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4.4.2 Decisions issued on first instance asylum applications

A first instance asylum application is considered to be closed once a decision has been issued by national authorities. According to Regulation (EC) 862/2007, there are five decision outcomes that should be reported by EU+ countries:

- Refugee status (as per the 1951 Geneva Convention);
- Subsidiary protection status;
- Authorisation to stay based on humanitarian reasons under national law (humanitarian protection);[xxx]
- Temporary protection status (under EU legislation);[xxxi] and
- A negative decision resulting in the rejection of the application.

Despite immense challenges associated with the COVID-19 situation, asylum authorities in EU+ countries issued about 534,500 first instance decisions in 2020, which was nearly as many as in 2019. Moreover, due to a dramatic drop in asylum applications, for the first time since 2017 the number of decisions issued outnumbered the number of applications lodged in EU+ countries as of spring 2020 *(see Figure 4.12).* In two-thirds of EU+ countries, there was a decline in decisions issued compared to a year earlier. But Greece and Spain ramped up efforts and boosted decision-making for some nationalities during the reduced inflow of applicants. These efforts helped to maintain the overall EU+ outflow of decisions at the same level as in 2019. However, UNHCR observed in Spain that most decisions were negative, issued mainly to applicants from Colombia and Venezuela, and the decisions were often automatically generated with very little individualisation in reasoning.

With regard to the characteristics of applicants, the majority of decisions issued at first instance continued to be for men, mostly in the 18- to 34-year-old age group.

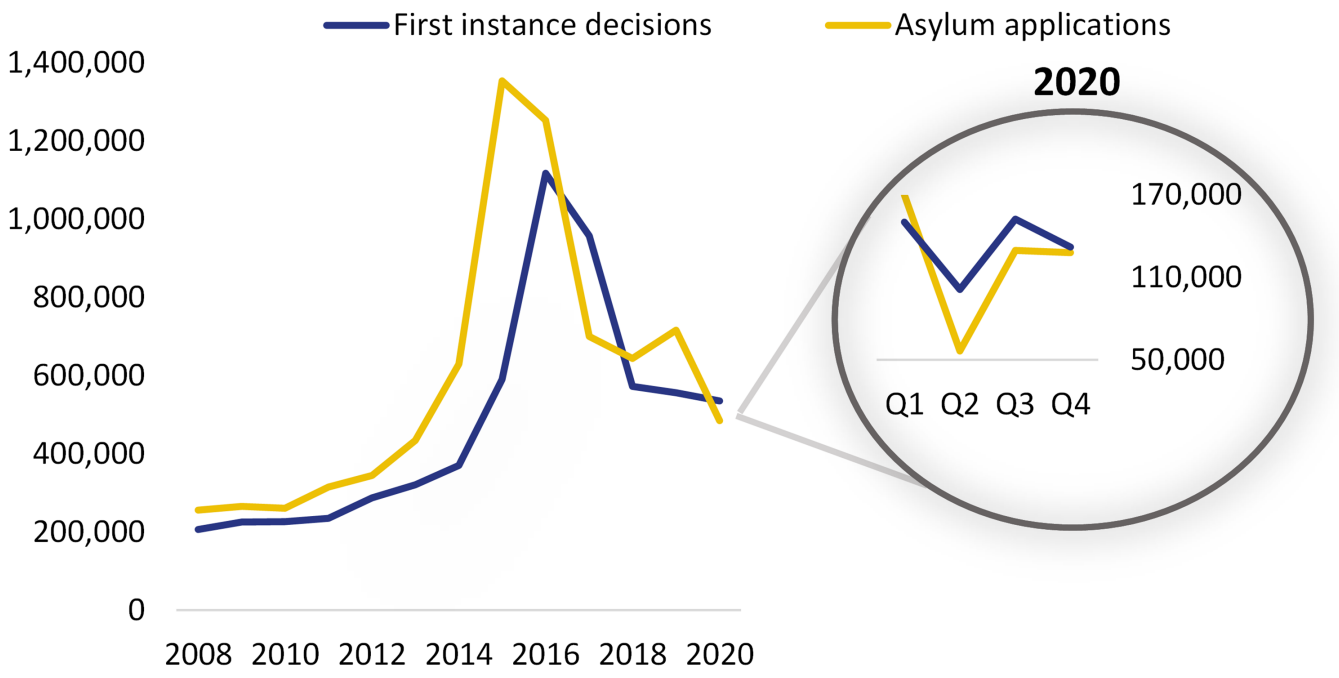
In 2020, just five EU+ countries accounted for more than four-fifths of all first instance decisions: Germany (24%),
Spain (23%), France (16%), Greece (12%) and Italy (8%). Nonetheless, France, Germany and in particular Italy issued fewer decisions compared to 2019. Notably in Italy there was a shift to issue more decisions to the youngest age group of applicants: about 20% of decisions in 2020 were issued to applicants younger than 18 years, compared to only 5% in 2019.

Conversely, Greece and Spain more or less doubled their first instance decision-making. Almost one-quarter of all decisions taken on international protection in Europe were issued by Spain for Colombian and Venezuelan applicants and by Greece for Afghans and Syrians. Most positive decisions issued by Spanish authorities continued to grant automatic national protection to Venezuelans, which entails a faster procedure in terms of case processing and provides a 1-year renewable residence permit for humanitarian reasons.

