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Datum 24 november 2025
Betreft Geannoteerde agenda van de formele JBZ-Raad, 8-9
december 2025

Onze referentie

6908376

Bijlagen

5

Hierbij bieden wij, mede namens de minister van Binnenlandse Zaken en Koninkrijksrelaties, uw Kamer de geannoteerde agenda aan van de Raad Justitie en Binnenlandse Zaken (JBZ-Raad) van 13-14 oktober a.s. in Luxemburg. De minister van Justitie en Veiligheid, de staatssecretaris van Justitie en Veiligheid en de minister van Asiel en Migratie zullen hieraan deelnemen.

Daarnaast informeren wij uw Kamer over de volgende onderwerpen.

Asiel- en migratie thema's:

Solidariteitsmechanisme

Inmiddels is de eerste cyclus van het solidariteitsmechanisme van start gegaan. Op 11 november 2025 heeft de Europese Commissie (hierna: Commissie) de Mededeling Europees jaarverslag asiel en migratie¹, het Uitvoeringsbesluit ter bepaling van de lidstaten waar sprake is van migratiedruk, van een risico van migratiedruk of van een significante migratiesituatie² en een voorstel voor een Uitvoeringshandeling van de Raad tot vaststelling van de jaarlijkse solidariteitspool gepubliceerd. De Uitvoeringshandeling wordt, conform artikel 12 lid 6 van de Asiel- en migratiebeheerverordening (hierna: AMMR), openbaar op het moment dat de Raad overeenstemming over de inhoud heeft bereikt. Het kabinet zal het voorstel van de Commissie voor de Uitvoeringshandeling vertrouwelijk aan uw Kamer ter beschikking stellen. De andere stukken zijn gevoegd bij deze brief. Onderstaand vindt u de kabinetsappreciatie van deze stukken.

Mededeling van de Europese Commissie over het Europees jaarverslag over asiel en migratie

Het jaarverslag geeft een overzicht van de migratiesituatie in de Europese Unie (hierna: EU). Het verslag bevat onder meer gegevens over asielaanvragen en beslissingen, irreguliere grensoverschrijdingen, secundaire migratie binnen de EU, opvangcapaciteit, de toepassing van de Dublinverordening, het aantal verzoeken om internationale bescherming, derdelanders en terugkeerbesluiten en ontscheping na opsporings- en reddingsoperaties (SAR). De inzichten uit het jaarverslag worden meegewogen in de bepaling van lidstaten met migratiedruk.

¹ COM(2025) 795 final.

² Uitvoeringsbesluit (EU) 2025/2323 van de Commissie van 11 november 2025 overeenkomstig artikel 11 van Verordening (EU) 2024/1351 van het Europees Parlement en de Raad (PB L, 2025/2323, 14.11.2025).

De Commissie schetst dat in de periode juli 2024 – juni 2025 de migratiecijfers voor de EU op belangrijke onderdelen zijn gedaald vergeleken met het voorgaande jaar. Irreguliere aankomsten in de EU (daling 35%), het aantal aanvragen voor internationale bescherming (daling 21%) en de secundaire migratie binnen de EU (daling ongeveer 25%) zijn afgenomen. Voor Nederland, evenals voor Duitsland, Frankrijk, België en Italië, geldt dat er een groot aantal irreguliere secundaire grensoverschrijdingen geconstateerd zijn. Nederland heeft tevens een relatief hoog aantal uitgaande Dublinoverdrachten, evenals Duitsland en Frankrijk. Ook heeft Nederland een relatief hoog aantal aanvragen voor internationale bescherming van alleenstaande minderjarige vreemdelingen.

Het jaarverslag bevat tevens een bijlage waarin wordt ingegaan op de stand van zaken rond de implementatie van het Pact (state of play). Het EU-brede beeld is dat er met name uitdagingen zijn betreffende Eurodac, de grensprocedure, screening, opvangcapaciteit, het toezichtmechanisme en juridische bijstand. De Commissie geeft aan dat Nederland op schema ligt. Aandachtspunten voor Nederland zijn de opvangcapaciteit en de voorraden in de asielprocedure. Dat is niet nieuw. In het vorige rapport over de stand van zaken van juni 2025 werd de opvangcapaciteit al aangestipt. Het noodplan dat Nederland bij het Europese asielagentschap (hierna: EUAA) heeft ingediend wordt momenteel, in samenwerking met de EUAA, op enkele punten verbeterd. Verder stelt de Commissie dat Nederland goed op weg is met de benodigde aanpassingen van de nationale wetgeving ter implementatie van het Migratiepact.

Kabinetsappreciatie

Met betrekking tot het jaarverslag neemt het kabinet kennis van de inzichten die daarin beschreven staan. Het succes van het Pact hangt af van goede implementatie door alle lidstaten. Dat is een grote uitdaging. Het is daarom van belang dat de lidstaten onderling goed zicht hebben op, en in gesprek blijven over, de voortgang van deze implementatie. Het kabinet vindt het daarom positief dat de Commissie wederom over de stand van zaken van de implementatie rapporteert en daarbij ook op concrete uitdagingen in verschillende lidstaten ingaat. Nederland heeft steeds ingezet op dergelijke monitoring door de Commissie. Het kabinet onderschrijft het beeld van de Commissie dat Nederland op schema ligt bij de implementatie van het Pact. Met betrekking tot de gesignaleerde aandachtspunten zet het kabinet de nodige stappen om de druk op de opvang en asielprocedure te verlichten. Het kabinet zet daartoe in op meerdere sporen, waaronder maatregelen om te komen tot een lager aantal aankomsten en het efficiënter maken van de procedure. De implementatie van het Pact biedt hier handvatten voor. Hierover bent u eerder geïnformeerd in antwoord op de Kamervragen van lid Koekkoeck.³

De volledige en effectieve implementatie van het Pact blijft voor het kabinet een belangrijk aandachtspunt, met name ook op het gebied van de versterking van de buitengrenzen. Het kabinet blijft er daarom op inzetten dat vertragingen en knelpunten regelmatig op politiek niveau worden besproken en geadresseerd. Wat het kabinet betreft is de voortgangsrapportage van de Commissie de leidraad aan de hand waarvan concrete acties worden uitgezet om deze uitdagingen te adresseren.

³ Tweede Kamer, vergaderjaar 2024–2025, 2 758, Aanhangsel.

Uitvoeringsbesluit ter bepaling van de lidstaten waar sprake is van migratiedruk, van een risico van migratiedruk of van een significante migratiesituatie

In het Uitvoeringsbesluit stelt de Commissie vast in welke categorie lidstaten terecht komen voor de werking van het solidariteitsmechanisme. Italië, Griekenland, Spanje en Cyprus worden aangemerkt als lidstaten waar sprake is van migratiedruk. Voor Griekenland en Cyprus is dit met name vanwege het relatief hoge aantal irreguliere grensoverschrijdingen en aanvragen voor internationale bescherming. Italië en Spanje worden aangemerkt als lidstaten waar sprake is van migratiedruk door het hoge aantal ontschepingen na opsporings- en reddingsoperaties (SAR). Dit betekent dat deze lidstaten een beroep kunnen doen op solidariteit.

Nederland, België, Duitsland, Frankrijk, Bulgarije, Estland, Ierland, Kroatië, Letland, Litouwen, Polen en Finland zijn aangemerkt als lidstaten waar sprake is van een risico op migratiedruk. Hiervoor draagt de Commissie uiteenlopende redenen aan, waaronder irreguliere aankomsten vanuit de Westelijke Balkan (Kroatië en Bulgarije), secundaire migratie van personen die internationale bescherming aanvragen, hetgeen leidt tot druk op de opvangcapaciteit (Nederland, België, Duitsland, Frankrijk en Ierland) en hybride dreigingen (Estland, Letland, Litouwen, Polen en Finland). Deze lidstaten krijgen voorrang in de toegang tot de EU Migration Support Toolbox, waar onder andere aanspraak kan worden gemaakt op technische, operationele vanuit de Europese agentschappen en financiële steun. Om tegemoet te komen aan de druk die lidstaten de afgelopen jaren hebben ervaren door secundaire migratie heeft de Commissie in het besluit de mogelijkheid opgenomen om Dublinzaken die niet konden worden overgedragen aan de verantwoordelijke lidstaat mee te laten tellen voor de solidariteitsbijdrage als daar bilateraal toe wordt overeengekomen.

Bulgarije, Tsjechië, Estland, Kroatië, Oostenrijk en Polen hebben een significante migratiesituatie vanwege een hoog aantal Oekraïense ontheemden (Bulgarije, Polen, Tsjechië, Estland), migrantensmokkel (Kroatië) en het grote aantal (ingewilligde) asielaanvragen (Oostenrijk). Deze lidstaten kunnen bij de Europese Commissie een verzoek doen voor (gehele of gedeeltelijke) vermindering van hun solidariteitsbijdrage, waarover vervolgens de Raad een besluit neemt.

Daarnaast benadrukt de Commissie in het besluit dat bijdragende lidstaten niet verplicht zijn uitvoering te geven aan hun toezeggingen of verantwoordelijkheidscompensaties (offsets) toe te passen ten aanzien van de begunstigde lidstaat, indien in die lidstaat systemische tekortkomingen vastgesteld worden. Hierbij verwijst de Commissie specifiek naar de tekortkomingen in Griekenland en Italië met betrekking tot de uitvoering van het Dublinacquis. De Commissie zal daarom op 12 juli (één maand na inwerkingtreding van het Pact) en 15 oktober (publicatie jaarverslag 2027) vaststellen of de huidige situatie aanhoudt en daarmee sprake is van systematische tekortkomingen.

Kabinetsappreciatie

Balans tussen verantwoordelijkheid en solidariteit is essentieel voor de werking van het Pact. Het kabinet verwelkomt dan ook het feit dat de Commissie ziet dat landen zoals Nederland druk op de opvangvoorzieningen ervaren als gevolg van secundaire migratie en dat met dit Uitvoeringsbesluit stappen worden gezet om het niet-functionerende Dublinsysteem aan te pakken. Het kabinet beschouwt de

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aangenomen motie Eerdmans/Van Hijum⁴ dan ook als afgedaan. Allereerst is het een belangrijke stap in de goede richting dat de Commissie duidelijk markeert dat snel na inwerkingtreding van het Pact systemische tekortkomingen zullen worden vastgesteld indien lidstaten de Dublinregels gebrekkig blijven implementeren. Het kabinet blijft zich inzetten voor het hervatten van Dublinoverdrachten. Mocht er echter niet tijdig verbetering optreden, dan zal het kabinet gebruik maken van de mogelijkheid om geen uitvoering te geven aan toezeggingen of verantwoordelijkheidscompensatie ten aanzien van lidstaten met systemische tekortkomingen. Het kabinet staat ook positief tegenover de mogelijkheid die de Commissie biedt om Dublinzaken die niet konden worden overgedragen in overeenstemming met de lidstaten onder migratiedruk mee te laten tellen voor de solidariteitsbijdrage. Hiermee wordt erkenning gegeven aan de gevolgen die het niet-naleven van Dublin in de afgelopen jaren heeft gehad voor de migratiedruk in Nederland. Hierbij is het voor het kabinet van belang dat deze mogelijkheid ook tot effect leidt.

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Uitvoeringshandeling van de Raad tot vaststelling van de jaarlijkse solidariteitspool

Tevens heeft de Commissie een voorstel gedaan voor een Uitvoeringshandeling van de Raad tot vaststelling van de jaarlijkse solidariteitspool. Dit betreft de omvang en verdeling van de solidariteitspool. Ingevolge artikel 12 van de AMMR wordt de Uitvoeringshandeling openbaar zodra de Raad overeenstemming over de inhoud heeft bereikt. Het kabinet zal het voorstel van de Commissie vertrouwelijk aan uw Kamer ter beschikking stellen. De omvang van het jaarlijkse voorstel van de Commissie voor de solidariteitspool dient ingevolge artikel 12 van de AMMR minimaal 30.000 herplaatsingen of € 600 miljoen te zijn. Over de daadwerkelijke omvang van de solidariteitspool en de Nederlandse bijdrage hieraan zal de komende periode verder gesproken worden in aanloop naar een Raadsbesluit. Het aandeel van elke lidstaat is gebaseerd op het bruto binnenlands product en de bevolkingsomvang.⁵ De Commissie heeft het aandeel van Nederland vastgesteld op 5,2%. De uiteindelijke bijdrage van Nederland is afhankelijk van de omvang en samenstelling van de solidariteitspool, de vaststelling van systemische tekortkomingen en het eventuele aantal offsets.

Kabinetsappreciatie

Nederland zal, conform het regeerprogramma, een financiële bijdrage toezeggen. De inzet van het kabinet is er op gericht dat de omvang van de solidariteitspool realistisch is en recht doet aan de bevindingen uit het jaarverslag. Het solidariteitsmechanisme is er om lidstaten die onder druk staan te verlichten en moet lidstaten daarom niet verder onder druk zetten. Verder zet het kabinet er op in dat met de verdeling van solidariteit recht wordt gedaan aan de gevolgen voor Nederland van secundaire migratie en het niet werkende Dublinsysteem.

Compromisvoorstel Digital Travel Credential

Op 8 oktober 2024 heeft de Europese Commissie twee voorstellen gepubliceerd ter regulering en harmonisering van het gebruik van het zogeheten Digital Travel Credential (DTC), middels een EU-reisapplicatie, binnen de Europese Unie. Een DTC betreft een digitale representatie van het reisdocument, welke belangrijke gegevens, zoals naam, geboortedatum, nationaliteit en een gezichtsopname bevat. Het doel van een DTC is om processen op en rond de grens effectiever en efficiënter uit te kunnen voeren en reizigers te faciliteren. De inhoudelijke stappen

⁴ Tweede Kamer, vergaderjaar 2025-2026, 21 501-20, nr. 2306

⁵ Artikel 66 van de asiel- en migratiebeheerverordening.

binnen het grenscontroleproces blijven ongewijzigd, maar de uitvoering en timing verschuiven naar voren. Nederland heeft het voorstel in het algemeen kunnen verwelkomen.

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Uw Kamer is middels een BNC-fiche⁶ geïnformeerd over de positie van het kabinet ten aanzien van het voorstel. Op 19 november jl. werd in Coreper overeenstemming bereikt over een algemene oriëntatie, waarmee overgegaan kan worden tot de start van triloogonderhandelingen met het Europees Parlement. Nederland heeft ingestemd met het voorstel. Zoals toegelicht in het BNC-fiche, stond het kabinet positief tegenover het voorstel van de Europese Commissie. Nederland heeft zich in de onderhandelingen ingezet voor een aantal aanvullende en operationele voorwaarden. De voorgestelde algemene oriëntatie waarborgt de doeltreffendheid en doelmatigheid van grenscontroles en bevordert de mobiliteit van reizigers. Het compromis onderstreept het belang van interoperabiliteit tussen de DTC en bestaande en toekomstige grensbeheer- en reissystemen, zoals het Entry Exit Systeem (EES) en het Europees Reis en Autorisatie Systeem (ETIAS). Daarnaast voorziet de tekst in een duidelijke grondslag voor biometrische verificatie en een verduidelijking rondom de biometrische processen bij het aanmaken en gebruiken van de DTC en mogen reisgegevens, in lijn met de AVG, tot 24 uur naar grenspassage bewaard worden. Het Kabinet verwelkomt deze aanvullende waarborgen. Verder is tegemoet gekomen aan het standpunt van het kabinet voor zowel een duidelijke afbakening van de verantwoordelijkheden ten aanzien van de AVG, alsmede voor een gedeelde verantwoordelijkheid ten aanzien van de verwerking van persoonsgegevens. Ook is uitvoering gegeven aan het kabinetsstandpunt dat moet worden voorkomen dat paspoorthouders uit derde landen worden uitgesloten van het aanmaken en gebruiken van de DTC, en is er ten aanzien van de technische systeemgereedheid een rol opgenomen voor de Management Board van eu-LISA.

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Zoals opgenomen in het BNC-fiche waarborgt de DTC de doeltreffendheid en doelmatigheid van grenscontroles en faciliteert het reizigers. Het kabinet hecht aan effectieve en efficiënte grenscontroles met oog voor het faciliteren van bonafide reizigers. In ogen van het kabinet biedt de algemene oriëntatie hiervoor voldoende waarborgen. Het kabinet verwelkomt daarom de beoogde aanname van de algemene oriëntatie door de Raad. Het kabinet verkeert nog in afwachting van de positie van het Europees Parlement.

Voorstel voor een Unieplan voor hervestiging en humanitaire toelating 2026-2027

Op 11 november jl. heeft de Commissie een voorstel uitgebracht voor het eerste Unieplan onder de Uniekaderverordening voor hervestiging en toelating op humanitaire gronden (EU) 2024/1350 (hierna: Hervestigingsverordening).⁷

De Hervestigingsverordening biedt een basis voor veilige en gereguleerde overkomst naar Europa voor kwetsbare mensen die internationale bescherming nodig hebben en draagt bij aan het versterken van de EU samenwerking met derde landen, inclusief de samenwerking in de strijd tegen mensensmokkel en op het gebied van terugkeersamenwerking. De Hervestigingsverordening maakt deel uit van het Europees Asiel- en Migratiepact. Anders dan de overige verordeningen

⁶ Fiche 2: Verordening EU-reisapplicatie

⁷ Verordening (EU) 2024/1350 van het Europees Parlement en de Raad van 14 mei 2024 tot vaststelling van een Uniekader voor hervestiging en toelating op humanitaire gronden, en tot wijziging van Verordening (EU) 2021/1147.

van het pact is de Hervestigingsverordening al per 11 juni 2024 van toepassing geworden. De daadwerkelijke uitvoering op grond van de Hervestigingsverordening start evenwel per 1 januari 2026, wanneer het door de Commissie aangekondigde tweejarige Unieplan 2026-2027 in werking treedt.⁸

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Het voorgestelde Unieplan 2026-2027 is gebaseerd op de vrijwillige bijdragen van negen lidstaten en voorziet in de hervestiging en humanitaire toelating van in totaal 15.230 kwetsbare mensen die internationale bescherming nodig hebben vanuit opvanglanden buiten Europa.⁹ Het Unieplan focust daarbij op de voornaamste migratieroutes naar de EU - te weten landen langs de Mediterrane en Atlantische routes - in lijn met de route-gebaseerde aanpak, en verder op landen in Centraal- en Latijns-Amerika, evenals landen waarmee de EU of lidstaten toewerken naar bredere migratie samenwerking.

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Nederland is een van de lidstaten die bijdragen aan het Unieplan. Nederland steunt een meer gestructureerde benadering van de EU met betrekking tot veilige gereguleerde routes naar bescherming en de verdere integratie van hervestiging in strategische dialogen met potentiële partnerlanden. Het inmiddels demissionaire kabinet heeft een bijdrage toegezegd in overeenstemming met de eerder vastgestelde inzet op grond van het nationaal quotum (200 hervestigde vluchtelingen per jaar) en de inzet op hervestiging in het kader van migratiesamenwerking met derde landen (EU-Turkije Verklaring) van 500 hervestigde vluchtelingen per jaar: in totaal 1.400 hervestigers in de periode 2026-2027. De bijlage met specifieke bijdragen van lidstaten is vanwege de vertrouwelijkheid niet openbaar beschikbaar, maar Nederland staat met de toegezegde bijdrage op de vierde plek.

De inzet van Nederland onder het nationale quotum richt zich met name op de regio van het Midden Oosten en Noord-Afrika en de Centraal Mediterrane route. Met in acht name van de jaarlijkse UNHCR hervestigingsprioriteiten, de EU prioriteiten en nationale belangen, is de Nederlandse inzet in 2026 gericht op het uitvoeren van hervestiging uit Egypte (vluchtelingen uit Sub-Sahara Afrika), het *Emergency Transit Mechanism* in Rwanda voor uit Libië geëvacueerde vluchtelingen, en uit Turkije (Afghaanse vluchtelingen). Daarnaast wordt een beperkt aantal plaatsen toegewezen aan de reservering voor ongeoordeelde zaken, voor het hervestigen van individuele urgente zaken.

Na goedkeuring door de Raad kan de uitvoering van het Unieplan van start gaan.

Justitie- en veiligheidsthema's:

Voortgang onderhandelingen EU aangaande het EBSP

Op 29 september 2025 heeft het kabinet de kabinetsappreciatie aangaande de 'Aanbeveling onderhandelingsmandaat voor de Europese Commissie inzake het Enhanced European Border Security Partnership' met de Staten-Generaal

⁸ Zie o.a. Brief inzake Beleidskaders hervestiging 2024 en 2025, 18 december 2024, Tweede Kamer, vergaderjaar 2024–2025, 19 637, nr. 3324.

⁹ Proposal for a Council Implementing Decision on the Union Resettlement and Humanitarian Admission Plan (2026-2027), COM (2025) 702 final.

gedeeld.¹⁰ Het Deense voorzitterschap van de Raad is voornemens om deze aanbeveling begin december te agenderen op Coreper II. Hierna zal de aanbeveling op de volgende JBZ-Raad worden geagendeerd ter besluitvorming. Met deze brief wordt uw Kamer op de hoogte gebracht van de huidige stand van zaken rondom de inzet van Nederland gedurende de onderhandelingen en het vervolg van het proces de komende weken.

