

2.3.1 Asylum decisions at first instance – EU+ overview

Regulation (EC) 862/2007 on Community statistics on migration and international protection and repealing Council Regulation No 311/76 on the compilation of statistics on foreign workers specifies that the following possible outcomes of international protection procedures (defined by reference to the Qualification Directive) should be notified by Member States:

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| 1 | granting of refugee status (under Geneva Convention); |
| 2 | granting of subsidiary protection status; |
| 3 | granting of an authorisation to stay for humanitarian reasons under national law concerning international protection (humanitarian protection) 118; |
| 4 | temporary protection status (under EU legislation) 119; |
| 5 | rejection of the application. |

The EU temporary protection mechanism has not yet been used so this section will focus on the granting of positive decisions via refugee status, subsidiary protection and authorisation to stay for humanitarian reasons under national law (referred to as 'humanitarian protection' in this document). Consequently, the recognition rate in this section is the share of positive decisions (granting of refugee status, subsidiary protection or an authorisation to stay for humanitarian reasons) within the total decisions issued in 2018.

First-instance decisions, by outcome

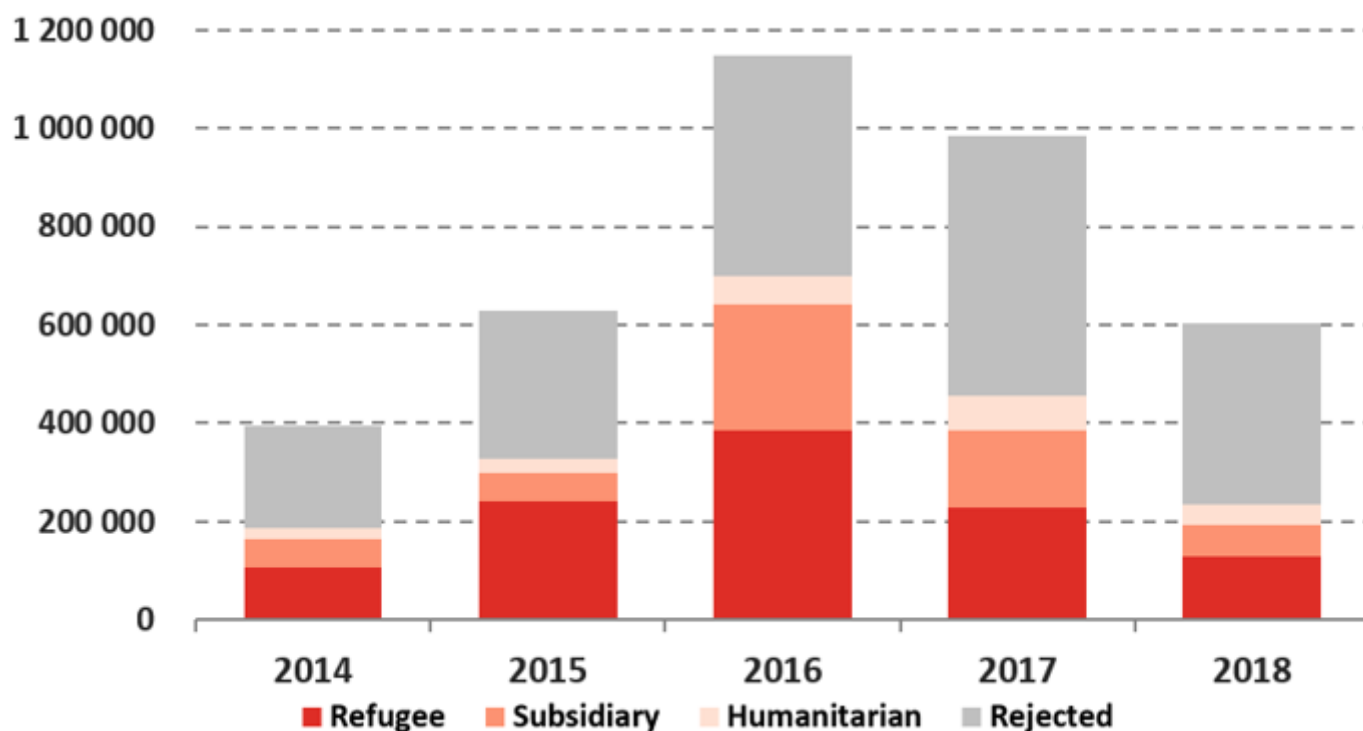


Figure 12: Much fewer first-instance decisions were issued in 2018

In 2018, EU+ countries issued 601 525 decisions in first instance, a large 39 % decrease compared to 2017 ([Figure 12](#)). Thus – differently from last year – there were more applications lodged than decisions issued, with obvious implications for the number of [cases pending at first instance](#). The number of first-instance decisions issued each quarter decreased throughout the year: the overall EU+ output was indeed larger in the first three months of 2018, and gradually declined in the second and third quarters of the year. A minor increase was noticed, nonetheless, in the last three months of the year.

The majority of decisions (367 310, or 61 %) were negative, and hence did not grant any protection. Some 234 220 decisions were positive; of those, the majority granted refugee status (129 685 or 55 % of all positive decisions), and a smaller proportion subsidiary protection (63 100 or 27 %) or humanitarian protection (41 430 or 18 %). Although fewer positive decisions were issued overall, compared to last year a higher proportion of positive decisions granted refugee status.

¹¹⁸ Throughout this report, and in particular when considering the rate of positive decisions at first instance, it should be noted that this latter type of protection is not harmonised at EU level and is only reported to Eurostat by 24 of the 32 EU+ countries (Austria, Cyprus, Croatia, the Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, Italy, Liechtenstein, Lithuania, Malta, the Netherlands, Norway, Poland, Romania, Slovakia, Spain, Sweden, Switzerland, and the United Kingdom), though it sometimes represents a high proportion of the positive decisions issued. It should also be noted that sometimes various forms of humanitarian protection can be granted within a specific procedure, separate from the asylum procedure, and are consequently not reported to Eurostat under the indicator. Regarding practices of specific countries, useful insights are available in: EMN, [Ad hoc Query on Humanitarian Protection](#).

¹¹⁹ [Temporary Protection Directive, 2001/55/EC](#).