Following an increased inflow of asylum applications, more decisions were issued in 2020 than in 2019 by Bulgaria and Romania, both recording peaks in the last quarter of 2020. In some countries, the number of decisions issued in the last quarter of 2020 rose above pre-pandemic levels, for example in Austria, France, the Netherlands and Sweden.

For the first time since 2017, the number of decisions issued outnumbered the number of applications lodged in the EU+ as of spring 2020

Figure 4.12: Number of first instance decisions issued and asylum applications lodged in EU+ countries, 2008-2020



Source: Eurostat, [migr_asydcfsta] and [migr_asydcfstq] as of 28 April 2021.

Germany, Greece, Italy, Spain and Sweden had the largest differences between inflow (applications lodged) and first instance decisions issued in 2020, all closing far more cases than opening *(see Figure 4.13)*. In contrast, Austria, Cyprus, France, Romania and Slovenia received more applications than there were closures. This suggests that in many
EU+ countries the pressure on national asylum systems remained high.

Most first instance decisions were issued to nationals of Syria, Venezuela, Afghanistan and Colombia (in descending order), receiving two in every five decisions in EU+ countries in 2020. In addition, these nationalities received more decisions in 2020 than in 2019. The most notable

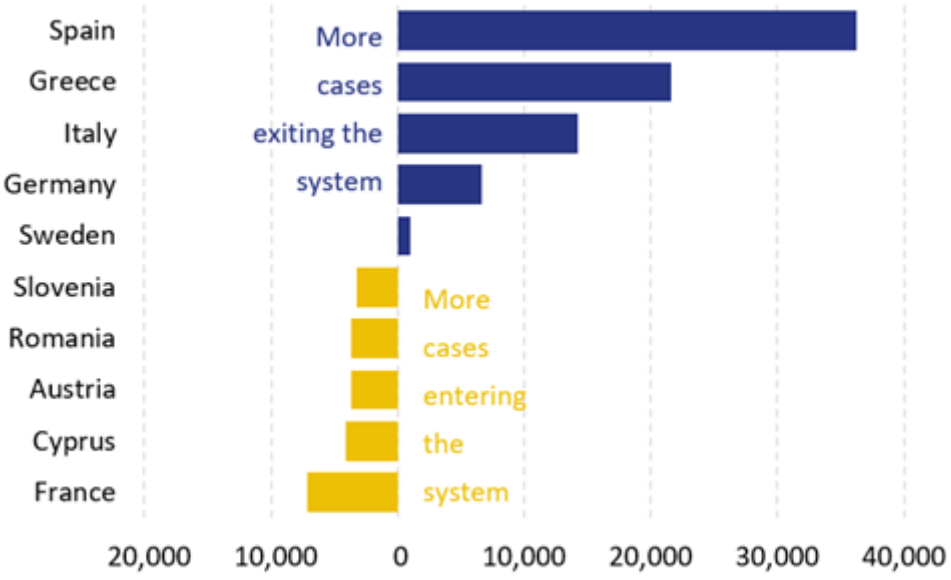
increase in both absolute and relative terms was for Colombian applicants, who received almost seven times as many decisions in 2020 than in the previous year. Similarly, more decisions were issued for most other Latin American nationals, continuing a steady upward trend which has been seen over the last few years.

In 2020, nationals of Turkey and Palestine received more decisions than in previous years. The rise in decisions for Turkish nationals was largely due to the number of decisions issued by Greece, the Netherlands and Switzerland. For Palestinians, the increase was explained by a rise in decisions issued by Greece and Belgium. Since fewer applications were received in the EU overall, the increase in decisions was a result of backlog managements by national administrations.

Conversely, the number of decisions issued to nationals of Albania and Georgia dropped by one-half, mainly driven by France as the decision-issuing country. At the same time, considerably fewer decisions were issued to Nigerians in the EU+ overall, particularly by Italy.

Greece and Spain issued considerably more first instance decisions than the number of applications they received

Figure 4.13. Disparity between the number of asylum applications and first instance decisions issued in selected EU+ countries, 2020



Source: Eurostat [migr_asydcfsta] and [migr_asyappctza] as of 28 April 2021.

While the number of first instance decisions received by Ukrainians has decreased year over year, France and Spain issued more decisions to this nationality in the second half of 2020 than previously. Similarly, nationals of the Democratic Republic of Congo received more decisions at the end of 2020 than in each quarter during the last 3 years.

In Romania, authorities prioritised decisions issued for some nationalities resulting in new peaks of decisions issued for Afghans, Algerians, Moroccans, Somalis, Tunisians and Turks.

[xxx] Granting humanitarian protection is not harmonised at the EU level and is only reported to Eurostat by 23 of the 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. More information on country-level practices are available at: European Migration Network. (2017, June 2). *EMN Ad-Hoc Query on ES Ad hoc Query on Humanitarian Protection*. https://ec.europa.eu/home-affairs/sites/default/files/2017.1197_-_es_ad_hoc_query_on_humanitarian_protection.pdf

[xxxi] Based on the Temporary Protection Directive, Regulation 2001/55/EC , this mechanism has not yet been used in EU countries, and therefore, it is not further analysed in this report.

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