr_asypenctzm] as of 28 April 2021 and EASO.

One-third of all cases were pending in Germany (33%). This was slightly less than in 2019, partially reflecting the fact that Germany reduced the stock of pending cases by one-fifth compared to the end of 2019 (-69,600, *see Figure 4.18*). France (-9,600 from December 2019) and Spain (-29,600) also reduced their backlogs during 2020. However, France was the only one from the three countries which – regardless of the general reduction of the backlog – had an increase of pending cases at first instance. Furthermore, a significant decrease of the general stock of pending cases – in fact, the second-largest drop among EU+ countries – took place in Greece (-43,200). Decreases were also seen in Sweden (-9,000), Austria (-5,900) and Switzerland (-4,600), among others.

The opposite trend occurred in several countries along both the Central Mediterranean and the Eastern Mediterranean routes, as well as the Balkan route. Hence, Italy had the largest increase in pending cases during 2020 (+6,900). Increases also took place in Romania (+1,300), Bulgaria (+1,100), Malta (+900) and Cyprus (+800).

Although nationals from Afghanistan lodged fewer applications in EU+ countries in 2020, they still had the most cases awaiting a decision at the end of 2020, representing 12% of all pending cases in EU+ countries. Nevertheless, the stock of pending cases for Afghan nationals dropped by one-fifth compared to 2019 (-25,000, *see Figure 4.19*). Nationals of Syria (9% of all pending cases in EU+ countries) and Iraq (6%) also had fewer cases awaiting a decision at the end of 2020 than a year earlier (-17,300 and -17,700 respectively).

For each of the three nationalities, most cases were pending in Germany. In particular, for Syrians and Iraqis, three in five cases were pending in Germany, while for Afghans, roughly two in five cases were pending in Germany. Many Afghan cases were pending also in Greece and France (in each, approximately 20% of the total cases by Afghan nationals in EU+ countries). At the same time, Greece significantly reduced the backlog on cases for Syrian nationals (-10,500 from December 2019). As a result, one in ten Syrian cases was pending in Greece in December 2020, while in 2019 it was one in five.

Most cases awaiting decisions were in Germany, France and Spain

Figure 4.18: Pending cases in EU+ countries at the end of 2020 compared to the end of 2019

Source: Eurostat [migr_asypenctzm] as of 28 April 2021.

While the number of pending cases decreased, Afghanistan, Syria and Iraq remained the top countries of origin awaiting a decision on an asylum application

Figure 4.19: Pending cases in EU+ countries at the end of 2020 compared to the end of 2019 by Top 10 countries of origin of applicants for international protection

Source: Eurostat [migr_asypenctzm] as of 28 April 2021.

Other nationalities with large annual case load reductions were Venezuelan (-15,300), Colombian (-10,000), Pakistani (-9,700), Iranian (-6,700), Albanian (-6,000) and Nigerian (-5,900). In general, almost all nationalities with at least
10,000 cases pending at all instances had fewer cases pending at the end of 2020 than a year earlier. The only exception was nationals of Eritrea, who had more open cases than at the end of 2019.