Aanleiding

Zoals reeds vermeld hebben de Verenigde Staten van Amerika (hierna: VS) een nieuwe voorwaarde gesteld aan de deelname aan het Amerikaanse visumvrijstellingsprogramma (hierna: VWP). De nieuwe verplichting houdt in dat met de VS een "versterkt partnerschap voor grensbeveiliging" (Enhanced European Border Security Partnership, hierna: EBSP) moet worden gesloten. Het voorstel ziet op de uitwisseling van informatie inzake het overschrijden van de buitengrenzen van de lidstaten en van de VS door reizigers. De Europese Commissie zal namens de lidstaten de onderhandelingen voeren met de VS voor een kaderovereenkomst. Dit zal de basis vormen voor bilaterale afspraken in het kader van het VWP. De VS hebben aangegeven vanaf 2027 te willen toetsen of lidstaten aan deze voorwaarde van het EBSP voldoen. De Commissie wenst daarom voor het einde van 2026 de onderhandelingen met de VS over de kaderovereenkomst af te ronden. Op 23 juli jl. presenteerde de Commissie een concept onderhandelingsmandaat dat richtsnoeren bevat voor de aanstaande onderhandelingen over de kaderovereenkomst. De kabinetsappreciatie d.d. 29 september jl. had betrekking op dit voorstel van de Commissie. Sinds 23 juli jl. hebben er onderhandelingen plaatsgevonden in de Raad van de EU (hierna: de Raad). Gedurende deze onderhandelingen in de Raad heeft Nederland gehandeld conform de kabinetsappreciatie.

Inzet van Nederland in de Raad

Gedurende de onderhandelingen heeft Nederland het belang van een gecoördineerde aanpak van de Commissie om namens de Raad met de VS te onderhandelen over een kaderovereenkomst aangaande het EBSP benadrukt. Hierbij heeft Nederland ook aangegeven dat coördinatie ook wenselijk blijft wanneer de kaderovereenkomst gereed is en de onderhandelingen met de VS starten over aanvullende bilaterale overeenkomsten met de lidstaten.

Zoals in de eerdere appreciatie benoemd, was de exacte omvang en reikwijdte van de overeenkomst en de uit te wisselen informatie bij de start van de onderhandelingen over het mandaat lastig in te schatten. Hierop is voortgang geboekt. Zo zijn in het voorstel extra maatregelen ter bescherming van de uit te wisselen gegevens opgenomen. Het kabinet is hier positief over. Ook zijn extra onderdelen in de onderhandelingsovereenkomst opgenomen inzake de wederkerigheid van het uitwisselen van gegevens tussen de EU en de VS, waarbij ook expliciet gemaakt is wat er gebeurt als één van de partijen niet aan de eisen van het EBSP kan voldoen. Het kabinet verwelkomt deze aanvullingen. Indien een lidstaat niet voldoet aan de door de VS betreffende het EBSP gestelde voorwaarde voor deelname aan het VWP, kunnen de VS visummaatregelen gaan treffen, zoals het uitsluiten van het VWP van de desbetreffende lidstaat. Een gevolg daarvan kan in het uiterste geval dan zijn dat de EU op basis van wederkerigheid ook de visumplicht voor de VS gaat invoeren.

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¹⁰ Kamerstukken II, 2025-26, nr. 32317-973

Ten aanzien van de doelbinding van de uitwisseling van de gegevens zijn ook verbeteringen in het voorstel opgenomen, zoals rondom eventuele overlap met andere overeenkomsten met de VS. De discussie hierover is nog niet afgerond en loopt naar verwachting door tot de laatste fase van de onderhandelingen. Nederland blijft daarom inzetten op een duidelijke reikwijdte en doelbinding, die tevens proportioneel zijn. De huidige tekst bevat voorts verduidelijkingen over de inkadering van de verstrekking van gegevens, binnen de strenge eisen die voortvloeien uit de relevante EU-regelgeving, zoals het kabinet ook als voorwaarde had benoemd in zijn appreciatie. Het kabinet kan zich vinden in die verduidelijkingen. Hiernaast heeft Nederland in de Raad aandacht gevraagd voor het tijdspad waarop aan de door de VS gestelde voorwaarde voldaan zou moeten worden.

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Proces

Zoals hierboven aangegeven heeft het Deense voorzitterschap van de Raad laten weten de aanbeveling begin december a.s. te willen agenderen op Coreper II. Tot die tijd zal binnen de Raad nog onderhandeld worden over de aanbeveling. Na bespreking in Coreper II zal de aanbeveling op de volgende JBZ-Raad worden geagendeerd. Het Europees Parlement (EP) moet uiteindelijk ook via een consultatieprocedure instemmen met de kaderovereenkomst tussen de EU en de VS.

Nadat de kaderovereenkomst tussen de EU en de VS is vastgesteld, breekt de fase aan waarin alle lidstaten, dus ook Nederland, met de VS bilaterale onderhandelingen zullen voeren. Wanneer dit zal zijn, is op dit moment nog niet duidelijk. Het kabinet zal uw Kamer van de verdere ontwikkelingen op de hoogte houden, ook gelet op het feit dat uw instemming vereist is voordat deze toekomstige bilaterale overeenkomst met de VS in werking kan treden.

Kopgroep contraterroreisme ontbijt

Voorafgaand aan de JBZ-Raad vindt op 8 december 2025 een ontbijtbijeenkomst van de kopgroep terrorismebestrijding plaats, op initiatief van België. Tijdens deze bijeenkomst spreken België, Denemarken, Duitsland, Finland, Frankrijk, Nederland, Oostenrijk, Spanje, Zweden en de EU Contraterroreismecoördinator over recente geopolitieke ontwikkelingen en de implicaties daarvan op de interne veiligheid van de EU en op contraterroreisme.

Overig:

Ministeriële conferentie Straatsburg over het EVRM

Op 10 december zal op initiatief van de Secretaris-Generaal van de Raad van Europa een ministeriële conferentie plaatsvinden. Op de ministeriële conferentie zal gereflecteerd worden op de interactie tussen de garanties die het Europees Verdrag voor de Rechten van de Mens (hierna: Verdrag) biedt en de maatregelen die de lidstaten nemen om migratie te beheersen en de openbare veiligheid te handhaven. Het doel van deze reflectie is om opdracht te geven aan het Comité van Ministers (hierna: CM) om tot een politieke verklaring te komen voor de ministeriële vergadering van het CM in Chisinau in mei 2026, die verdere duiding geeft aan hoe de partijen van het Verdrag uitleg geven aan het Verdrag. De inzet van het kabinet is dat deze verklaring de status van een interpretatieve verklaring heeft en daarmee de interpretatie van het Verdrag op het gebied van asiel- en migratiebeleid verder inkadert. De staatssecretaris van Justitie en Veiligheid zal

namens Nederland deelnemen aan de conferentie op 10 december. Over de uitkomsten van de conferentie zal uw Kamer in het Verslag van de JBZ-Raad van 8 en 9 december geïnformeerd worden.

Cluster secretaris-generaal

Directie Europese en
Internationale
Aangelegenheden
Europese Unie

De Minister van Justitie en Veiligheid,

Datum

24 november 2025

Onze referentie

6908376

Foort van Oosten

Minister van Asiel en Migratie,

D.M. van Weel

De Staatssecretaris van Justitie en Veiligheid,

mr. A.C.L. Rutte

Geannoteerde agenda van de bijeenkomst van de Raad Justitie en Binnenlandse Zaken, 8 en 9 december 2025

I. Binnenlandse Zaken

1. Terugkeerverordening

(Gedeeltelijke) algemene oriëntatie

Het Voorzitterschap streeft ernaar de Raad te vragen in te stemmen met een (gedeeltelijke) algemene oriëntatie ten aanzien van het voorstel voor een Terugkeerverordening. Op het moment van schrijven zijn de onderhandelingen nog gaande en is het onduidelijk hoe het uiteindelijke compromisvoorstel van het Voorzitterschap eruit komt te zien.

Het kabinet is, net als het Voorzitterschap ambitieus, om snel tot een onderhandelingsmandaat van de Raad te komen. Het is van groot belang dat er snel een nieuw juridisch kader komt voor het terugkeerproces in de EU dat meer terugkeer effectueert. Het grootste discussiepunt in de Raad is de wederzijdse erkenning en uitvoering van terugkeerbesluiten. Posities van lidstaten lopen uiteen over het al dan niet verplicht maken van de toepassing van deze concepten. Het Voorzitterschap zoekt naar een compromis om beide richtingen tegemoet te komen, waarbij verschillende varianten de revue passeren. Zo wordt gedacht aan een graduele overgang naar verplichte toepassing op basis van objectieve voorwaarden. Voor Nederland is het van belang dat de uitkomst voldoende recht doet aan de uitvoering en het terugkeerproces in de EU eenvoudiger en efficiënter wordt. Voorts is het voor het kabinet van essentieel belang dat de uitkomsten van de onderhandelingen conform de inzet van het BNC-fiche bevredigend zijn. Het gaat dan om de toetsing van het beginsel van non-refoulement in de terugkeerprocedure, meer mogelijkheden om terugkeer te bevorderen, zoals de terugkeerhub en het voorkomen dat nieuwe juridische complicaties optreden waarmee vertragingen van het terugkeerproces kunnen optreden. Als aan deze voorwaarden wordt voldaan en als het Voorzitterschap een algemene oriëntatie agendeert voor de Raad, vormt dat een positief uitgangspunt voor het kabinet voor de behandeling in de Raad.

2. Staat van het Schengengebied: implementatie van de prioriteiten van de Schengencyclus: versterking van de buitengrenzen

Gedachtewisseling

In juni zijn door de JBZ-Raad de drie prioriteiten van de Schengencyclus van 2025-2026 vastgesteld: 1) versnelling van de implementatie en versterking van de paraatheid van IT-systemen; 2) versterking van de buitengrenzen en de effectiviteit van terugkeer; 3) vergroten van de interne veiligheid, streven voor bewegingsvrijheid zonder interne grenscontroles. Het Voorzitterschap stelt voor te reflecteren op de implementatie van de tweede prioriteit, en dan specifiek op het gebied van buitengrensbeheer en kwaliteit van de grenscontroles. De gedachtewisseling zal plaatsvinden op basis van een geaggregeerd beeld van de belangrijkste kwetsbaarheden en tekortkomingen geïdentificeerd in de Schengenevaluaties. Voorbeelden hiervan zijn de tekortkomingen in grenssurveillance, gebrekkige risicoanalyses en situationeel bewustzijn, en technische problemen. Lidstaten zullen worden uitgenodigd om te reflecteren op de belangrijkste tekortkomingen en hoe deze aan te pakken, alsook of de EU voldoende voorbereid is op mogelijke nieuwe uitdagingen op het gebied van buitengrensbeheer.

Het kabinet verwelkomt de strategische discussie over het adresseren van de belangrijkste tekortkomingen op het gebied van buitengrensbeheer. Effectief buitengrensbeheer is een belangrijke voorwaarde voor de integriteit en veiligheid van het Schengengebied. Tekortkomingen op het gebied van buitengrensbeheer hebben immers effect op de veiligheid van andere lidstaten. Het kabinet zal het belang van het aanpakken van aanhoudende tekortkomingen en het adequaat adresseren van kwetsbaarheden benadrukken. Het is van belang dat hier ook concreet handelingsperspectief ligt, die de grondoorzaken van de (aanhoudende) tekortkomingen

aanpakken. De uitwisseling van *best practices* kan hierbij helpen. Daarnaast is het van belang dat tijdig wordt gereflecteerd op de belangrijkste gezamenlijke uitdagingen op het gebied van buitengrensbeheer, zodat de EU in staat is deze uitdagingen het hoofd te bieden. Naar verwachting zullen andere lidstaten ook positief tegenover de discussie staan en reflecteren op de belangrijkste uitdagingen met betrekking tot grensbeheer in eigen lidstaat, zoals hybride dreigingen en de instrumentalisering van migranten aan de buitengrens. Mogelijk zal ook het belang van voldoende Europese financiering, om onder meer de tekortkomingen te adresseren, worden benadrukt door andere lidstaten.

3. Implementatie van interoperabiliteit: Post 2026 Roadmap

Aanname

In maart 2025 heeft de JBZ-Raad een herziene tijdlijn voor de tenuitvoerlegging van grootschalige IT-systemen en hun interoperabiliteit aangenomen.[1] Het Entry/Exit System (EES) is 12 oktober 2025 binnen de Europese Commissie (hierna: Commissie) gefaseerd van start gegaan. De verwachting is dat de Commissie en eu-LISA tijdens de JBZ-Raad zullen ingaan op de eerste uitkomsten van de ingebruikname van het EES en een vooruitblik zullen geven op de IO-Roadmap voor 2027-2028.

Nederland heeft op 12 november jl. bij de Commissie een voortgangsrapportage moeten indienen over de eerste mijlpaal van de gefaseerde ingebruikname van het EES, een verplichting uit de verordening die voor alle lidstaten geldt. Nederland implementeert het EES volgens het eerder ingediende National Roll-Out Plan. Het systeem is inmiddels operationeel op alle grensdoorlaatposten, maar nog niet volledig in werking. De mijlpaal van 10% is echter niet behaald vanwege twee factoren. Ten eerste is het rekenmodel gebaseerd op een gemiddeld aantal reizigers per jaar, waarbij seizoensgebonden fluctuaties niet worden meegenomen. In de gerapporteerde periode liggen de passagiersaantallen daardoor lager dan het jaargemiddelde. Daarnaast zijn tijdens de verdere ontwikkeling van de nationale ICT-systemen van de KMar enkele technische aandachtspunten naar voren gekomen. De verwachting is dat de komende mijlpalen zullen worden gehaald, nu het systeem overal in gebruik is en de opschaling verder wordt doorgevoerd.

Het European Travel Information and Authorisation System (ETIAS) staat gepland om van start te gaan in het vierde kwartaal van 2026. Verder is de implementatie van het vernieuwde Eurodac-systeem (European Dactyloscopy, de EU vingervrindatabase) voorzien in juni 2026.

In het door eu-LISA gepresenteerde IO-Roadmap wordt voorgesteld om de planning voor revised VIS nader uit te werken en in de JBZ-raad van maart 2026 te presenteren. Nederland ziet graag dat revised VIS wordt verschoven naar het vierde kwartaal van 2028. Nederland kan akkoord gaan met de resterende onderdelen van de gepresenteerde IO Roadmap voor 2027-2028.

4. Verordening veilige landen van herkomst

Algemene oriëntatie

Het Voorzitterschap is voornemens de Raad te vragen in te stemmen met een algemene oriëntatie ten aanzien van het voorstel voor een verordening inzake het vaststellen van een EU-lijst veilige landen van herkomst. Op moment van schrijven werkt het Voorzitterschap nog aan het definitieve compromisvoorstel. Het kabinet is voornemens in te stemmen met een algemene oriëntatie. Het is de verwachting dat er een gekwalificeerde meerderheid is in de Raad die een algemene oriëntatie kan ondersteunen. Met het goedkeuren van een algemene oriëntatie door de Raad ligt het mandaat voor het Voorzitterschap vast voor de onderhandelingen met het Europees Parlement. Zodra het Europees Parlement ook een onderhandelingsmandaat heeft vastgesteld, kunnen de onderhandelingen tussen de Raad en het Parlement starten.

Op 16 april jl. publiceerde de Commissie een voorstel voor een wijziging van de Asielprocedureverordening, die onderdeel is van het Asiel- en Migratiepact. De voorgestelde wijzigingen hebben betrekking op het vaststellen van een EU-lijst van veilige landen van herkomst. Daarnaast krijgen lidstaten de mogelijkheid twee onderdelen uit de verordening versneld toe te passen. Ten eerste het toepassen van uitzonderingen voor bepaalde groepen of gebiedsdelen bij de

aanmerking van veilige landen van herkomst, en ten tweede het toepassen van een laag inwilligingspercentage als grondslag voor asielgrensprocedures en versnelde procedures. Uw Kamer is over de inzet van het kabinet voor de onderhandelingen geïnformeerd via een BNC-fiche.¹ De bepalingen in de Asielprocedureverordening regelen dat ervan uitgegaan wordt dat een verzoeker voor internationale bescherming geen gegronde vrees voor vervolging heeft en geen reëel risico loopt op ernstige schade als een verzoeker afkomstig is uit een zogenaamd veilig land van herkomst. Deze veronderstelling kan wel worden weerlegd als de asielzoeker goede redenen aanvoert waarom zijn land van herkomst, in zijn specifieke geval niet veilig is. Er rust daarmee een zwaardere bewijslast op de asielzoeker uit een veilig land van herkomst, om aannemelijk te maken dat hij in aanmerking komt voor internationale bescherming. Als de aanvrager afkomstig is uit een veilig land van herkomst, is een versnelde procedure van toepassing.

In lijn met de Nederlandse inzet zoals toegelicht in het BNC-fiche komt er een EU-lijst van veilige landen van herkomst, waardoor asielverzoeken van verzoekers uit landen die op de EU-lijst van veilige landen van herkomst staan straks in alle lidstaten versneld zullen worden afgehandeld. Daarbij blijft het voor lidstaten mogelijk om aanvullend nationale lijsten van veilige landen van herkomst aan te houden. Ook wordt het mogelijk om nog voor de inwerkingtreding van het Pact veilige landen aan te kunnen wijzen waarbij delen van het grondgebied of bevolkingsgroepen kunnen worden uitgezonderd. Dit is voor Nederland belangrijk omdat enkele landen op de voorgestelde EU-lijst door Nederland momenteel op nationaal niveau niet als veilig zijn aangeduid. Daarnaast wordt het mogelijk om nog voor de inwerkingtreding van het Pact een versnelde procedure of de asielgrensprocedure toe te passen als de verzoeker afkomstig is uit een land met lage inwilligingspercentages. Met deze wijzigingen moet het in de toekomst in de EU eenduidiger worden welke derde landen beschouwd moeten worden als veilige landen van herkomst en worden de verschillen tussen lidstaten verkleind. Het kabinet hoopt dat de onderhandelingen met het Europees Parlement snel kunnen starten.

5. Verordening inzake de toepassing van het veilig derde land-concept

Algemene oriëntatie

Het Voorzitterschap is voornemens de JBZ-Raad te vragen in te stemmen met een algemene oriëntatie ten aanzien van het voorstel voor een verordening inzake de toepassing van het veilig-derde-land-concept. Op moment van schrijven werkt het Voorzitterschap nog aan het definitieve compromisvoorstel. Het kabinet is voornemens in te stemmen met een algemene oriëntatie. Het is de verwachting dat er een gekwalificeerde meerderheid is in de JBZ-Raad die een algemene oriëntatie kan ondersteunen. Met het goedkeuren van een algemene oriëntatie door de JBZ-Raad ligt het mandaat voor het Voorzitterschap vast voor de onderhandelingen met het Europees Parlement. Zodra het Europees Parlement ook een onderhandelingsmandaat heeft vastgesteld, kunnen de onderhandelingen tussen de Raad en het Parlement starten.

Op 20 mei jl. publiceerde de Commissie een voorstel voor een wijziging van de Asielprocedureverordening, die onderdeel is van het Asiel- en Migratiepact. Hiermee voldeed de Commissie aan een taak die haar was toebedeeld in het Pact. De voorgestelde wijzigingen hebben betrekking op de toepassing van het concept 'veilig derde land'. Het concept 'veilig derde land' houdt in dat een EU-lidstaat een asielverzoek niet inhoudelijk hoeft te behandelen als de verzoeker doeltreffende bescherming kan aanvragen in een derde land dat voor hem of haar als veilig wordt beschouwd. Uw Kamer is over de inzet van het kabinet voor de onderhandelingen geïnformeerd via een BNC-fiche.² Een "veilig derde land" is een concept in het asielrecht dat betekent dat een verzoeker voor internationale bescherming zijn aanvraag in een ander land, dat als veilig wordt beschouwd, kan laten beoordelen in plaats van in het land waar de verzoeker de aanvraag indient. De Commissie beoogde het juridisch kader te versoepelen, in het bijzonder door niet meer de absolute voorwaarde te stellen dat een verzoeker een band/connectie moet hebben met het

¹ Fiche 1: Verordening Veilige landen van herkomst

² Fiche 2: Verordening veilige derde landen

betreffende derde land op basis waarvan het redelijk is de persoon aan dat land over te dragen (bandencriterium). Ten aanzien van de criteria waaraan het land moet voldoen om als veilig te kunnen worden aangewezen, alsook dat aannemelijk moet zijn dat de verzoeker tot het derde land moet worden toegelaten, zijn geen wijzigingen aangebracht ten opzichte van de vigerende regelgeving.

In lijn met de Nederlandse inzet zoals toegelicht in het BNC-fiche is het bandencriterium niet langer een verplichte voorwaarde voor de toepassing van het veilig derde land-concept. Nederland had net als sommige andere lidstaten de positie ingenomen dat algehele schrapping de voorkeur had, maar dat bleek in het krachtenveld niet haalbaar. In het huidige voorgestelde compromis is het bandencriterium niet van toepassing als aan andere criteria wordt voldaan, zoals de omstandigheid dat de verzoeker op zijn reis naar de EU door dat land is gereisd, of dat er een overeenkomst of een regeling is met een derde land dat specifiek bevestigt dat de verzoeker aldaar tot een asielprocedure zal worden toegelaten. Er zijn ten aanzien van overeenkomsten en regelingen met derde landen geen verdere procedurele of materiële vereisten opgenomen die de toepassing ervan zouden kunnen compliceren. Met deze wijzigingen moet het in de toekomst eenvoudiger worden het veilig-derde-land-concept toe te passen. Dit sluit aan bij de inzet van het kabinet om in te zetten op innovatieve oplossingen om meer grip te krijgen op migratie. Het kabinet hoopt dat de onderhandelingen met het Europees Parlement snel kunnen starten.

6. Uniemechanisme voor Civiele Bescherming en Gezondheidsnoodhulp (UCPM)

Voortgangsrapportage

Het Uniemechanisme voor Civiele Bescherming (UCPM) is een Europees samenwerkingskader op basis van solidariteit en vrijwilligheid waarbij EU-lidstaten en tien partnerlanden elkaar en andere landen helpen bij rampen en crises, waaronder bosbranden, overstromingen en door de mens-veroorzaakte rampen. Indien een getroffen land niet genoeg middelen heeft om de crisissituatie te bestrijden, kan het land via het UCPM om civiele bijstand vragen. De civiele bijstand kan bestaan uit experts, responsmiddelen en/of specialistische teams.

Tijdens de JBZ-Raad van 13 en 14 oktober 2025 vond al een gedachtewisseling plaats over het Commissievoorstel voor een UCPM+-verordening. Dit voorstel verving het oprichtingsbesluit³ uit 2013. Nederland verwelkomt het Commissievoorstel⁴ en spreekt blijvende steun uit voor zowel de verbreding van het mandaat van het UCPM als voor de versterking van de gezamenlijke Europese capaciteiten om crises te coördineren en te voorkomen. Tijdens deze JBZ-Raad zal het Voorzitterschap een voortgangsrapportage met de Raad delen. Het kabinet zal de toelichting hierover aanhoren en zich actief blijven inzetten om op dit voorstel een Raadspositie te kunnen bereiken.

7. Overige onderwerpen: lopende wetsvoorstellen

Informatie van het Voorzitterschap

Onder dit agendapunt zal het Voorzitterschap de voortgang van een aantal wetgevende dossiers toelichten. Naar verwachting zal het Voorzitterschap hier ook stil staan bij de in de Coreper vergadering van 26 november geagendeerde gedeeltelijke algemene oriëntatie op de verordening

³ Besluit Nr.1313/2013/EU van het Europees Parlement en de Raad van 17 december 2013 betreffende een Uniemechanisme voor civiele bescherming.

⁴ Voorstel voor een verordening van het Europees Parlement en de Raad betreffende het Uniemechanisme voor civiele bescherming en de ondersteuning door de Unie van de paraatheid en respons bij gezondheids crises, en tot intrekking van Besluit nr. 1313/2013/EU (Uniemechanisme voor civiele bescherming).

⁵ BNC-fiche: [MFK] Verordening Uniemechanisme en financiering paraatheid en respons noodsituaties gezondheid.

ter bestrijding van kindermisbruik online (CSAM-Verordening). Uw Kamer is over de ontwikkelingen van dit voorstel apart geïnformeerd.⁶

8. Implementatie asiel- en migratiepact

a) Asiel- en migratiepact: implementatie

Stand van zaken

Naar verwachting zal de Commissie een update geven van de stand van zaken rond de implementatie van het Pact, in navolging van de presentatie van het jaarverslag en de stand van zaken van de implementatie. De appreciatie hiervan vindt u in de Aanbiedingsbrief bij deze Geannoteerde Agenda. Met het oog op de inwerkingtreding van het solidariteitsmechanisme en de naderende inwerkingtredingsdatum (juni 2026) is het voor Nederland van belang dat de voortgang van de implementatie regelmatig en ook op politiek niveau wordt besproken. Eventuele knelpunten of vertragingen dienen tijdig geadresseerd te worden aan de hand van concrete acties, in navolging van de voortgangsrapportage van de Commissie. Het kabinet zal de Commissie oproepen hier een actieve rol in te nemen. Specifieke aandachtspunten voor Nederland hierbij zijn de implementatie van het huidige *acquis*, met name de Dublinverordening en de implementatie van Eurodac, de asielgrensprocedure en screening onder het Pact. Naar verwachting zullen ook andere lidstaten hier aandacht voor vragen.

b) Uitvoeringshandeling van de Raad voor de vaststelling van de jaarlijkse

solidariteitspool (voorstel in behandeling)

Politiek akkoord

Tijdens de JBZ-Raad zal mogelijk de Uitvoeringshandeling van de Raad voor de vaststelling van de jaarlijkse solidariteitspool worden geagendeerd om tot een politiek akkoord komen. Op het moment van schrijven is het niet zeker of de Uitvoeringshandeling ook daadwerkelijk geagendeerd zal worden. Dit is afhankelijk van de voortgang van de onderhandelingen over de solidariteitspool die de komende weken zullen plaatsvinden. De inzet van Nederland ten aanzien van de Uitvoeringshandeling vindt u in de Aanbiedingsbrief bij deze Geannoteerde Agenda. De uiteindelijke positie van het kabinet houdt verband met de omvang van de solidariteitspool en de solidariteitsbijdrage van Nederland.

9. De impact van de huidige geopolitieke situatie op de interne veiligheid van de EU

Gedachtewisseling

Op het moment van schrijven is er nog geen discussiestuk beschikbaar. Naar verwachting staat het Voorzitterschap bij dit agendapunt stil bij het gegeven dat geopolitieke ontwikkelingen en hybride dreigingen in toenemende mate impact hebben op de interne veiligheid van de EU. Vermoedelijk zal het Voorzitterschap onder dit agendapunt in het bijzonder ingaan op de gevolgen van drones voor de interne veiligheid van de EU, in navolging van de agendering van dit onderwerp tijdens de vorige JBZ-Raad door Duitsland.⁷ Het kabinet zal benadrukken dat de dreiging als gevolg van drones ook voor de interne veiligheid reëel is en dat urgente actie nodig is. Nederland is voorstander van het versterken van de Europese coördinatie en samenwerking gericht op de aanpak van ongewenste drone activiteiten, onder andere op het gebied van detectie. De verwachting is dat een meerderheid van lidstaten dit beeld deelt en verdere stappen in de samenwerking zal omarmen.

10. Het tegengaan van veiligheidsuitdagingen: beoordeling door de Europese Binnenlandse Inlichtingendiensten

Stand van zaken

⁶ Zie Kamerbrief van 18 november 2025, Kamerstukken II, 2025-26 nr. 32317-977.

⁷ Zie ook het verslag van de JBZ-Raad van 13 en 14 oktober 2025, Kamerstukken II, 2025-26, 32317-975.

De veiligheidsdiensten van de Europese lidstaten, Noorwegen, Zwitserland en het Verenigd Koninkrijk werken nauw samen aan de veiligheid van Europa. Zoals gebruikelijk geeft het Voorzitterschap namens deze diensten tijdens de JBZ-Raad een periodieke briefing over de huidige veiligheidssituatie. Het kabinet zal de informatie aanhoren.

11. Aanpak van georganiseerde criminaliteit en drugshandel

Stand van zaken

Het Voorzitterschap geeft onder dit agendapunt de stand van zaken over de lopende acties en prioriteiten op het gebied van georganiseerde criminaliteit en de aanpak van drugshandel. Voor Nederland blijft de aanpak van georganiseerde drugscriminaliteit een prioriteit en het kabinet zet stevig in op voortzetting en verdieping van de Europese aanpak hierop, onder meer door acties vanuit de Coalitie van zeven Europese landen tegen georganiseerde criminaliteit.

12. Overige onderwerpen

a. EU drugsstrategie en EU actieplan tegen drugshandel

Informatie van de Commissie

De Commissie zal stilstaan bij de op 3 december te verschijnen EU Drugsstrategie en het EU Actieplan tegengaan drugshandel, op zowel de *Home*-dag als de Justitie-dag van de JBZ-Raad. Uw Kamer zal via het reguliere BNC-fiche over deze aankomende voorstellen en de Nederlandse positie hierop worden geïnformeerd. Tijdens de JBZ-Raad zal Nederland net zoals naar verwachting de andere lidstaten de informatievoorziening aanhoren.

b. Toegang tot gegevens voor effectieve rechtshandhaving

Informatie van het Voorzitterschap

De JBZ-Raad wordt geïnformeerd over de stand van zaken met betrekking tot de in juni jl. gepubliceerde routekaart die de toegang tot gegevens voor rechtshandhaving moet verbeteren⁸. De verwachting is dat het Voorzitterschap de stand van zaken op zowel de *Home*-dag als Justitie-dag zal toelichten.

c. EU-Westelijke Balkan ministerieel forum voor Justitie en Binnenlandse Zaken (Sarajevo, 30-31 Oktober 2025)

Informatie van het Voorzitterschap

Het Deense voorzitterschap zal de JBZ-Raad op beide Raadsdagen informeren over het EU-Westelijke Balkan ministerieel forum voor Justitie en Binnenlandse Zaken dat op 30 en 31 oktober 2025 plaatsvond.

d. Ministeriële bijeenkomst tussen de Verenigde Staten en de Europese Unie over justitie en binnenlandse zaken

Informatie van het Voorzitterschap

Tussen de EU en VS vindt één tot twee keer per jaar een ministeriële bijeenkomst plaats met betrekking tot justitie en binnenlandse zaken. Gebruikelijke onderwerpen zijn samenwerking in de strijd tegen terrorisme en georganiseerde misdaad, informatie-uitwisseling, justitiële samenwerking in burgerlijke en strafzaken en de gezamenlijke reactie op de Russische agressieoorlog tegen Oekraïne in het kader van justitie en binnenlandse zaken. Het Voorzitterschap zal de recente ontwikkelingen met betrekking tot deze bijeenkomst toelichten op beide JBZ-dagen.

e. Werkprogramma inkomend Voorzitterschap

Presentatie door het inkomend Voorzitterschap

⁸ Zie BNC-fiche Kamerstukken II, 2024-25, nr. 22112-4116.

Het aankomend Cypriotische voorzitterschap zal tijdens de JBZ-Raad op de *Home*- en Justitie-dag zijn prioriteiten op JBZ-terrein delen.

II. Justitie

1. Overige onderwerpen: lopende wetsvoorstellen

Informatie van het Voorzitterschap

Onder dit agendapunt informeert het Voorzitterschap de JBZ-Raad over de lopende wetsvoorstellen op justitieterrein. Naar verwachting zal het Voorzitterschap ook stil staan zijn bij het bereiken van een politiek akkoord inzake de insolventierechtrichtlijn.

Eind 2022 heeft de Commissie een voorstel gedaan tot harmonisering van een aantal onderdelen van het insolventierecht.⁹ Het doel van het voorstel is de versterking van de kapitaalmarktunie, onder meer doordat verschillen in faillissementsrecht tussen lidstaten worden weggenomen, rechtsonzekerheid wordt verminderd en investeerders hierdoor beter kunnen inschatten welk risico zij lopen bij investeringen in ondernemingen.

Onder het Poolse voorzitterschap is tijdens de JBZ-Raad van 12-13 juni jl. een algemene oriëntatie van de JBZ-Raad bereikt die Nederland kon steunen. Tijdens het Deense voorzitterschap zijn de zogenaamde trilogon (onderhandelingen tussen de Raad, Commissie en Europees Parlement) aangevangen. Op 19 november jl. is tijdens de laatste politieke triloog een politiek akkoord over het operationele gedeelte (de artikelen) van de tekst bereikt. In dat politieke akkoord zijn de mate van verduidelijking en flexibiliteit geborgd die Nederland belangrijk achtte, met name in de regeling over de vernietiging van rechtshandelingen (de faillissementspauliana), de pre-pack en de verplichting voor bestuurders om het faillissement aan te vragen. In de komende weken zullen de nog openstaande overwegingen worden gefinaliseerd. Het Voorzitterschap is van plan het volledige akkoord in het Coreper op 3 december a.s. vast te stellen. Nederland zal hiermee zeer waarschijnlijk kunnen instemmen. Het vaststellen van dit voorstel vormt een belangrijke stap voor de versterking van de kapitaalmarktunie. In het verslag na de JBZ-Raad zal in meer detail verslag worden gedaan van de inhoud van het vastgestelde voorstel. Lidstaten krijgen na vaststelling van de definitieve tekst 2 jaar en 9 maanden de tijd om de richtlijn te implementeren.

2. Weg voorwaarts met betrekking tot simplificatie Algemene Verordening Gegevensbescherming (AVG)

Stand van zaken

In navolging van een vierde Omnibuspakket waarin ook sprake was van een aantal gerichte vereenvoudigingen voor de AVG¹⁰, heeft de Commissie op 19 november jl. het zogeheten Digital Package gepubliceerd. In dit voorstel doet de Commissie een aantal ingrijpende wijzigingen ten aanzien van de AVG en de AI-verordening. Het kabinet bestudeert momenteel dit voorstel en zal uw Kamer hier via de reguliere BNC-procedure verder van op de hoogte stellen. Voor het kabinet is het in elk geval van belang dat de cumulatieve effecten, consistentie en samenhang van digitale wetgeving worden verbeterd zonder afbreuk te doen aan het niveau van bescherming van grondrechten. De verwachting is dat tijdens deze JBZ-Raad de lidstaten over het recente voorstel zullen worden geïnformeerd.

3. Conclusies over modelbepalingen voor EU strafrecht

Aanname

⁹ Zie BNC-fiche, Kamerstukken II, 2022-23, nr. 22112-3598.

¹⁰ BNC-fiche Omnibus IV - Wijziging van verordeningen om bepaalde steunmaatregelen voor het mkb uit te breiden naar small mid-cap ondernemingen en aanvullende vereenvoudigingsmaatregelen, Kamerstukken II, 2024-25, 22112 nr. 4085.

Het Voorzitterschap streeft om in de JBZ-Raad Raadsconclusies over modelbepalingen voor het EU materieel strafrecht aan te nemen. De modelbepalingen vormen een actualisatie van de modelbepalingen die in 2002 en 2009 middels Raadsconclusies zijn aangenomen en zijn bedoeld als een flexibel en coherent referentiekader voor toekomstige EU-wetgevingsvoorstellen op het terrein van het strafrecht, zodat lidstaten en de EU-instellingen bij nieuwe richtlijnen kunnen terugvallen op een gedeelde structuur en consistente terminologie.

De modelbepalingen gaan over onderwerpen zoals de omschrijving van strafbare feiten, de structuur van de sanctionering, deelnemingsvormen en poging, verzwarende omstandigheden en de strafrechtelijke aansprakelijkheid van rechtspersonen. Het Voorzitterschap heeft, op basis van de eerdere schriftelijke en mondelinge bijdragen van lidstaten, een tekst voorgelegd die bij de verschillende horizontale thema's tot grotere samenhang in het toekomstige strafrechtelijke *acquis* moet leiden. Daarbij is zoveel mogelijk aangesloten bij bepalingen in recent tot stand gekomen richtlijnen op het terrein van het strafrecht.

Het kabinet staat positief tegenover deze aanpak. Het kabinet verwelkomt het streven van het Voorzitterschap om te komen tot een gemeenschappelijke set modelbepalingen en acht het waardevol dat wordt voortgebouwd op de bestaande Raadsconclusies van 2002 en 2009. Nederland steunt het doel om meer consistentie en coherentie te bereiken in toekomstige EU-strafrechtinstrumenten en heeft daarom actief aan de discussie deelgenomen. Nederland heeft daarbij wel aandacht gevraagd voor het gebruik van heldere, ook in het nationale strafrecht inpasbare begrippen en voor het borgen van uitvoerbaarheid, met name waar het gaat om soms veeleisende verplichtingen tot het leveren van statistische informatie aan de Commissie. Nederland kan instemmen met de voorliggende concept Raadsconclusies.

4. De Russische agressieoorlog tegen Oekraïne: strijd tegen straffeloosheid

Stand van zaken

Het Voorzitterschap zal de ontwikkelingen betreffende het tegengaan van straffeloosheid voor internationale misdrijven in Oekraïne en de compensatie van geleden schade toelichten. Oekraïne heeft recent met de Raad van Europa een akkoord ondertekend over de oprichting van een speciaal Agressietribunaal.¹¹ Nederland heeft haar onvoorwaardelijke steun hiervoor uitgesproken en blijft het belang van voortgezette druk op Rusland benadrukken.

Het kabinet zet zich daarnaast in voor de oprichting van een Claimscommissie voor Oekraïne, de tweede stap naar een volwaardig Compensatiemechanisme. Tijdens de *Ad-hoc Committee on the Establishment of an International Commission* is op 12 september jl. een verdrag tot oprichting van de Claimscommissie aangenomen. Op 17 september jl. heeft het Comité van Ministers van de Raad van Europa ingestemd met de verdragstekst en het doorgezonden naar de Parlementaire Assemblee van de Raad van Europa (PACE), welke daar is aangenomen. Vervolgens heeft het Comité van Ministers van de Raad van Europa de finale tekst aangenomen. Op 16 december zal een ministeriële conferentie plaatsvinden waarbij de betrokken landen de verdragstekst kunnen ondertekenen.

5. Aanpak van georganiseerde criminaliteit en drugshandel

Stand van zaken

Het Voorzitterschap geeft onder dit agendapunt een stand van zaken van de lopende acties en prioriteiten op het gebied van georganiseerde criminaliteit en de aanpak van drugshandel. Op deze dag van de JBZ-Raad zal de focus liggen op de acties met een justitie-raakvlak. Het kabinet zal de update aanhoren.

¹¹ Zie verslag van de JBZ-Raad van 13 en 14 oktober 2025, Kamerstukken II, 2024-25, 32317, nr. 975.

6. Werklunch – Justitiële samenwerking met derde landen

Gedachtewisseling

Op het moment van schrijven is er nog geen discussiestuk beschikbaar. Naar verwachting staat het Deense voorzitterschap tijdens de werklunch stil bij de versterking van de justitiële samenwerking met derde landen in het kader van de aanpak van georganiseerde criminaliteit.

In juni 2024 zijn er Raadsconclusies aangenomen over de versterking van justitiële samenwerking met derde landen.¹² Het kabinet is van mening dat de justitiële samenwerking met derde landen van groot belang is en dat het behulpzaam kan zijn om hier in EU-verband van elkaar te leren en *best practices* uit te wisselen. Hetzelfde geldt voor *meetings on the spot*, waar in het desbetreffende derde land ervaringen met andere lidstaten en bijvoorbeeld Eurojust kunnen worden gedeeld. Zoals eerder aangegeven¹³ is het kabinet terughoudend ten aanzien van verdergaande EU-acties of druk van de EU op derde landen, waaronder bezoeken van het zogeheten *Team Europe*. Nederland voert met derde landen een eigen dialoog die aansluit bij de eigen operationele behoeften. Van geval tot geval zal dus moeten worden bezien of aansluiten bij *Team Europe* opportuun is.

7. Overige onderwerpen

a. Digitale justitie en strategieën voor judiciële opleidingen

Informatie van de Commissie

De Commissie zal toelichting geven over haar twee nieuwe strategieën voor 2025-2030, namelijk een over verdere digitalisering van nationale rechtstelsels in de EU-lidstaten, en een daarbij aansluitende strategie inzake trainingen voor juridische beroepsbeoefenaars, met focus op digitalisering en AI.

b. 2025 Handvestrapport: een stand van zaken over de uitvoering van de strategie ter versterking van de toepassing van het Handvest van de Grondrechten in de EU

Informatie van de Commissie

De JBZ-Raad wordt geïnformeerd over een tussentijdse evaluatie van de strategie van de Commissie om de toepassing van het EU-Handvest van de grondrechten te versterken.¹⁴ Het Handvestverslag van 2025 geeft een overzicht van de inspanningen tussen 2020 en 2025, de resterende uitdagingen en eventueel aanvullende maatregelen. In het voorjaar vonden gerichte raadplegingen plaats met lidstaten en relevante stakeholders.

c. De kloof overbruggen: onderzoeksmaatregelen voor grensoverschrijdende confiscatie

Informatie van België

Naar verwachting zal België de lidstaten toelichting geven over een Belgisch non-paper over verbetering van de grensoverschrijdende samenwerking inzake met name confiscatie waarin onder andere wordt voorgesteld om een nieuw EU-instrument te verkennen in een nog op te zetten expertwerkgroep, informatie-uitwisseling te verbeteren, wetgeving te herzien en administratieve lasten te verminderen. Dit non-paper is eerder in een raadswerkgroep gepresenteerd waar Nederland reeds positief heeft gereageerd. Het kabinet ondersteunt de oproep tot betere Europese samenwerking om de executiefase van confiscatie te verbeteren.

¹² [Council conclusions strengthening judicial cooperation third countries](#)

¹³ Zie geannoteerde agenda bij de JBZ-Raad van 13 en 14 juni 2024, Kamerstukken II, 2023-24, 32317, nr. 879.

¹⁴ [Strategie ter versterking van de toepassing van het Handvest van de Grondrechten in de EU \(2020\)](#).



Brussels, 11.11.2025
COM(2025) 795 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT AND THE COUNCIL**

**The European Annual Asylum and Migration Report
(2025)**

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

The European Annual Asylum and Migration Report (2025)

I. Introduction

The European Annual Asylum and Migration Report (the Report) is a key deliverable of the Pact on Migration and Asylum (the Pact) that provides a strategic situational picture in this area. It analyses the asylum, migration and reception situation in the Union and in the Member States over the previous 12-month period and establishes a projection of the migratory trends for the coming year¹.

The Pact marked a major milestone in the development of a comprehensive approach to migration, asylum, border management and integration. It is designed to manage migration in the long term, providing Member States with the flexibility to address effectively and fairly the specific challenges they face. The strength of the Pact lies in the **balance between the principles of solidarity and a fair sharing of responsibility** among Member States. To this end, Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management², one of the legislative acts composing the Pact, introduces a mandatory, flexible and needs-based solidarity mechanism. The functioning of this mechanism is informed by the assessment of the asylum and migration situation in the Union presented in the Report, which forms part of the **annual migration management cycle** (the Cycle).

The Commission launched the first Cycle with the adoption of this Report, which also includes an update of progress made and challenges in the implementation of the Pact³. The situational picture provided for by this Report is also to be used by the Commission for the purposes of adopting the **Commission implementing Decision**⁴ (the Decision) determining which Member States are under migratory pressure, at risk of migratory pressure or facing a significant migratory situation, in line with Regulation (EU) 2024/1351.

The Report and the Decision are accompanied by a **Commission proposal for a Council implementing Decision establishing the Annual Solidarity Pool**⁵ to address the solidarity needs of Member States under pressure in the upcoming year. In parallel, the work continues

¹ Article 9 of Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013 (OJ L, 2024/1351, 22.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1351/oj>).

² Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management.

³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions State of play on the implementation of the Pact on Migration and Asylum, COM/2025/319 final ([EUR-Lex - 52025DC0319 - EN - EUR-Lex](#)).

⁴ Article 11 of Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management.

⁵ Article 12 of Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management.

on the implementation of all the components of the Pact, to provide an effective European system of solidarity and responsibility to manage asylum and migration in a fair, firm and effective way.

II. Delivering on the Pact: responsibility and solidarity in balance

Member States are advancing in the preparations to implement the reforms of the Pact and to fulfil the new obligations on solidarity and fair sharing of responsibility.

In the area of **responsibility**, the main novelties of the Pact are centred on creating more efficient, firm and fair procedures that will lead to more streamlined and effective asylum and migration systems, with lower administrative burdens on Member States, faster processing, adequate support provided to migrants and high-quality decisions on their cases. Notably, the new screening⁶ at the Union's external borders will allow to swiftly identify and assess all third-country nationals illegally entering the Union. As part of the mandatory asylum and return border procedures⁷, applications from nationals of countries with a low likelihood of receiving international protection will be dealt with in an accelerated manner, directly at the Union's external borders. The new responsibility rules⁸ will enable a quicker and more efficient procedure to establish the Member States responsible for processing applications for international protection. The renewed Eurodac database⁹ and the new rules on reception¹⁰ will have a positive impact on managing and limiting unauthorised movements.

In that respect, the Member States of first entry of irregular migrants into the Union will have to shoulder several new tasks, notably in view of the nature of migratory flows arriving at the Union's external borders. In particular, they will need to invest significant efforts to fulfil their obligations in screening and registering all irregular arrivals, setting up the 'adequate capacity' for the mandatory border procedure, as well as assessing applications for international protection.

To support notably these Member States, a permanent **solidarity** mechanism has been established by Regulation (EU) 2024/1351. It balances the challenges and the responsibilities

⁶ Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817; ELI: <http://data.europa.eu/eli/reg/2024/1356/oj>.

⁷ Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU; ELI: <http://data.europa.eu/eli/reg/2024/1348/oj> and Regulation (EU) 2024/1349 of the European Parliament and of the Council of 14 May 2024 establishing a return border procedure, and amending Regulation (EU) 2021/1148; ELI: <http://data.europa.eu/eli/reg/2024/1349/oj>.

⁸ Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013; ELI: <http://data.europa.eu/eli/reg/2024/1351/oj>.

⁹ Regulation (EU) 2024/1358 of the European Parliament and of the Council of 14 May 2024 on the establishment of 'Eurodac' for the comparison of biometric data in order to effectively apply Regulations (EU) 2024/1351 and (EU) 2024/1350 of the European Parliament and of the Council and Council Directive 2001/55/EC and to identify illegally staying third-country nationals and stateless persons and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, amending Regulations (EU) 2018/1240 and (EU) 2019/818 of the European Parliament and of the Council and repealing Regulation (EU) No 603/2013 of the European Parliament and of the Council; ELI: <http://data.europa.eu/eli/reg/2024/1358/oj>.

¹⁰ Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection; ELI: <http://data.europa.eu/eli/dir/2024/1346/oj>.

placed on various Member States. To operationalise the mechanism, in line with the same Regulation, every year the Commission assesses the overall migratory situation in the Union to determine whether there are Member States under migratory pressure, at risk of migratory pressure, or facing a significant migratory situation. To do so, the Commission developed a **methodology**, in consultation with Member States, to assess whether there are Member States facing disproportionate obligations, taking into account the overall situation in the Union. It relies on available high-quality data and information, ensuring that the results are fair, objective and consistent with the legal requirements. The methodology is described in detail in a dedicated Commission Staff Working Document¹¹.

Having identified the Member States under migratory pressure, and taking into account the findings of the Report, including its projection for the coming year, the Commission also proposes the level of solidarity contributions that should be provided to Member States under migratory pressure. Member States can provide solidarity contributions in various forms:

- **Relocation**, which consists of transferring applicants from Member States under migratory pressure to other, contributing Member States. Member States could also use responsibility offsets, a form of solidarity where Member States that are affected by unauthorised movements can offer, if certain conditions are met, to take over responsibility for applicants already present on their territory from Member States under migratory pressure.
- **Financial contributions** consisting in transfers of amounts from the contributing Member States to the Union budget, aimed at actions to support the benefitting Member States, for instance, in the management of their migration, asylum and reception systems, border management, or to fund, as regards Asylum, Migration and Integration Fund (AMIF) and under certain conditions, projects and actions in the external dimension of migration, including to reduce irregular arrivals and increase returns.
- **Alternative solidarity measures**, which can include, for example, material or technical in-kind assistance, including for border management.

The solidarity measures will be identified in the Council Implementing Decision to be adopted pursuant to Article 57 of Regulation (EU) 2024/1351 establishing the **Annual Solidarity Pool** (the Solidarity Pool), based on a Commission proposal pursuant to Article 12 of Regulation (EU) 2024/1351. Pursuant to Article 57 of Regulation (EU) 2024/1351, Member States must agree on the size of the Solidarity Pool for the following year and on how each Member State will contribute, according to its fair share, and in accordance with the pledging exercise carried out in the High-Level EU Solidarity Forum. In its Decision, the Council should capture the result of the pledging exercise in relation to the needs identified by Member States under pressure, including as regards the use of responsibility offsets.

The Member States considered by the Commission as being under migratory pressure will then have access to the Solidarity Pool and will not be obliged to implement their pledged solidarity contributions, while Member States facing a significant migratory situation will be able to receive, upon their request, full or partial deduction of their solidarity contributions by the Council. At the same time, contributing Member States are not required to implement their pledges towards a benefitting Member State, where the Commission has identified systemic

¹¹ SWD(2025) 792, Methodology for the purposes of Commission implementing decision pursuant to Article 11 of Regulation (EU) 2024/1351 of the European Parliament and of the Council.

shortcomings in that Member State with regard to the rules on responsibility under Regulation (EU) 2024/1351 that could result in serious negative consequences for the functioning of the system.

In addition to the Solidarity Pool, the Pact establishes a **Permanent EU Migration Support Toolbox** consisting of the provision of operational and technical assistance by the relevant Union bodies, offices and agencies; support provided by the Union funds and through other funding sources; derogations in the Union acquis to react to specific migratory challenges; activation of the Union Civil Protection Mechanism; measures to facilitate return and reintegration activities; strengthened actions and cross-sectoral activities in the external dimension of migration; enhanced diplomatic and political outreach; coordinated communication strategies; supporting effective and human rights-based migration policies in third countries or promoting legal migration and well-managed mobility. The EU Migration Support Toolbox is available to Member States and can be tailored to their specific needs.

This is particularly important for Member States at risk of migratory pressure, which will be able to benefit from priority access to this Support Toolbox. The Commission will provide funding support and also coordinate with the Agencies possible prioritisation of the provision of operational support.

Implementation of the Pact – state of play

Since the Pact entered into force in June 2024, and following the adoption of the Common Implementation Plan, Member States, supported by the Commission and the relevant Union Agencies, have stepped up efforts to turn the legislative agreement into practical reality and ensure their national asylum, reception and migration systems will be ready for the full application of the Pact by June 2026. At the same time, there is a general need to speed up the pace of these reforms.

Across the Union, as well as at national level, after the initial phase that led to the development of National Implementation Plans and the relevant governance arrangements, the focus has shifted. Now it is on **legislative adaptation, practical operationalisation, and resourcing of reforms**.

Since the last report, **important milestones** have been met at all levels. These include the development of national strategies and contingency plans, adaptations of national legal frameworks, and the adoption of the Commission Implementing Regulation laying down rules for the application of Regulation (EU) 2024/1351¹². The number of Member States set to meet their **adequate capacity** goals for the new border procedure has increased and testing of Eurodac has started.

At the same time, **remaining challenges are becoming clearer**. This is particularly the case regarding the implementation of Eurodac, the setting-up of the border procedure and the need to put in place necessary infrastructure, staffing needs and administrative arrangements in a timely manner. Across the Union, screening arrangements should soon be finalised and the reception capacity adapted to the new framework, ensuring sufficient capacity and adequate

¹² Commission Implementing Regulation laying down rules for the application of Regulation (EU) 2024/1351 of the European Parliament and of the Council, as regards asylum and migration management and repealing Commission Regulation (EC) No 1560/2003.

standards. While most Member States have done so, outstanding arrangements relating to the fundamental rights monitoring and legal counselling need to be concluded.

The Commission and all Member States must continue to work together to ensure that financial programming is aligned effectively behind the national plans and that the key elements of the new framework are sufficiently resourced, be it from Union or national funds.

A detailed state of play of the implementation of the Pact can be found in the Annex.

III. Strategic situational picture of the area of asylum, reception and migration

The evidence in this Report underpins the Commission's Decision identifying the migratory situation in the Member States and the Commission's proposal for a Council Implementing Decision establishing the Annual Solidarity Pool necessary to address the migratory situation. As such, the Report provides a comprehensive and strategic situational picture that serves also as an early warning and awareness tool for the Union in the area of migration and asylum.

The strategic situational picture consists of: a) an **analysis** of the main developments in the area of asylum, reception and migration in the Union and in all the Member States over the 12-month period between 1 July 2024 and 30 June 2025; and b) a **projection** for 2026 and information on the level of **preparedness** in the Union and the Member States to respond and adapt to the anticipated trends. The overview in this Report also includes findings from the monitoring undertaken by the European Border and Coast Guard Agency (Frontex), and the evaluation carried out in accordance with Regulation (EU) 2022/922¹³.

It is based on quantitative and qualitative data and information provided by Member States, relevant Union Agencies¹⁴ and the European External Action Service. The analysis and the projection also build on the results of regular exchanges within the EU Migration Preparedness and Crisis Blueprint Network¹⁵.

The strategic situational picture is included in this Report, and it is complemented by a Commission Staff Working Document containing the statistical breakdown supporting the analysis in the Report, a Commission Staff Working Document providing detailed information

¹³ The result of the monitoring undertaken by the Asylum Agency as well as the monitoring carried out in accordance with Article 10 of Regulation (EU) 2024/1356 referred in Article 9(e) of Regulation (EU) 2024/1351 are not available as these monitoring mechanisms are not yet operational.

¹⁴ The European Union Agency for Asylum (EUAA), the European Union Agency for Law Enforcement Cooperation (Europol), the European Border and Coast Guard Agency (Frontex), the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), the European Union Agency for Fundamental Rights (FRA).

¹⁵ The Blueprint Network, an early deliverable of the Pact, is the operational framework bringing together relevant EU stakeholders to monitor and anticipate migration flows and situations. It was established by Commission Recommendation (EU) 2020/1366 of 23 September 2020 on an EU mechanism for preparedness and management of crises related to migration, [EUR-Lex - 32020H1366 - EN - EUR-Lex](#).

supporting the analysis¹⁶ and the Commission Staff Working Document containing the details of the projection for 2026¹⁷.

a. Analysis of the asylum, reception and migration situation between July 2024 and June 2025

Overall, between July 2024 and June 2025, **the migratory situation in the Union continued to improve** compared to previous years. Irregular arrivals to the EU, applications for international protection and unauthorised movements decreased¹⁸, a stable trend already observed since 2024. This is also thanks to the joint efforts by the Commission and Member States in stepping up cooperation with countries of origin and transit and strengthening the Union's external borders.

Irregular migration at the Union's external borders¹⁹

Illegal border crossings (IBCs)²⁰ at the Union's external borders **decreased by 35% compared to July 2023-June 2024**. Decreasing trends were observed along most migratory routes, including along those accounting for most IBCs to the Union.

¹⁶ SWD(2025) 790 Supporting the analysis of the asylum, reception and migration situation in the Union and in the Member States and SWD (2025) 793 Statistical breakdown supporting the analysis of the asylum, reception and migration situation in the Union and in the Member States are marked as sensitive as they contain data which shall not be disclosed to the public given the granularity of the information therein and the risk of hampering Union Agencies and Commission operational activities.

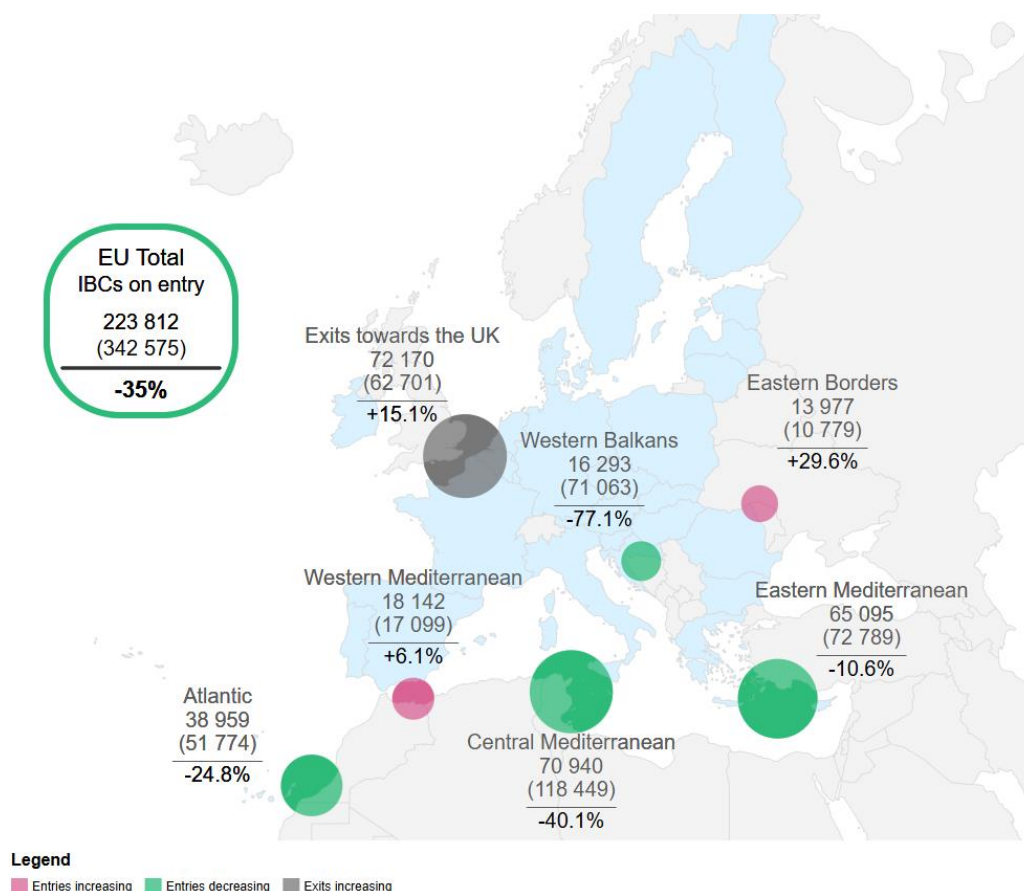
¹⁷ SWD(2025) 791, Projection pursuant to Article 9(3)(b) of Regulation (EU) 2024/1351 of the European Parliament and of the Council for the year 2026, classified as "RESTREINT UE/EU RESTRICTED".

¹⁸ Since this Report covers the period 1 July 2024 to 30 June 2025, the year-to-year comparison ("previous reporting period") refers to the 12-month period from 1 July 2023 to 30 June 2024.

¹⁹ The analysis in this section is based on Frontex data.

²⁰ The number of illegal border crossings (IBCs) refers to the number of third-country or EU/Schengen Associated Country nationals detected by Member State authorities when entering or when attempting to exit illegally the territory between border crossing points (BCPs) at external borders. However, it is possible that a third country national is detected more than once entering/exiting illegally the territory of a Member State.

Figure 1 – Illegal border crossings by migratory route²¹



Source: JRC elaboration on Frontex data

While the migratory situation in **Greece** remained overall stable, the country recorded the highest number of IBCs relative to its GDP and population²², as well as the majority of IBCs along the Eastern Mediterranean route (over 60 000 IBCs), mostly from Türkiye and Libya, with a marked increase in arrivals registered in Crete. In **Cyprus**, IBCs decreased significantly – mostly due to fewer departures from Syria and Lebanon – including because of the fall of the Assad regime and the increased engagement with Lebanese authorities. However, relative to its GDP and population, Cyprus still ranked third in the Union in terms of irregular arrivals – almost 3 000 IBCs. In **Bulgaria**, IBCs slightly decreased, with irregular arrivals coming from Türkiye.

In **Italy and Spain**, IBCs decreased compared to the period July 2023-June 2024, despite the numbers remaining high in absolute terms. Departures to Italy decreased, partly due to stronger cooperation with Tunisian authorities²³ and tighter border controls at the Turkish border. Departures from Libya remained high and further increased as smuggling networks exploited the growing instability in the region. IBCs to Spain decreased due to fewer arrivals along the

²¹ Routes with more than 500 IBCs are included in this map.

²² Calculated comparing the share of each Member State for this indicator with its share of GDP and population. The share of GDP and population for each Member States is calculated in accordance with the reference key set out in Article 66 of Regulation (EU) 2024/1351, using Eurostat data.

²³ Memorandum of Understanding on a strategic and global partnership between the European Union and Tunisia, signed in July 2023.

Atlantic route to the Canary Islands, following enhanced bilateral and Union cooperation with West African countries, notably with Mauritania²⁴ and Senegal. Enhanced border surveillance in Mauritania and in Senegal led smugglers to re-route departures via Guinea-Bissau, Guinea and The Gambia. On the Western Mediterranean route, Algeria was the main departure point – accounting for 79% of IBCs on the route – and registering increased IBCs towards the Balearic Islands. Departures from Morocco decreased significantly as a result of strengthened bilateral cooperation with Spain and enhanced border surveillance.

Along the **Channel**, departures from France to the United Kingdom (IBCs on exit) increased by 15% compared to July 2023-June 2024. While border management efforts in France prevented 40% of the over 72 000 recorded IBCs exiting from France to the United Kingdom, successful crossings (arrivals to the United Kingdom) still increased by about 35% compared to July 2023-June 2024.

In the **Western Balkans** region, irregular arrivals decreased significantly compared to July 2023-June 2024. The implementation of the EU Action Plan on the Western Balkans²⁵ provided political, financial and operational support to migration management in the region²⁶. Enhanced police controls that disrupted migrant smuggling activities, as well as decreasing IBCs on the Eastern Mediterranean route, also contributed to lower the number of irregular arrivals. The corridor via Bosnia and Herzegovina-Croatia remained the most used one, even though with fewer IBCs than in July 2023-June 2024. Increased migratory activity along this corridor has been observed since late October 2023, after smugglers redirected their activities towards that border section to avoid increased police operations in Serbia. During the reporting period, **Croatia** registered 76% of the arrivals in the region – over 12 000 IBCs – and the second highest number of IBCs at Union level relative to GDP and population.

At the **Union's Eastern border**, the number of IBCs remained low and relatively stable. Most of those IBCs involved Ukrainian nationals irregularly crossing into Romania and requesting temporary protection. Actions by Russia and Belarus continue to influence migratory dynamics at the Eastern border, especially in **Poland, Latvia, Lithuania, Finland and Estonia**. In response to continued state-sponsored attempts to weaponise migration, they strengthened border controls, reducing the number of IBCs from Belarus (1 421 IBCs, of which 82% to Poland). The risk of weaponisation of migration remains a serious migration and security challenge, adding to occasional violent incidents and attempts to cross the border. Poland established a buffer zone along its border and temporarily limits the right to apply for international protection at that border, except for vulnerable groups. Furthermore, Latvia and Lithuania enhanced surveillance measures at their border with Belarus. Estonia strengthened border management measures at the border with Russia, while Finland closed its crossing points with Russia as of November 2023 as a response to Russia's attempts to weaponise

²⁴ Joint Declaration establishing a migration partnership between the Islamic Republic of Mauritania and the European Union launched in March 2024.

²⁵ EU Action Plan on the Western Balkans of 5 December 2022 available at https://home-affairs.ec.europa.eu/eu-action-plan-western-balkans_en.

²⁶ A new generation Status Agreement was signed with Bosnia and Herzegovina in June 2025, which enables Frontex SCOs to work alongside local Border Management authorities with executive powers - allowing the entire Western Balkan region (except Kosovo - designation without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence) to be covered with such Agreements and subsequent deployments.

migration. Since then, the migratory situation at the border with Russia, including with Estonia, has remained relatively calm.

Between July 2024 and June 2025, over 110 000 people were **refused entry** at the Union's external borders, mainly at land (55%) and air (41%) borders. Most refusals of entry were due to missing or invalid documentation²⁷. Poland, Croatia, France and Romania recorded the highest numbers in absolute terms, while Croatia, Latvia and Estonia issued most refusals relative to their GDP and population. Most refusals of entry involved Ukrainians²⁸, Albanians, Moldovans and Turks.

As highlighted in the 2025 State of Schengen report, sustained efforts are needed to strengthen the **quality and resilience of the Schengen area's external borders**, particularly in light of escalating security threats²⁹. The 2025 Frontex vulnerability assessment showed encouraging results³⁰. The assessment, however, also highlighted that capabilities for migration management at the borders need to be further reinforced in some Member States, including by allocating adequate human resources to perform screening and debriefing. At the same time, ensuring the respect of fundamental rights at the border remains a common challenge, especially in the context of weaponised migration.

Arrivals by sea following search and rescue operations³¹

The number of third-country nationals disembarked in the Union following **search and rescue operations** (SAR) decreased by 36% compared to July 2023-June 2024. From 1 July 2024 to 30 June 2025, nearly 97 000 persons were disembarked in the Union following search and rescue operations. **Italy and Spain accounted together for over 80%** of the persons disembarked in the Union.

²⁷ This included cases where non-EU nationals overstayed the permitted 90 days within a 180-day period or lacked a valid visa or residence permit.

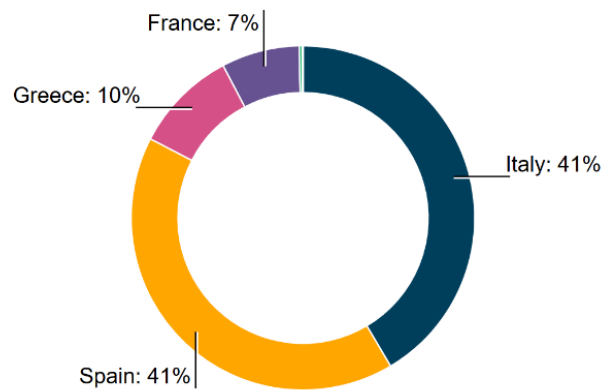
²⁸ Ukrainians without valid permits or not covered by temporary protection.

²⁹ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions 2025 State of Schengen Report, [EUR-Lex - 52025DC0185 - EN - EUR-Lex](#).

³⁰ As reported by Frontex, the total number of identified vulnerabilities concerning the capacities and preparedness of border control in the Member States show a relevant overall downward trend: [The 2025 Vulnerability Assessment brings an encouraging outcome](#).

³¹ The analysis in this section is based on Frontex data.

Figure 2 – Persons disembarked in search and rescue events



Source: JRC elaboration on Frontex data

Providing assistance to any person found in distress at sea is a legal obligation for Member States, established in international as well as Union law³². Attempts to reach the European Union on unseaworthy vessels continued to cause the loss of migrants' lives at sea, with at least 3 000 people reported dead or missing at sea during the reporting period. The Central Mediterranean and the Atlantic route continued to be the deadliest sea routes to the Union³³. Sea crossings in small boats from **France** to the United Kingdom across the **Channel** facilitated by smuggling networks were a significant challenge for the French authorities involved in search and rescue operations. Smuggling networks organised simultaneous departures in overcrowded boats to overwhelm authorities, which resulted in around 7 000 persons disembarked in France following search and rescue operations.

International protection and temporary protection in the Union³⁴

Applications for international protection in the Union decreased by 21% compared to July 2023-June 2024, although they remained overall high with 871 000 applications lodged in the Union. The decrease was mainly driven by fewer irregular arrivals and the sharp decrease in applications by Syrian nationals. **Member States issued 271 000 decisions granting international protection status**³⁵, **a 20% decrease compared to July 2023-June 2024**³⁶. Relative to their GDP and population, **Greece, Austria and Cyprus** were the main Member States granting international protection. In absolute terms, Germany, France and Greece issued most positive decisions on international protection applications, while Spain was the top country granting humanitarian status, mostly to Venezuelans and Colombians.

³² 2020 European Commission recommendation on SAR (eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32020H1365), especially references under point (5) and (7); European Commission Guidance on the implementation of EU rules on definition and prevention of the facilitation of unauthorised entry, transit and residence ([eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020XC1001\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020XC1001(01))), especially points 4 and 5.

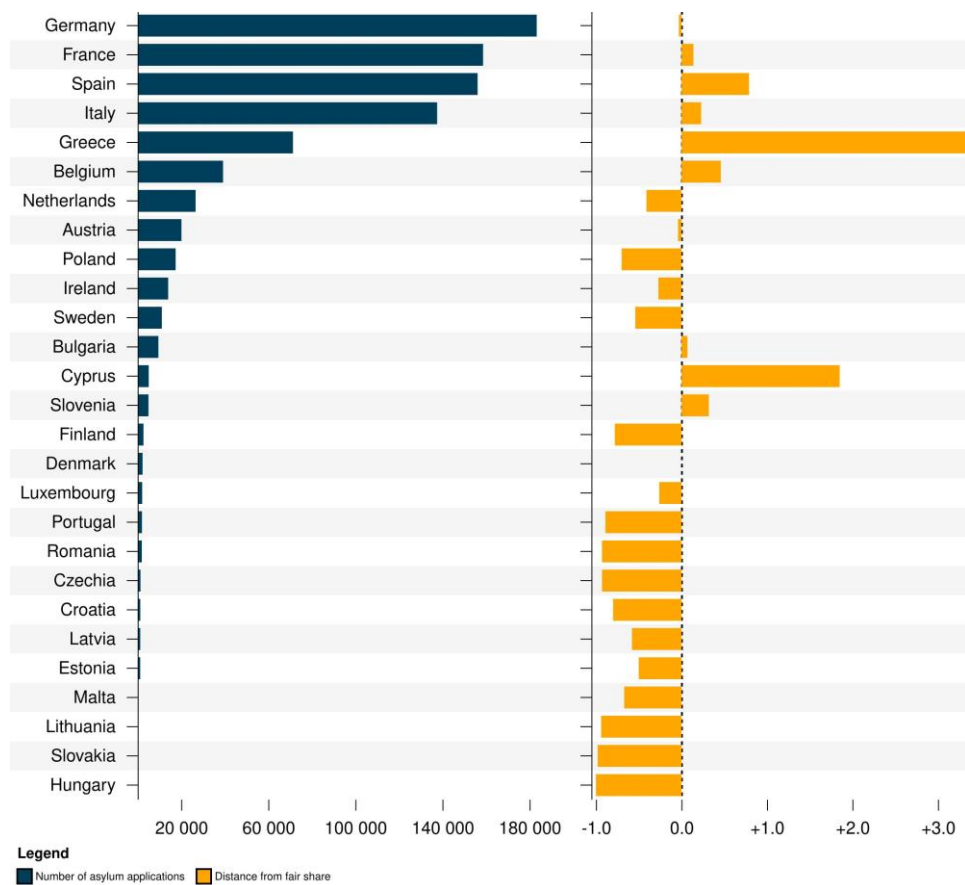
³³ [Data | Missing Migrants Project](#), source: IOM.

³⁴ The analysis on international protection and temporary protection are based on EUAA and Eurostat data, respectively.

³⁵ Includes decisions at first instance and decisions in appeal or review granting Geneva Convention refugee status and subsidiary protection status.

³⁶ The recognition rate at first instance for international protection decreased to 31%, mainly due to fewer positive decisions issued to Syrian, Afghan and Iraqi nationals.

Figure 3 – Applications for international protection by Member States in absolute values, and per capita and GDP³⁷



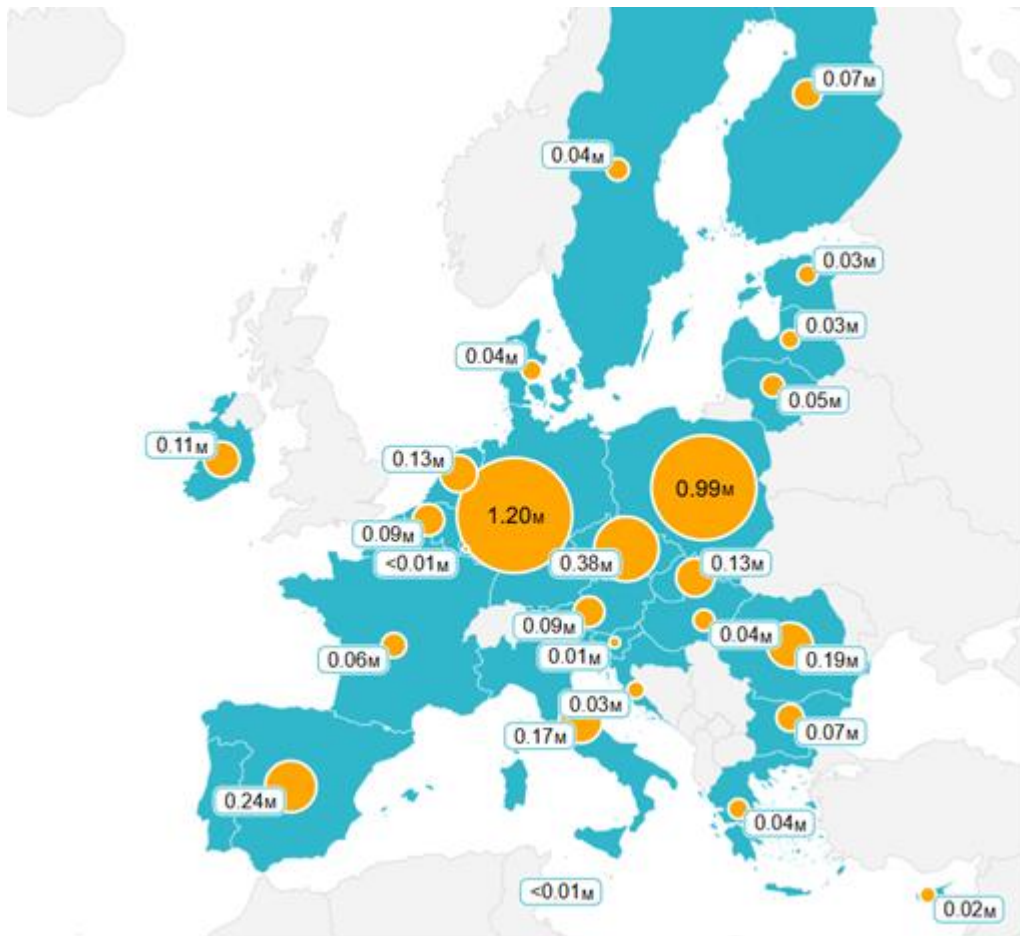
Source: JRC elaboration on EUAA data and Eurostat data (GDP and population)

Greece and Cyprus received the highest number of applications at Union level in relation to their GDP and population. In absolute numbers, Germany received the highest number of applications for international protection – despite a 40% decrease compared to July 2023-June 2024 – followed by France, Spain and Italy. Venezuelans travelling visa-free in the Union lodged a record number of applications for international protection, mostly in Spain. Afghan nationals applied in lower numbers but were the third nationality applying for asylum. **Applications by unaccompanied minors also decreased by 25% and accounted for 3% of the total.** Relative to GDP and population, Greece, Bulgaria and Cyprus received most applications by unaccompanied minors at Union level, with Egyptian minors applying in increasing numbers in Greece. In absolute terms, these applications were mostly lodged in Germany, Greece and the Netherlands, and mainly by Syrian and Afghan nationals.

Several Member States temporarily suspended processing of applications by Syrians after the fall of the Assad regime, while Syrians still remained the largest group applying for international protection in the Union, mainly in Germany.

³⁷ Calculated comparing the share of each Member State for this indicator with its share of GDP and population. The share of GDP and population for each Member States is calculated in accordance with the reference key set out in Article 66 of Regulation (EU) 2024/1351, using Eurostat data.

Figure 4 – Beneficiaries of temporary protection in the Member States



Source: JRC elaboration on Eurostat data

Following Russia's ongoing war of aggression and escalation of attacks against Ukraine, **4.3 million persons are benefitting from temporary protection in the Union** as of June 2025. Most of them continue to be hosted in Germany and Poland – accounting for 51% of the overall beneficiaries in the Union. Relative to GDP and population, Czechia hosted the highest number of temporary protection beneficiaries, followed by Poland, Slovakia and Estonia. Ukrainians continued to arrive in the Union steadily, with some travelling back and forth temporarily for family visits or seasonal work. Between July 2024 and June 2025, **over 681 000 temporary protection registrations were recorded in the Union**. Relative to GDP and population, Czechia issued by far the most temporary protection registrations, followed by Poland, Estonia, Lithuania, Bulgaria, Latvia, Slovakia and Cyprus. Between July 2024 and June 2025, Ukrainian nationals seeking longer-term protection statuses applied for international protection in growing numbers in the Union, notably in France and Poland.

Member States face multiple challenges to integrate beneficiaries of temporary and international protection. As identified in the mid-term review of the 2021-2027 Action Plan on Integration and Inclusion, challenges persist notably in the areas of housing, education and the

labour market³⁸. Migrants seeking international protection or joining family members tend to have lower employment rates than labour migrants. In addition, long-term surveys show that asylum seekers achieve labour market outcomes comparable to nationals only after 10 years of residence. Providing adequate housing also remains a challenge: research shows that in 2023 more than one in six migrants in the Union lived in overcrowded accommodation (+70% compared to the native-born population)³⁹. These factors impact negatively on integration outcomes, putting an additional strain on social protection systems and on the functioning of the reception system.

Over 75% of beneficiaries of temporary protection are women and children.

Accommodation and social support varied across Member States. Most Member States started to encourage self-reliance and economic independence, progressively providing more limited support for housing and social benefits, while investing in integration measures. Various measures undertaken by Member States contributed to improved integration in the labour market, although labour market integration for women is still more complicated due to specific barriers⁴⁰. Schooling of displaced children from Ukraine differs and school attendance rates varied, with specific challenges remaining for children with disabilities.

Unauthorised movements within the Union⁴¹

Several Member States faced high numbers of unauthorised movements of migrants and applicants for international protection within the Union. According to the Regulation (EU) 604/2013 (the ‘Dublin III Regulation’)⁴², an applicant for international protection cannot choose the Member State responsible for examining his or her application. Movements from one Member State to another and the deficiencies in implementing Regulation (EU) 604/2013 responsibility rules put a particular strain on the asylum, migration and reception systems of the main destination countries.

Though there are no precise data capturing unauthorised movements, proxy indicators show the scale and direction of these movements within the Union⁴³. The new Eurodac Regulation and database will allow more accurate monitoring of unauthorised movements⁴⁴. For the time

³⁸ Commission Staff Working Document Mid-term review of the Commission Action Plan on Integration and Inclusion 2021-2027 Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions State of play on the implementation of the Pact on Migration and Asylum, SWD(2025)162 final, [EUR-Lex - 52025SC0162 - EN - EUR-Lex](#).

³⁹ OECD/European Commission (2023), Indicators of Immigrant Integration 2023: Settling In, OECD Publishing, Paris, <https://doi.org/10.1787/1d5020a6-en>.

⁴⁰ UNHCR, ["A poverty assessment of Ukrainian refugees in neighbouring countries" countries](#), 17 March 2025, p. 14.

⁴¹ The analysis on unauthorised movements is based on EUAA and eu-LISA data.

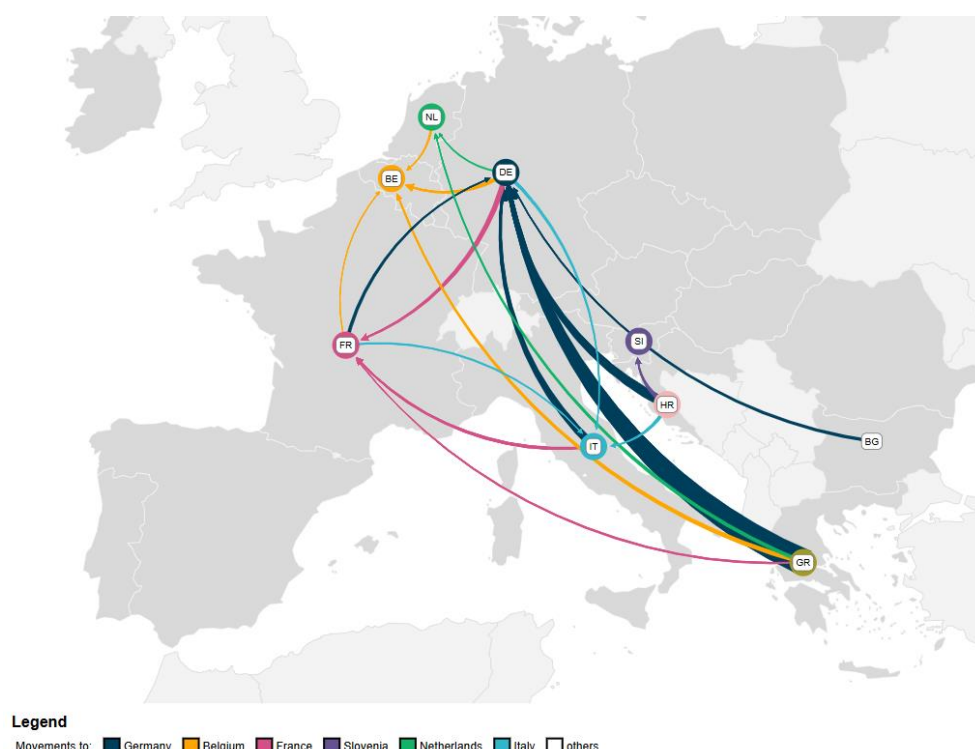
⁴² Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast) (OJ L 180, 29.6.2013, [ELI: http://data.europa.eu/eli/reg/2013/604/oj](#)).

⁴³ Proxy indicators include data collected to monitor the functioning of Regulation (EU) 604/2013 (‘Dublin statistics’) and data stored in Eurodac – the EU’s fingerprint database (established by Regulation (EU) No 603/2013) that stores and compares fingerprints of individuals who have applied for asylum or been apprehended while illegally crossing the external borders of the Schengen area.

⁴⁴ Regulation (EU) 2024/1358 of the European Parliament and of the Council of 14 May 2024 on the establishment of ‘Eurodac’ for the comparison of biometric data in order to effectively apply Regulations (EU) 2024/1351 and

being, available data from Eurodac suggest that **unauthorised movements within the Union decreased by around 25%** compared to July 2023-June 2024⁴⁵, mostly following the overall decrease of irregular arrivals. Despite this decrease, unauthorised movements continued to pose a challenge for the main countries of destination. Unauthorised movements typically took place from countries of first entry in the Union towards Member States in the north-west of the Union. In absolute terms, Greece, Germany, Croatia, Italy and France were the main countries of departure, while Germany, France, Belgium, Italy and the Netherlands were the countries receiving the most unauthorised movements. The main routes registering most unauthorised movements were Greece to Germany, Croatia to Germany, Italy to Germany and Italy to France.

Figure 5 – Map of unauthorised movements based on Eurodac hits (routes with > 6000 hits)⁴⁶



Source: JRC elaboration on EU-LISA data

When complemented with data collected to monitor the functioning of Regulation 604/2013 ('Dublin statistics')⁴⁷, **Slovenia, Belgium, Luxembourg, Germany, Croatia and Austria**

(EU) 2024/1350 of the European Parliament and of the Council and Council Directive 2001/55/EC and to identify illegally staying third-country nationals and stateless persons and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, amending Regulations (EU) 2018/1240 and (EU) 2019/818 of the European Parliament and of the Council and repealing Regulation (EU) No 603/2013 of the European Parliament and of the Council; ELI: <http://data.europa.eu/eli/reg/2024/1358/oj>.

⁴⁵ 398 000 foreign Eurodac hits were reported (when both the country of departure and the country of destination are Member States), 27% less than in the July 2023-June 2024 period.

⁴⁶ The map shows the main routes of unauthorised movements as indicated by Eurodac hits. The head of the arrows shows the direction of the movements while width of the arrows reflect the number of hits.

⁴⁷ The number of outgoing take back requests and outgoing take charge requests based on irregular entry and stay was around 93 000 in the reporting period.

were the countries most affected, relative to their GDP and population. A number of Member States are not issuing requests because these often do not lead to a physical transfer of the person. In addition, the implementation rate of transfers remains very low at 19%⁴⁸. Operational and capacity obstacles faced by receiving and transferring Member States also lowered the implementation rate: the lack of sufficient housing, poor material reception conditions and limited early integration opportunities impacted the number of implemented transfers. Germany carried out and received the highest number of transfers, followed by France and the Netherlands. Croatia received by far the highest number of transfers from other Member States compared to its GDP and population. Greece and Italy received a very low number of transfers compared to the number of positive decisions they gave to the requests they received from other Member States⁴⁹.

Increasing the overall number of transfers, resuming transfers towards the Member States that are not accepting transfers, take charge or take back requests, and addressing shortcomings in the national reception system are crucial to ensure the effective functioning of the system, reduce incentives for unauthorised movements and maintain the balance between responsibility and solidarity. While it is expected that the implementation of transfers should significantly improve with the entry into application of the Pact, Member States are expected to fully implement the existing rules without delay.

Reception⁵⁰

Despite considerable efforts to improve data collection on reception, statistics are not fully comparable and remain incomplete. This results in a fragmented picture and prevents a conclusive assessment of the pressure on reception systems⁵¹. Work is ongoing to improve the quality of this data.

Based on the available data⁵², Member States hosted around **1 394 000 people in their national reception systems**, mostly in Germany, Italy, France, the Netherlands and Austria. Relative to their GDP and population, **Germany, Luxembourg, Austria and Ireland**⁵³ had the most persons hosted in their reception systems. Beneficiaries of temporary protection who

⁴⁸ The ratio of transfers following accepted requests should be used with caution to assess a Member State's capability to successfully implement transfers due to the lack of cohort data and given that there might be a substantial time lapse between an accepted transfer request and a physical transfer. This time lapse distorts the calculation of the rates if the number of acceptances is not stable over time.

⁴⁹ Data collected to monitor the functioning of Regulation (EU) 604/2013 ('Dublin statistics') include the number of the requests sent and received by a Member State to/from another on take back and take charge procedures, the decisions made on such requests as well as the number of transfer decisions issued and implemented.

⁵⁰ The analysis on reception is based on EUAA data.

⁵¹ The Commission and EUAA set forth an 'incremental approach' by which Member States are required to report reception data at least on two core indicators: persons in the reception system (total number of persons in the reception system, including breakdown per legal status of persons in reception and number of unaccompanied minors); and capacity of the reception system (total beds available at the end of the reporting period). As of 2027, Member States are to report on the whole set of reception indicators.

⁵² This data refers only to the reception system understood as the set of arrangements in place to accommodate applicants for international protection as per the recast Reception Conditions Directive.

⁵³ In Ireland, a significant proportion of international protection applicants entered the country irregularly, principally arriving across the land border of the United Kingdom. This, alongside the significant arrivals of people benefitting from temporary protection, had an impact on the Irish asylum and reception system. During the reporting period, applications for international protection in Ireland stood at 14 000 compared to the unprecedented high numbers in the previous reporting period (18 000). This trend is visible since early 2022, alongside a high number of arrivals from Ukraine.

are provided accommodation support outside this system are not counted in Member States' reporting.

Furthermore, the organisation of reception systems varies across the Union: only some Member States include and collect data on persons with different legal statuses in their reception system, including temporary protection beneficiaries, rejected applicants or persons issued a return order. On this basis, temporary protection beneficiaries accounted for between 50% and 70% of the population hosted in the national reception systems of Austria, Finland, Lithuania, Slovakia and Sweden, while a large number of temporary protection beneficiaries were provided accommodation support outside of this system, notably in **Czechia, Poland, Hungary, and Romania**.

The overall occupancy rate in the national reception systems in the Union was 81% at the end of June 2025⁵⁴. Ensuring sufficient capacity and adequate reception conditions is a key element of a well-prepared asylum, reception and migration system and for the well-functioning of the responsibility rules under Regulation (EU) 604/2013. Several Member States faced challenges in ensuring sufficient capacity in their national reception systems⁵⁵, while at the same time, some Member States, in view of the limited number of applicants, have decreased their accommodation capacity, including Finland, Denmark and Sweden.

Resettlement and humanitarian admission⁵⁶

Fourteen Member States made pledges under the ad-hoc Union resettlement and humanitarian admission scheme for 2024-2025. Nearly 12 000 persons arrived in the Union through these pathways during the reporting period. More than half of the beneficiaries were resettled in **Germany and France**, while **Finland and Sweden resettled the most beneficiaries relative to their GDP and population**. The volatile situation in the Middle East, notably in Lebanon and in Syria, had an impact on resettlement and humanitarian admission programmes: the numbers of admitted persons decreased in all reporting Member States but the Netherlands and Sweden. Syria was by far the main country of origin of admitted people, followed by Afghanistan, the Democratic Republic of the Congo, South Sudan and Eritrea.

Return⁵⁷

Between July 2024 and June 2025, Member States issued, in total, 478 000 orders to leave to third-country nationals in the Union, **an increase of 11% compared to July 2023-June 2024, mostly driven by more orders to leave being issued together with negative asylum decisions**. Most orders were issued by France, Spain and Germany, while, relative to its GDP and population, **Cyprus** issued by far the most orders to leave, followed by **Greece and Croatia**. The nationalities of third-country nationals issued an order to leave differed significantly across Member States⁵⁸.

⁵⁴ At the end of June 2025, it was possible to calculate the occupancy rate for 25 Member States. The data needed for the calculation of the occupancy rate were incomplete for Finland and Portugal.

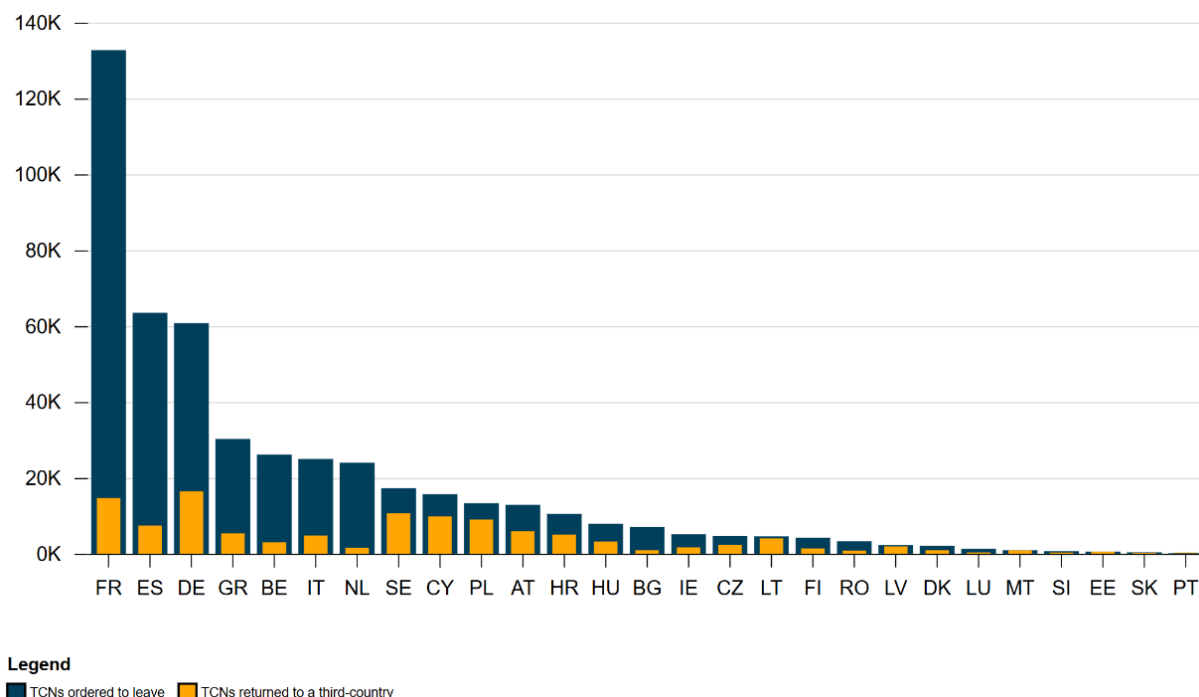
⁵⁵ This is the case for Belgium, Cyprus, Croatia, Latvia, Lithuania, and Greece.

⁵⁶ The analysis on resettlement and humanitarian admission is based on EUAA data.

⁵⁷ The analysis on return is based on Eurostat data.

⁵⁸ France issued most orders to leave to nationals of Algeria, Tunisia and Morocco; Spain to nationals of Mali, Senegal and Algeria, and Germany to nationals of Syria, Türkiye and Afghanistan. Cyprus issued most orders to leave to nationals of Syria, the Democratic Republic of the Congo and Nigeria, Greece to nationals of Afghanistan, Syria and Albania, and Croatia to nationals of Türkiye, Nepal and Bosnia and Herzegovina.

Figure 6 – Number of return orders and third country nationals returned per Member State



Source: JRC elaboration on Eurostat data

115 000 illegally staying third-country nationals were effectively returned to a third country. Over half of the returns were implemented by only five Member States (Germany, France, Sweden, Cyprus and Poland). This represents a 20% increase compared to July 2023-June 2024. However, **the overall return rate remains low, resulting in a backlog of persons with an order to leave remaining in the Union territory**⁵⁹. Most nationals ordered to leave were nationals of Algeria, Morocco, Syria, Türkiye and Afghanistan, with Syrians increasing by 14%. The main nationalities of those returned were nationals of Georgia, Türkiye, Albania, Moldova and Colombia. This shows that the countries ranking highest in terms of third-country nationals ordered to leave do not correspond to the countries with the highest number of implemented returns, with the exception of Türkiye. More than half of all returns were voluntary, following an increasing trend. While sustained efforts on readmission through the Article 25a Visa Code mechanism and the EU Return Coordinator's targeted actions on priority third countries have already delivered results, notably with key third countries such as Bangladesh, Iraq and Ethiopia⁶⁰, **specific obstacles continue to hamper returns**. It remains crucial that Member States follow up return orders with readmission requests to the relevant third countries and systematically request emergency travel documents for persons with

⁵⁹ The EU-wide return rate stood at 24% during the reporting period.

⁶⁰ The mechanism of Article 25a Visa Code contributed to triggering favourable dynamics and concrete progress with third countries. The return rate for Bangladesh increased from 9% in 2023 to 17% in 2024, the one for Iraq from 14% to 31%. Also, in the case of Ethiopia where visa measures were adopted in April 2024, the return rate increased in 2024 (13%, compared to 11% in 2023), along with improved Member State activity in requesting Ethiopia to readmit its citizens (more than four times as many readmission requests in 2024 compared to 2023). Targeted return actions on priority third countries initiated by the EU Return Coordinator brought focus and coherence across EU level actions exceeding the 25% growth target with several third countries.

confirmed nationality⁶¹. The 2024 thematic Schengen evaluation identified progress in developing national return systems, while inefficiencies remain in key stages of the process⁶², having an impact on unauthorised movements, as shown by the return alerts within the Schengen Information System (SIS)⁶³.

Continued efforts are needed to create a common Union system for returns, combined with more effective cooperation with third countries. The proposed Return Regulation⁶⁴ will be instrumental in addressing these issues and in ensuring that returns can contribute to the overall objectives of the Union migration and asylum policy. The European Parliament and the Council are invited to proceed with the swift adoption of this reform.

b. Projection for the coming year and information on the level of preparedness in the Union

The **Solidarity Pool** proposed by the Commission aims to address the needs of Member States identified as being under migratory pressure in the Commission Decision. As per Article 12 of Regulation (EU) 2024/1351, in identifying those needs, the Commission should consider the main findings of this Report, including both the impact of past trends on the Member States concerned, and the projection for the coming year⁶⁵. This strategic picture serves as an early warning tool for the Union, helps to anticipate possible developments in the migratory situation and determine how these could affect the needs of Member States under migratory pressure and the Union as a whole.

The projection builds on a methodology developed by the scientific service of the Commission – the Joint Research Centre (JRC) – and it was tested with the EU Migration Preparedness and Crisis Blueprint Network.

The projection suggests that, overall, **irregular arrivals at Union level are expected to decrease across all the main migratory routes in 2026 compared to 2024**⁶⁶, in line with the downward trend already observed in the first half of 2025. The expected decrease results, among other factors, from strong Union engagement with key countries of origin and transit, reinforced asylum and border protection systems, and intensified action against migrant smuggling networks both within the Union and in third countries. The **Central Mediterranean route** is expected to remain the most active route, yet overall numbers are projected to stabilise

⁶¹ According to data reported by Frontex, Member States submitted less requests for identification and emergency travel documents (-6%, 68 908 compared to 73 449 in the previous reporting period).

⁶² This includes challenges in ensuring a smooth return process due to inefficiencies at key stages, including the appeals system, effective pre-return identification and sufficient monitoring of the compliance with an obligation to return. The 2024 thematic Schengen evaluation also showed that the operational implementation of return alerts within the Schengen Information System, by all national authorities, needs to be enhanced to achieve more effective decision-making in return procedures.

⁶³ During the reporting period, nearly 54 600 people subject to SIS return alerts were identified in Member States other than the one that created the alert (“SIS hits”). Of these, around 33 600 were third-country nationals detected at checks within the territory, while about 16 500 were intercepted at border checks when leaving the EU through a Member State other than the one that had issued the alert.

⁶⁴ COM (2025) 101 final.

⁶⁵ SWD(2025) 791, "Projection pursuant to Article 9(3)(b) of Regulation (EU) 2024/1351 of the European Parliament and of the Council for the year 2026", classified as “RESTREINT UE/EU RESTRICTED”.

⁶⁶ As the data for the full year 2025 is not available at the time of the adoption of the Report, the 2024 data is used as the most recent and complete annual reference point to contextualise the projection for the coming year 2026. The trend observed in 2025, however, has been fully taken into account in the analysis.

or decline further compared to 2024. This trend reflects the impact of reinforced cooperation with partner countries in North Africa and the broader region. A similar dynamic is expected for the **Western Mediterranean and Atlantic routes**, where the strong efforts to monitor departure points and dismantle smuggling networks are delivering results. On the **Eastern Mediterranean route**, developments will largely depend on the evolving situation in the Middle East, including newly emerged sub-routes, yet the overall outlook points towards a continuation of the downward trend that started already in late 2024, shaped by shifting regional dynamics and a lower presence of certain nationalities. Along the **Western Balkan route**, arrivals are also expected to decrease, supported by more effective dismantling of smuggling networks and enhanced cooperation between the region and Member States and Union Agencies. On the **Eastern Border route**, Russia and Belarus are likely to continue their attempts to weaponise migration against the Union; however, strengthened border management is expected to further reduce illegal crossings. Finally, the situation of illegal exits across the **Channel route** is expected to remain challenging, although national measures in France and further engagement with the United Kingdom are expected to contain or decrease departures.

The **downward trend for applications for international protection** observed in 2024 and the first half of 2025 is expected to continue in 2026.

As regards temporary protection, Russia's ongoing indiscriminate war of aggression against Ukraine will continue to generate **protection needs for Ukrainian nationals** in 2026. Registrations for temporary protection will persist, but at lower levels than in previous years.

As migration dynamics remain inherently uncertain, efforts to strengthen **preparedness and contingency planning** in the Member States and in the Union remain crucial. Adequate contingency planning is an important component of the **well-prepared asylum, reception and migration system** as it enhances the resilience and preparedness to respond quickly and effectively to changes in the migratory situation, while ensuring the respect of individual rights and needs.

Obligations on **contingency planning** are embedded into Union legislation⁶⁷. While most Member States have contingency plans in place in different areas of migration management, gaps remain. Overall, the level of preparedness in the Union and in the Member States on migration management benefits from the implementation of the new provisions introduced in the Pact. Almost all Member States adopted and notified their national contingency plans on reception and asylum to the European Union Agency for Asylum (EUAA)⁶⁸, albeit with different levels of completeness (more details in the Annex). Since 2019, Member States need

⁶⁷ Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013; Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection; Regulation (EU) 2024/1359 of the European Parliament and of the Council of 14 May 2024 addressing situations of crisis and force majeure in the field of migration and asylum and amending Regulation (EU) 2021/1147 (OJ L, 2024/1359, 22.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1359/oj>); Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, pp. 1–131, ELI: <http://data.europa.eu/eli/reg/2019/1896/oj>); Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 (OJ L 468, 30.12.2021, pp. 1–54, ELI: <http://data.europa.eu/eli/reg/2021/2303/oj>).

⁶⁸ Except for Hungary and Poland.

to develop and adopt a national **contingency plan for border management and return**⁶⁹. The results of the vulnerability assessment conducted by Frontex for 2024 show that most Member States report having relevant contingency plans in place on border management, although some gaps exist, as also underscored by the Schengen evaluations. In addition, the 2024 thematic evaluation on the effectiveness of returns revealed significant gaps in national contingency planning, with most Member States lacking dedicated contingency plans for return operations despite this requirement set out in Article 9(3) of Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard.

At Union level, the Union Agencies are prepared to provide operational support to Member States in case of sudden increases in migratory flows. The EU Migration Preparedness and Crisis Blueprint Network, chaired by the Commission, continues to play a key role in providing a common situational picture, early warning and forecasting in support of better preparedness. The Network hosts a dedicated subgroup on contingency planning.

IV. Assessment of the overall migratory situation, migratory pressure, risk of migratory pressure or significant migratory situation

Based on the information presented in this Report, the Commission assessed which Member States faced disproportionate obligations, taking into account the overall migratory situation in the Union. At the same time, the Commission is proposing to the Council the total numbers of solidarity contributions for the Solidarity Pool at Union level necessary to address the migratory situation in the upcoming year in a balanced and effective manner.

Considering the trends outlined in this Report for the reference period from July 2024 to June 2025 and the methodology, the Commission Decision determined that, when all the relevant quantitative and qualitative data and information are aggregated and assessed in relation to the overall situation in the Union, **Greece** and **Cyprus** are under migratory pressure. In addition, the Commission Decision determined that **Italy** and **Spain** are under migratory pressure because of a large number of arrivals due to recurring disembarkations following search and rescue ('SAR') operations, that are of such a scale that they create disproportionate obligations in relation to the overall situation in the Union on even a well-prepared asylum, reception and migration system of the Member State concerned.

While trends remained overall stable compared to July 2023-June 2024, **Greece** faced disproportionate obligations in relation to the overall situation in the Union, in particular due to the number of IBCs (over 60 000) and applications for international protection (over 70 000). These were the highest recorded at Union level relative to GDP and population. Greece also recorded the highest number, relative to GDP and population, of decisions granting international protection, reaching nearly 32 000 between July 2024 and June 2025. Relative to its GDP and population, Greece was second for numbers of orders to leave (over 30 000), but only 5 400 third-country nationals were returned in the period under analysis.

While the migration and asylum situation improved compared to July 2023-June 2024, **Cyprus** still faced disproportionate obligations in relation to the overall situation in the Union, in particular due to IBCs, applications for international protection and registrations for temporary

⁶⁹ Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard (OJ L 295, 14.11.2019, pp. 1–131; ELI: <http://data.europa.eu/eli/reg/2019/1896/oj>).

protection. While IBCs (nearly 3 000) decreased significantly, the number of arrivals still put a strain on Cyprus' asylum and migration system as Cyprus ranked among the top three countries in the Union relative to GDP and population for IBCs. Cyprus also received the second highest number of applications for international protection (more than 5 000) in the Union relative to GDP and population. Similarly, Cyprus received a significant number of registrations for temporary protection (around 3 500) in relation to the country's GDP and population. Furthermore, while the number of third-country nationals ordered to leave (close to 16 000) remained stable compared to July 2023-June 2024, twice as many third-country nationals were returned following an order to leave (close to 10 000) compared to July 2023-June 2024 (nearly 5 000).

In **Italy** and **Spain**, the share and absolute number of arrivals due to recurring disembarkations following SAR operations were of such a scale that they created disproportionate obligations on these countries compared to the overall situation in the Union, as over 80% of the almost 97 000 persons assisted in SAR operations were disembarked in these two Member States (around 40% each).

These four Member States will therefore have **access to the Solidarity Pool** when Regulation (EU) 2024/1351 enters into application.

In order to ensure the balance between solidarity and fair sharing of responsibility and to safeguard the functioning of the Regulation (EU) 2024/1351, Article 60(3) of that Regulation establishes that contributing Member States are not required to implement their solidarity pledges towards a benefitting Member State where the Commission has identified **systemic shortcomings** in that benefitting Member State with regard to the responsibility rules set out in Part III of Regulation (EU) 2024/1351 that could result in serious negative consequences for the functioning of that Regulation.

Part III of Regulation (EU) 2024/1351 sets out, inter alia, the obligations of the Member State responsible to take charge of and take back applicants and third-country nationals whose application for international protection was registered in another Member State or in relation to whom another Member State was indicated as responsible under Regulation (EU) 2024/1358, including to carry out the transfers of those persons, with full respect of the applicant's fundamental rights within the meaning of the Charter. These rules are in continuity with the rules of the Dublin III Regulation and will replace them as of their entry into application.

The Commission will assess by 12 July 2026 and again by 15 October 2026 the application of the responsibility rules by the Member States and apply Article 60(3), fourth sub-paragraph of Regulation (EU) 2024/1351, if systemic shortcomings are identified in a Member State. In this assessment, particular attention will be paid to the level of cooperation among Member States, including the active engagement to facilitate transfers and progressive cooperation on practical and logistical matters.

Based on the findings of this Report and the methodology, having considered all the relevant quantitative and qualitative data and information and having assessed them in relation to the overall situation in the Union, the Decision also determined **Belgium, Bulgaria, Germany, Estonia, Ireland, France, Croatia, Latvia, Lithuania, the Netherlands, Poland and Finland** to be at risk of migratory pressure.

Between July 2024 and June 2025, **Bulgaria** and **Croatia**, as countries of first entry, continued to be particularly exposed to the fluctuations in migratory flows along the Western Balkans and Eastern Mediterranean routes. A significant increase of irregular arrivals during the year could lead to their already strained migration and asylum systems to be affected by disproportionate obligations. Although **Bulgaria** recorded a decrease in the number of applications for international protection compared to July 2023-June 2024, it still registered nearly 10 000 applications for international protection, a significant number relative to its GDP and population. One fifth of these applications were lodged by unaccompanied minors, making Bulgaria the second Member State receiving applications by unaccompanied minors at Union level relative to GDP and population. Bulgaria also registered a high and steady number of registrations for temporary protection relative to its share of GDP and population (among the top five Member States) with over 21 000 new registrations in July 2024-June 2025. **Croatia**, between July 2024 and June 2025, was impacted by IBCs and refusals of entry. Croatia recorded more than 12 000 IBCs, which represented 76% of the overall irregular arrivals along the Western Balkans route and the second highest number of IBCs in the Union relative to GDP and population. Croatia also accounted for a similar number of refusals of entry, the highest at Union level relative to GDP and population.

At the same time, a number of Member States recorded high numbers of unauthorised movements which put particular pressure on their asylum, migration and reception systems. The challenges associated with such unauthorised movements are addressed by acknowledging the possibility of applying **responsibility offsets** to these cases as part of the solidarity contributions.

Between July 2024 and June 2025, **Germany** received a significantly high number of unauthorised movements of applicants for international protection in the Union, resulting in a large number of applications for international protection, which impacted its asylum and reception system. This was further compounded not only by the hosting of the highest number of temporary protection beneficiaries in the EU but also due to a very high number of applications for international protection in the last ten years. **France** also received a high number of unauthorised movements of applicants for international protection within the Union and faced increasing illegal border crossings on exit towards the United Kingdom, which impacted the national asylum and reception system. **The Netherlands** and **Belgium** were also impacted by unauthorised movements of applicants for international protection, which put a strain on the reception systems. **Ireland** has also experienced a sustained high number of applications for international protection and a significant proportion enter the country irregularly, principally arriving across the land border of the United Kingdom. This, together with the significant arrivals of persons benefitting from temporary protection, had an impact on the national asylum and reception system.

As outlined in section III, actions by Russia and Belarus continue to influence migratory dynamics at the Union Eastern border, especially in **Estonia, Latvia, Lithuania, Poland and Finland**. Hybrid threats linked to the weaponisation of migration continue to raise serious migration and security risks, adding to occasional violent incidents and attempts to cross the border. In response to continued state-sponsored attempts to weaponise migration, Estonia strengthened border management measures at the border with Russia; Latvia and Lithuania strengthened surveillance measures at their border with Belarus; Poland established a buffer zone along its border and temporarily limits the right to apply for international protection at

that border, except for vulnerable groups; Finland closed its crossing points with Russia in November 2023. Further attempts by Russia and Belarus to weaponise migration could put additional strain on national border protection systems, which may lead to disproportionate obligations.

These twelve Member States at risk of migratory pressure will have **priority access to the Permanent EU Migration Support Toolbox**. At the same time, should the situation in these Member States deteriorate, the Commission will be ready, in line with Regulation (EU) 2024/1351, to re-evaluate their situation in an expedited manner.

Based on the Report and the methodology, the Commission Decision also determined that **Bulgaria, Czechia, Estonia, Croatia, Austria, and Poland** are facing a significant migratory situation, due to the cumulative effect of the quantitative and qualitative data and information aggregated and assessed during the last five-year period (1 July 2020 to 30 June 2025).

In **Bulgaria**, for the last five years and especially since 2022, relative to its share of GDP and population, the inflow of registrations for temporary protection, together with a relative high number of applications for international protection, put a strain on the system, in particular as Bulgaria issued a significant number of positive decisions and rejections, in relative terms, that created a relative high burden on the return system. In **Croatia**, over the previous five years, the strain on the return system, relative to its share of GDP and population, had a major impact on the country's capacities in addition to the obligations faced at its external border, notably as Croatia issued in relative terms a large number of refusals of entry and has experienced more recently a relative high number of IBCs due to increased migrant smuggling activities in the region.

Since the beginning of the Russian war of aggression against Ukraine, **Poland** and **Czechia** have recorded among the highest number of temporary protection registrations in the Union relative to their GDP and population. This has created integration challenges and has put a significant strain on the migration, asylum and border management systems of those Member States since 2022. Relative to its GDP and population, **Estonia** has recorded a high number of temporary protection registrations, combined with a significant number of applications for international protection that resulted in high number of positive decisions in the last five years.

During the last five-year period, **Austria** received a high number of applications for international protection. While this number has decreased between July 2024 and June 2025 compared to the previous 12-months period, the overall number of applications for international protection, and the resulting number of positive decisions, over the five-year period has had a cumulative effect on the capacity of its migration, reception and asylum system.

These Member States will have the possibility to **request from the Council a full or partial deduction** of their solidarity contributions for the upcoming year.

V. Conclusion

The steady progress in the implementation of all the components of the Pact at national and Union level, the downward trend of irregular arrivals and the projection for the coming year, together with the positive results of the continuous work with partner countries set a solid basis for an orderly, fair and firm management of migration and asylum.

By making full use of the new legal and operational framework of the Pact, further progress can be achieved to lower pressure on the Member States, reduce unauthorised movements, increase overall efficiency, reduce backlogs, and ease the burden on the administrative and operational structures of the Member States. At the same time, some challenges remain regarding the implementation of the Pact, and the Commission, together with the relevant Union Agencies, will continue to provide support to Member States.

A swift adoption of the Commission pending proposals, including on a Common European System for Returns and a Union list of safe countries of origin can support our efforts. The Commission will pursue its work to strengthen comprehensive partnerships with partner countries, engaging strategically at regional and global level and developing smart cross-policy leverages to promote better cooperation on migration.

In terms of implementation of the Pact, solidarity and fair sharing of responsibility need to continue advancing together and in a balanced way. The start of the first Annual Migration Management Cycle is an important step to prepare the ground for the operationalisation of the new solidarity mechanism. Based on the Report, the Commission Decision and the Commission proposal for a Council implementing Decision establishing the Annual Solidarity Pool, the Council should convene, within 15 days, the High-Level EU Solidarity Forum in view of agreeing on the size of the Solidarity Pool and on how each Member State will contribute. The Commission stands ready to support the Council throughout this process. The EU Solidarity Coordinator will also convene the Technical-Level EU Solidarity Forum to operationalise the solidarity mechanism between the Member States and address the solidarity needs with the contributions identified, ahead of the entry into application in mid-2026.

The Commission will report again in March 2026 on the progress in the implementation of the Pact ahead of the entry into application. The Commission will also develop a long-term European asylum and migration management strategy, setting out a high-level policy and operational roadmap for a common system that is robust and adaptable to the rapidly changing circumstances.



EUROPEAN
COMMISSION

Brussels, 11.11.2025
COM(2025) 795 final

ANNEX

ANNEX

to the

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT AND THE COUNCIL ON THE EUROPEAN ANNUAL ASYLUM
AND MIGRATION REPORT (2025)**

ANNEX

to the

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ON THE EUROPEAN ANNUAL ASYLUM AND MIGRATION REPORT (2025)

Second state of play on the implementation of the Pact on Migration and Asylum

INTRODUCTION

The Commission issued the last state of play of the implementation of the Pact on Migration and Asylum in June 2025¹. This second state of play covers the period since then until early October 2025.

In this time, Member States, the Commission and the Union Agencies, together with different stakeholders and partners, continued to work across all building blocks, to ensure that implementation continues.

Further progress has been made, and important milestones have been met, including the development of national strategies and contingency plans, adaptations of national legal frameworks and the adoption of the Implementing Regulation of Regulation (EU) 2024/1351, as well as preparations to deliver on the first Annual Migration Management Cycle.

At the same time, challenges remain, particularly in relation to Eurodac and ensuring that systems are ready on time, regarding the border procedure and the need to implement necessary infrastructure, personnel requirements and administrative arrangements to keep timelines. Furthermore, across the Union, screening arrangements should be finalised and reception capacity aligned with actual needs and the new framework. Finally, arrangements relating to the fundamental rights monitoring as well as for legal counselling should be concluded.

In July 2025, the Commission has presented its proposal for a new Multiannual Financial Framework and has proposed to triple Union financial support for migration, security and border management in the next period, along with a significant increase of funding for the Home Affairs Agencies. In total, the proposed additional Union financial support for the area of home affairs and migration would then amount to EUR 81 billion.

¹ See the first report on the state of play on the implementation of the Pact on Migration and Asylum, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52025DC0319>.

DELIVERING AT UNION LEVEL

A first and essential planning phase started with the presentation of the Common Implementation Plan in June 2024, which provided a framework for the development of the Member States' National Implementation Plans, and the establishment of the relevant governance arrangements².

By now, the work on Pact implementation is fully focused on legislative adaptation, practical operationalisation, and resourcing of the necessary reforms. In this phase, the established coordination mechanisms continue to function well, be it at horizontal level within the framework of the Strategic Committee on Immigration, Frontiers and Asylum (hereinafter: SCIFA) or under the Commission's purpose-built bilateral dialogue with the Member States. More general exchanges with the European Parliament continued in the framework of the regular meetings of the Working Group on Asylum – Implementation of the Pact/Common European Asylum System of the Committee on Civil Liberties, Justice and Home Affairs.

The different legislative proposals put forward by the Commission over the last seven months to complete and complement the Pact are taken forward in the framework of the legislative procedure. This includes the proposal for a new Return Regulation, the proposal relating to the 'safe third country' concept as well as the proposed Union list of safe countries of origin³. The European Parliament has appointed its respective rapporteurs and technical meetings have begun. On its side, the Council has begun work on its positions, with discussions ongoing in the relevant bodies. Meanwhile, work on the implementing acts stemming from the Pact legislation is advancing in the Commission Contact Committees (see by building block in the section below).

The different Union Agencies⁴ have been working closely with the Commission and the Member States, providing support to the reforms according to their mandates. The agencies are generally on track to deliver the different guidance documents, templates and training material that are anticipated in the Common Implementation Plan. In addition, they are providing on-demand support to various Member States and responding to new and emerging challenges. Two EUAA pilot monitoring exercises, in preparation for the full roll-out of the EUAA multiannual monitoring programme (from 2026 onwards), took place with Estonia and the Netherlands. As part of the exercises, two Teams of Experts composed by EUAA, the Commission, and Member States, as well as UNHCR as observers, carried out on-site visits in June 2025. The final reports with the findings have been finalised and shared with the respective Member States. From June 2026 onwards, all Member States will be monitored in terms of their technical and operational implementation of the Pact in a five-year cycle.

The programming of the financial support to Pact implementation started through continuous engagement with the Member States (see section 3.1.). This covers the additional EUR 3 billion

² [Common Implementation Plan for the Pact on Migration and Asylum - European Commission](#).

³ Proposal for a regulation of the European Parliament and of the Council establishing a common system for the return of third-country nationals staying illegally in the Union, and repealing Directive 2008/115/EC of the European Parliament and the Council, Council Directive 2001/40/EC and Council Decision 2004/191/EC, COM(2025) 101 final [EUR-Lex - 52025PC0101 - EN - EUR-Lex](#); Proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the establishment of a list of safe countries of origin at Union level COM(2025) 186 final [EUR-Lex - 52025PC0186 - EN - EUR-Lex](#); Proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the application of the 'safe third country' concept, COM(2025) 259 final [EUR-Lex - 52025PC0259 - EN - EUR-Lex](#).

⁴ Especially the European Union Asylum Agency, eu-LISA, Frontex, Europol and the Fundamental Rights Agency.

available to Member States to support the implementation of the Pact and hosting displaced persons from Ukraine. Most Member States also qualified to access additional funds available under the mid-term review of the Home Affairs Funds, amounting to a further EUR 1.6 billion.

Parallel support to Member States through the Technical Support Instrument managed by the Commission continues. Currently, the authorities of nine Member States⁵ are receiving tailored support to carry out specific reforms stemming from their National Implementation Plans during the two-year transition period until 2026.

Engagement with civil society took place at Union level in various fora as well as bilateral outreach. A particular element of outreach in the last month included engagement with judiciary networks to foster cooperation and information exchange relating to the procedural changes introduced by the Pact, including related new deadlines for the conclusion of the different procedures⁶. The judiciary's role is particularly important for the functioning of the asylum and return border procedures responsibility rules (Regulation (EU) 2024/1351), detention orders, reception capacities, the appointment of representatives for unaccompanied minors, and legal assistance and representation.

The wider significance of the reforms remains fully in sight: Following the legal deadline of 12 June 2025, 22 Member States finalised their national migration and asylum strategies⁷. These strategies reflect a comprehensive, whole-of-government, strategic approach to migration and asylum. They will in turn inform the first European Strategy on asylum and migration management, due by the end of the year.

OPERATIONALISATION OF THE BUILDING BLOCKS – PROGRESS UPDATE

The number of National Implementation Plans for the Pact remains unchanged since June 2025. At Member State level, coordination and governance arrangements have further evolved, also based on the identification of – and further exchange with – important stakeholders to implement the reforms. This may for example include the need for greater involvement of departments or line ministries responsible for service provision such as education or health, as well as increased engagement with civil society organisations and implementing partners to move forward in the operationalisation of the necessary partnership agreements. Member States who have not done so, should increase engagement, especially with the judiciary, to anticipate related needs.

It will be increasingly important to ensure that remaining national-level milestones and intermediate targets are well-defined and tracked, to help identify and address any delays. This was a more general challenge already identified in the first report on Pact Implementation. Some Member States have established good practices and implementation processes in this regard⁸.

Legislative reforms relating to the alignment of national legal frameworks with the Pact and the transposition of Directive (EU) 2024/1346 are now fully underway. A small number of Member States have already adopted relevant national legislation, either fully or in part⁹. A

⁵ Belgium, Czechia, Estonia, Ireland, Greece, Italy, Lithuania, Romania and Slovakia.

⁶ For example, the Working Group Asylum and Immigration of the Association of European Administrative Judges (AEAJ).

⁷ Croatia, Hungary, Luxemburg and Romania did not yet share their strategies. Romania shared a draft with the Commission pending final adoption, whereas Luxemburg and Croatia notified delays.

⁸ For example, Bulgarian authorities prepared a six-month report for the implementation of the NIP and updated their NIP, which considers the outcome of the Pact funding dialogue with the Commission and the progress made regarding practical implementation.

⁹ This includes Czechia, Greece.

growing number of Member States have either already completed the drafting of legislation or are in the final stages of preparing the proposals¹⁰. In most cases, this process includes different levels of consultation with civil society and key stakeholders¹¹.

Member States who are still reviewing their legislative frameworks should complete this process as soon as possible to ensure drafting is completed and the adoption processes can start early next year¹². Work in the Commission contact committees will develop further guidance and address emerging queries and questions.

Financial support: national programming

Since the last update, the Commission has worked closely with all Member States on the programming of the financial support dedicated to the Pact. The EUR 3 billion allocated for this exercise will help ensure that key elements of the new framework are sufficiently resourced, be it from Union or national funds¹³. All but one Member State¹⁴ submitted forms with their proposals, which are the basis for the dialogue on the financing with the Commission services. This working method allows the Commission to examine the challenges that Member States face and to assist them in deciding on the most appropriate use of the Union funds, complementary to the national budget, in line with the National Implementation Plans.

Key challenges and next steps:

Currently, several Member States have concluded the dialogue on the programming of the additional funds and are on track to finalise the programme amendment process by the end of the year. Most Member States are in the last steps of the dialogue. This process needs to be concluded as soon as possible to move into the amendment stage that may take several months.

Overall, this working method has provided for a very constructive exchange between Member States and Commission services relating to national preparation, complementary to the National Implementation Plans and National Strategies, and established a good practice of regular contacts between Member States and the Commission services on operational matters. These discussions also provide a solid basis for cooperation and joint monitoring of the Pact implementation for the years to come. Continuing a regular dialogue with Member States, including on the progress in budget absorption, will help keep track of challenges and, where appropriate, provide additional tailor-made support, be it operational or financial. Part of the 2026-2027 budget of the AMIF Thematic Facility can be mobilised to further support Member States, based on needs identified during the continued exchange of information on the implementation of the Pact.

¹⁰ Austria, Denmark, Cyprus, Estonia, Lithuania, the Netherlands, Portugal and Spain have finalised or are in the final stages of drafting. Germany submitted a proposal to the Parliament on 12 September. In Bulgaria, Croatia, Finland, France, Ireland, Italy, Malta, Slovakia, Slovenia and Sweden drafting is ongoing. Member States still to conclude the review of legislation for all or parts of the areas covered by the Pact include Belgium, Greece, Romania.

¹¹ Such as in Austria, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, Germany, Ireland, Lithuania, the Netherlands, Portugal, Slovenia, Sweden.

¹² Legislative review underway still in Belgium and Romania, partially outstanding in Greece, possible delays in Latvia and Poland.

¹³ For example, set up border procedures and screening (including where appropriate multi-purpose centres); adequate investment in Eurodac and other IT-related adjustments; ensuring adequate reception capacities, including in accordance with the legal obligations for each Member State's adequate capacity at the external border; and the setup of the national independent and effective Fundamental Rights Monitoring Mechanisms and free legal counselling.

¹⁴ Hungary.

Building Block 1 – Eurodac

Member States continue to work closely with the Commission and eu-LISA to ensure the Eurodac system is operational on time in June 2026. At the most recent meeting of the Eurodac Advisory Group, Member States generally reported good progress: In most Member States, financial allocations have been specified for this objective, be it through national budgets or drawing on Union funds or a combination thereof. In several Member States, providers for relevant services have been selected or procurement procedures accelerated through framework contracts, whereas procurement has started in other Member States¹⁵.

As of September, eight Member States and Europol reported being fully on track¹⁶. 18 Member States reported to still face different challenges, though expect to be able to solve outstanding issues in time¹⁷. One Member State is at risk of not being ready in time¹⁸. Over the past months, eu-LISA has made it possible for Member States to test the operations, with more testing being made available to Member States over the next months.

At Union level, the Commission established the Eurodac regulatory committee and work progressed on the non-legislative acts related to Eurodac, notably on cross-system statistics and to ensure interoperability. The acts are on track to be adopted still this year¹⁹.

Key challenges and next steps:

The implementation of the Eurodac system across the Member States still varies, reflecting different stages of progress. Existing challenges need to be addressed as a matter of urgency, as we are entering the last phase before the entry into application of the Pact. In several cases, challenges include addressing remaining connectivity issues, setting clear targets to complete the testing, launching outstanding procurement procedures, and clarifying modalities related to the nomination of the access point²⁰.

Member States are strongly encouraged to start testing as early as possible, because this allows both eu-LISA and the Member State to identify any issues early on, leaving sufficient time to address them. Five Member States and Switzerland have already initiated testing the actual operation and a good number are about to start over the coming months²¹. However, the majority of Member States have not yet engaged, which in some cases is because they have not yet completed their connectivity test, a prerequisite to test operations²². The Commission and

¹⁵ Belgium, Germany (use of framework contracts), Bulgaria and Croatia (started procurement).

¹⁶ Croatia, Czechia, Estonia, Greece, Netherlands, Romania, Spain, Sweden.

¹⁷ Austria, Belgium, Bulgaria, Cyprus, Denmark, Finland, France, Germany, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Poland, Portugal, Slovakia and Slovenia.

¹⁸ Hungary.

¹⁹ On 24 July the amendments to the following acts were voted and will be adopted soon: C(2021) 6176 & C(2021) 6174 Commission Implementing Decisions laying down the technical rules for creating links between data from different EU information systems pursuant to Article 28(7) of Regulation (EU) 2019/817 and Article 28(7) of Regulation (EU) 2019/818 of the European Parliament and of the Council; and C(2023) 645 & C(2023) 649 Commission Implementing Decisions laying down and developing the universal message format (UMF) standard pursuant to Regulation (EU) 2019/817 & Regulation (EU) 2019/818 of the European Parliament and of the Council. The amendment to the Delegated Decision supplementing Regulation (EC) No 767/2008 of the European Parliament and of the Council, as regards the manual of procedures and rules necessary for queries, verifications and assessments (for short-stay visas, long-stay visas and residence permits), prepared pursuant to Articles 9h and 22b, is delayed.

²⁰ Member States concerned include Austria, Malta, Slovenia, Greece.

²¹ Member States who in September reported to eu-Lisa that they have already initiated testing are France, Ireland, Luxembourg, Romania, Sweden.

²² Belgium, Bulgaria, Cyprus, Denmark, Finland, Hungary, Latvia, Lithuania, Malta, Netherlands, Portugal, Slovenia, Spain.

eu-LISA remain in close technical dialogue with the Member States on this matter and eu-LISA will equally continue to support all Member States where needed.

Building Block 2 – A new system to manage migration at the Union’s external borders

Progress continues towards putting the mandatory asylum and return border procedures in place. Since the June Communication on the Pact implementation state of play, the number of Member States that either already have both the reception facilities and human resources in place to reach adequate capacity or that will do so soon, has further increased²³. Several Member States are setting up and organising for the new mandatory screening, including preparing training schedules²⁴.

Work has continued in the relevant committees, inter alia resulting in the preparation of dedicated Commission guidance on the asylum and return border procedures and regular updates to the guidance on screening, complementing the Practical Handbook for Border Guards. Recent topics addressed in committee meetings also included the use of large-scale IT systems for the purpose of the security and identity checks. Given that the return border procedure relies on the ability to ensure the return of rejected applicants, the 2025 Commission annual assessment under Article 25a of the Visa Code for the first time paid particular attention to countries of origin whose nationals would fall under the border procedure.

In close cooperation, the EUAA and Frontex have developed a harmonised training offer on screening. This preliminary module was made available to users at the end of September. A comprehensive training module on screening will be available from March 2026 onwards. The screening toolbox, developed jointly by Frontex, the EUAA and the Commission with the support of Europol and Member States’ experts is expected by the end of the year. The toolbox complements Commission guidance and comprises a set of user-friendly templates, guidance materials and practical resources²⁵. Operational testing of the toolbox is expected to start in October 2025.

Key challenges and next steps:

Despite progress, several of the challenges identified in the previous report remain. The pending organisational questions include adjusting national legislation, revising or developing standard operating procedures and guidelines, ensuring sufficient staff, undertaking procurement procedures for building or refurbishing facilities, implementing efficient measures to mitigate the risks of absconding, or having to further integrate IT databases²⁶. Where necessary, some temporary bridging measures would be needed²⁷. At this stage, the full

²³ In addition to Belgium, Finland, Luxembourg, Czechia, Cyprus, France, Malta and the Netherlands, who were mentioned in the first state of play on Pact implementation, Austria, Ireland, Portugal, Sweden and Lithuania have either reached the adequate capacity or progress well.

²⁴ Austria, Belgium, Bulgaria, Croatia, Czechia, Cyprus, Estonia, France, Greece, Ireland, Lithuania, Netherlands and Poland and Spain are currently considered well on track to implementing screening.

²⁵ The screening toolbox includes screening form templates and an annex outlining the consultation process for relevant databases; an information provision template based on Art. 11 of Regulation (EU) 2024/1356, a practical annex on conducting preliminary vulnerability checks. It also includes a detailed, step-by-step guiding document on conducting screening, providing practical assistance in using the templates and navigating the screening process as well as a description of training offers by Frontex and EUAA in relation to screening.

²⁶ These include Denmark, Germany, Finland, Italy, Lithuania, Slovenia, Portugal who each face one or multiple of the listed challenges.

²⁷ This may apply to Croatia, Ireland, Estonia, Italy, Latvia and Romania and relate to temporary facilities or arrangements relating to staffing. Greece and Bulgaria will reach the adequate capacity; however, the quality of facilities will need to be ensured.

and timely implementation of adequate capacity remains at risk in some Member States²⁸. Whereas the legal deadline for Member States to notify the locations for the border procedures is 11 April 2026, Member States are invited to indicate the locations as soon as possible to facilitate planning for their set-up.

On screening, a number of Member States still have to define more clearly the distribution of tasks within national structures and harmonise procedures and/or review interoperability requirements. Some Member States already have screening centres, as they already apply arrival processes²⁹. For others, plans to have centralised locations will need to factor in that these may not be fully ready by June 2026. Other Member States opted for a decentralised approach – in particular for screening within the territory. In several cases, arrangements on health checks still need to be defined, including based on cooperation with medical services.

Building Block 3 - Rethinking reception

Many Member States are improving reception capacity, both in quantity and quality. They have taken further steps to address capacity gaps or ensuring that new provisions can be operationalised. This includes the construction of new and the reconstruction and/or upgrade of existing facilities. Many Member States have concretised their plans, with some focusing on the establishment of new multipurpose centres³⁰. The models and blueprints developed by the EUAA and the Commission are useful in this regard, as centres are designed to provide a range of services, from identification and registration to reception facilities for different categories of people as well as access to social workers and legal advice services.

Some Member States are using simulation exercises to assess their reception system's preparedness for the introduction of new procedures/activities by the Pact such as the border procedure and screening³¹.

The possibility to have different reception arrangements based on different types and groups of applicants that is outlined in Directive (EU) 2024/1346 has also been taken up. Member States are introducing or consolidating specific arrangements for the responsibility transfer cases³², but also working to better address the needs of people with vulnerabilities or families in reception centres³³. Several Member States also advanced the case management systems and the digitalisation of processes to enhance access and exchange of data or adapt otherwise to Pact requirements³⁴.

Overall, since the last update in June, Member States and EUAA have made significant efforts to fill gaps in the data collection on reception³⁵. However, national reception systems are very complex and heterogeneous. More granular data is needed from all Member States, for the Commission to provide a more comprehensive and comparable picture of the reception capacity in the Union and in the Member States for the purposes of the annual migration

²⁸ Due to still pending selection of facilities or procurement procedures not yet started, Germany, Latvia, Romania, Slovakia, Slovenia may risk delays.

²⁹ For example: Greece, Italy, Spain, Cyprus.

³⁰ This includes Croatia, Latvia, Lithuania, Luxembourg, Portugal, Romania, Slovakia, Slovenia.

³¹ For example: Ireland, Romania. Sweden.

³² Belgium, Bulgaria, Czechia, Germany, Portugal, Slovakia, Slovenia and Sweden are considering this.

³³ This includes Austria, Cyprus, Czechia, Italy, Lithuania, Portugal, Slovenia.

³⁴ For example, Czechia, Estonia, Italy, Croatia, France, Bulgaria, Portugal, Spain.

³⁵ Based on the available data, it is now possible to have an overview of the number of persons hosted in the formal national reception systems of the Member States, understood as the set of arrangements in place to accommodate asylum applicants as per Directive (EU) 2024/1346. However, current data do not capture the accommodation support provided to beneficiaries of temporary protection outside Directive (EU) 2024/1346, neither is granular enough to compare the reception situation in the different Member States.

management cycle. For the first two annual cycles (2025 and 2026), the Commission and EUAA set forth an incremental approach by which Member States are required to report reception data on core indicators³⁶. As of 2027, Member States will report data to the EUAA on a complete set of reception indicators.

Member States and the Commission services continue to meet in the Reception Contact Committee to prepare the transposition of Directive (EU) 2024/1346 and clarify outstanding issues. Recent discussions addressed issues such as early integration measures, restriction of freedom of movement, detention and alternatives to detention, as well as more generally the interplay with other elements of the Pact. The EUAA Reception Network continues its work to identify operational challenges and share good practices. All these discussions also feed into the upcoming revised EUAA guidance on standards and indicators. The agency's practical guide on setting up and managing an arrival and reception centre is also nearing completion.

Key challenges and next steps:

Some key challenges in national reception systems continue to persist. Any new construction should proceed in a timely fashion and, where necessary, intermediate measures must be put in place to ensure compliance with Directive (EU) 2024/1346 and to guarantee sufficient adequate capacities by the time the Pact enters into operation³⁷. Challenges still exist in relation to vulnerable groups hosted within the reception systems, such as unaccompanied minors and victims of gender-based violence (section 3.10).

Member States that are in the early stages of planning for multipurpose centres and have not done so already should engage with the EUAA to consider the blueprint and models developed specifically to ensure alignment with the provisions and principles of the Pact.

Overall, challenges related to capacity and integration of management systems highlight continuous need for strategic resource allocation. This process is still ongoing for a number of Member States. The Commission continues to pay close attention to cases where Member States plan or are already starting a reduction in their reception capacity to ensure that any such measures are in line with the overall need to have well prepared systems. Member States are also advised to provide detention, in full alignment with the Pact legislation, where detention must be a measure of last resort.

Data reporting and granularity on national reception system need to be further improved to inform the assessment of the reception situation included in the European Annual Asylum and Migration Report³⁸. Given the central role of reception, further work will be required to ensure reception statistics are sufficiently comparable and complete, thus allowing for a more complete assessment.

Building Block 4 - Fair, efficient and convergent asylum procedures

The reforms relating to the Pact legislation continue to be discussed in the relevant fora. EUAA updated the relevant guidance and operational standards and indicators on the asylum

³⁶ Persons in the reception system (total number of persons in the reception system incl. breakdown per legal status of persons in reception and number of UAMs); and capacity of the reception system (total beds available at the end of the reporting period).

³⁷ Concerns relate for instance to Belgium, where courts continue to identify a lack of adequate reception conditions. Other concerns also relate to Bulgaria, Cyprus, Croatia, Latvia, Greece and the Netherlands.

³⁸ More broadly, the organisation of reception systems is different across the Union. Beneficiaries of temporary protection who are provided accommodation support outside this system are not counted in the data reporting of the Member States.

procedures that should be finalised by the end of the year, alongside the practical guide on registration and lodging of applications for international protection.

Various Member States are taking measures to tackle existing backlogs in asylum cases and improve their case management. This ranges from the hiring of additional staff to reforming processes through digitalisation and integrated case-management systems and harmonising workflows and procedures across different stakeholders³⁹. Various Member States make use of the EUAA support e.g. to jointly develop procedures or request deployments or trainings or to direct operational support⁴⁰. The ongoing decrease in asylum requests in the Union will further help Member States to reduce the backlogs in asylum cases.

Most Member States have ensured cooperation with judicial bodies in their implementation work⁴¹. This is crucial to ensure alignment between national judicial practices and Pact provisions, to enable efficient judicial systems to reduce the processing times of applications and expand capacities to process appeals.

As noted above, the legislative procedure for the Commission's proposals relating to the Safe Third Country Concept and to the establishment of a list of Safe Countries of Origin, which will facilitate procedures, is ongoing⁴².

Key challenges and next steps:

Despite the measures taken, further efforts to reduce backlogs and avoid building up new ones are needed⁴³. This may include the timely launch of recruitment procedures, be it for interim or long-term arrangements, and of the trainings necessary to familiarise staff with the new framework, in possible cooperation with the EUAA. Only by reducing their backlogs will Member States be able to limit as much as possible a situation of running two systems in parallel after June 2026 (one based on the then old *acquis* of the Directive 2013/32/EU, and another one based on Regulation (EU) 2024/1348 for cases received after 12 June 2026).

All Member States are encouraged to put further emphasis on the cooperation with the judiciary and address possible risks of overburdened judicial systems and staff shortages, also in view of the shortened deadlines under the new procedures.

As they adjust their systems, Member States also need to continue ensuring effective access to asylum procedures and the application of the principle of non-refoulement.

In line with Communication 2024/570 on countering hybrid threats from the weaponisation of migration and strengthening security at the Union's external borders, measures taken to address such weaponisation of migration at the borders with Belarus and Russia that entail serious

³⁹ Member states currently engaged in these different reforms include Belgium, Cyprus, Finland, Germany, Ireland, Italy and Malta.

⁴⁰ For example, Austria, Belgium, Cyprus, Estonia and Germany, Greece, Italy, Lithuania.

⁴¹ Various Member States put a focus on strengthening the judiciary, including Austria, Czechia, Lithuania, Luxembourg, Finland, Estonia. For example, in Austria, the Federal Administrative Court launched a court-internal project "Ready 4 GEAS".

⁴² On the former, the European Parliament appointed its rapporteur, and a first technical meeting took place on 25 September. The Council has begun the work on its position, with discussions ongoing in the context of the Asylum Working Party. Regarding the proposal for a Union list of Safe Countries of Origin, the discussions are progressing in the Council, with the Danish Presidency advancing on a compromise proposal. The European Parliament has appointed its Rapporteur, and two technical meetings took place in September.

⁴³ Member States who face related challenges include Belgium, Croatia, Estonia, Germany, Greece, Italy, Luxembourg, Netherlands, Poland, Portugal, and Spain. At the same time, in a number of Member States, including Austria, Bulgaria, Croatia, Cyprus, Finland, Germany, Lithuania, Malta, Slovakia and Sweden, pending cases reduced by between 24% to 50% in the period from June 2024-June 2025.

interferences with fundamental rights, such as the right to asylum and related guarantees, have to be temporary, proportional and limited to what is strictly necessary, and ensure that the essence of those rights is respected, while meeting objectives of general interest recognised by the Union.

Building Block 5 - More efficient and fair return procedures

As part of joint efforts to simplify and streamline administrative procedures, alongside with the issuing of negative asylum decisions together with return decisions⁴⁴, Member States are upgrading their national return case management systems and taking steps to make the return process more effective.

Several Member States have made plans to increase their return counselling capacity. Other measures include reinforcing Assisted Voluntary Return Programmes, plans to increase human capacities for the authorities managing return procedures or to establish return offices to facilitate inter-institutional relations and increase the efficiency of return procedures⁴⁵.

Frontex, as requested by Member States, will further strengthen its counselling support, specifically targeting third-country nationals whose appeal against negative asylum decisions has granted them the right to remain on the territory pending a first-instance review⁴⁶. In addition, Frontex is working on a training for return specialists on cooperation with third countries, return IT systems, and on return and reintegration counselling. All Member States continue to actively use the Frontex EU Reintegration programme.

Key challenges and next steps:

The Commission continues to place priority on advancing the negotiations on the proposed Return Regulation⁴⁷, resulting in a swift agreement between the European Parliament and the Council, in any event prior to the application of the Pact in June 2026. The Return Coordinator is working to develop a manual on effective workflows in the Return Border Procedure this year. In parallel, the Commission services, in close cooperation with the Member States, are exploring the possibility of setting up mechanisms to support those Member States that are not yet issuing return decisions at the same time as the negative asylum decisions to develop capacities and procedures to do so.

Frontex will continue to map Member States' IT return case management systems by performing gap analyses and advising on further improvement, as well as seeking to establish interconnections between Frontex' and Member States' national IT return case management systems. More broadly, Frontex is currently evaluating how best to adapt its support to Member States in carrying out forced and voluntary returns within the framework of the Pact. This may entail the establishment of additional return routes, the facilitation of departures from peripheral airports, and the capacity to respond flexibly to short-notice requirements for charter flights. At the request of Member States, Frontex may also deploy Return Escort and Support Officers (FRESO) and return specialist joint mobile teams. The Agency will also expand the geographical coverage of the EU Reintegration Programme.

⁴⁴ As per Art. 37 of Regulation (EU) 2024/1348.

⁴⁵ This includes Austria, Italy, Romania, Slovenia (counselling); Cyprus, Bulgaria and Czechia (AVVR, on return offices: Bulgaria, Sweden).

⁴⁶ See Articles 38 and 68 of Regulation (EU) 2024/1348.

⁴⁷ Proposal for a regulation of the European Parliament and of the Council establishing a common system for the return of third-country nationals staying illegally in the Union, and repealing Directive 2008/115/EC of the European Parliament and the Council, Council Directive 2001/40/EC and Council Decision 2004/191/EC [EUR-Lex - 52025PC0101 - EN - EUR-Lex](#).

Building Block 6 - Making responsibility work

At horizontal level, the new implementing rules for Regulation (EU) 2024/1351 were finalised in July, and their final adoption is planned for October. The rules cover both responsibility rules as well as elements of the solidarity mechanism. They define the modalities of information exchange between Member States as well as the practical details for the effective implementation of the responsibility rules set out in that Regulation (the ‘Dublin rules’) and the solidarity mechanism, effectively delivering on several key milestones across building blocks six and seven of the Common Implementation Plan.

In support of the reforms of the responsibility rules under Regulation (EU) 2024/1351, the EUAA has published two templates for family tracing forms⁴⁸, a Practical Guide on family tracing⁴⁹ and the Guidance on remote interviews in April 2025⁵⁰. The Agency is also working on the revision of the EUAA “Guidance on the Dublin procedure: operational standards and indicators”, planned for 2026.

Member States continue to advance reforms, strengthening their staffing levels, providing training on the new responsibility rules, setting up dedicated facilities, refining procedures for vulnerable groups or families, and upgrading their IT infrastructure⁵¹. Member States are also taking action to reduce possibilities and incentives for unauthorised movements through reforms in their reception system (see section 3.4. above), such as the creation of Dublin centres, and through legislative changes that use the new provisions on the restriction of freedom of movement, but also through greater bilateral cooperation.

Key challenges and next steps:

At the level of Member States, systemic challenges persist, in particular shortages of personnel, the accumulation of backlogs, insufficient reception capacities for incoming transfers, and the absconding of applicants. To safeguard the full implementation of the new system, it is essential to send a clear signal that responsibility rules cannot be circumvented.

Since conditions are in place for transfers to function to and from all Member States, and in view of the applicable rules, these should take place towards all Member States. This is important for the effective transition to the new rules, and for the effective functioning of the annual solidarity cycle.

As underlined in both the European Annual Asylum and Migration Report and the previous Communication on the state of play on the implementation of the Pact, Member States must address any outstanding operational or capacity constraints. This extends to measures concerning other key building blocks, in particular reception conditions and opportunities for early integration. It is also closely linked to the effective implementation of Regulation (EU) 2024/1358.

Based on the new rules, eu-LISA is now developing the technical and operational measures for the communication between Member States via DubliNet. In addition, EUAA will publish the

⁴⁸ [Family Tracing Form – Child | European Union Agency for Asylum](#) and [Family Tracing Form – Adult | European Union Agency for Asylum](#).

⁴⁹ Practical Guide on Family Tracing Part I: [https://euaa.europa.eu/publications/practical-guide-family-tracing-part-i-principles-practices](https://euaa.europa.eu/publications/practical-guide-family-tracing-part-i-principles-practices;); Practical Guide on Family Tracing Part II: <https://euaa.europa.eu/publications/practical-guide-family-tracing-part-ii-tracing-AMMR>.

⁵⁰ EUAA Guidance on Remote Interviews: <https://euaa.europa.eu/publications/guidance-remote-interviews>.

⁵¹ This includes Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Estonia, Germany, Ireland, Italy, Lithuania, Malta, Portugal.

revision of the *EUAA Guidance on the Dublin procedure: operational standards and indicators*.

Building Block 7 – Making solidarity work

The launch of the first Annual Migration Management Cycle and the establishment of the first Solidarity Pool is a key deliverable of the Pact, intertwined with the responsibility strand of the reforms. The European Annual Asylum and Migration Report, which also includes projection of arrivals, provides the evidence-base for the Commission implementing decision and the Commission Proposal for a Council Implementing act⁵².

Preparatory work for the implementation of the solidarity mechanism continued within the framework of the Solidarity Platform, as did the preparation of the EUAA practical guide on the operational implementation of relocation and responsibility offsets expected for March 2026. The ongoing joint work between the Commission, the Union agencies and Member States within the framework of the Blueprint Network⁵³ led to a satisfactory outcome in the transmission and collection of data for the purpose of the Annual Migration Management Cycle, providing a solid and objective data foundation for the assessment of the migratory situation in the Union.

Key challenges and next steps:

The next steps are defined in the European Annual Asylum and Migration Report. Most importantly, Member States will need to agree on the overall level of solidarity and define their pledges at the High-Level Union Solidarity Forum, in view of finding an agreement on the Solidarity Pool. In parallel, preparations to operationalise the solidarity mechanism are underway within the Commission, notably by working towards setting up of the Technical-level Solidarity Forum, as well as in the Member States.

A common evidence-base and data sharing remain essential for the successful implementation of the Pact. Member States are encouraged to continue working together with the Union Agencies and Eurostat to collect and transmit accurate and timely data, respecting the set deadlines and the commonly agreed definition of the indicators. Streamlining of international protection data is ongoing to ensure a single set of official European statistics on international protection⁵⁴. The improvement of data collection and quality will continue, also through the adoption of Regulation (EU) 2024/1358.

Building Block 8 - Preparedness and contingency planning

Most Member States adopted and notified their national contingency plans on reception and asylum to the EUAA⁵⁵, after common and comparable standards were set in the template provided by the EUAA. In doing so, they met another important milestone set out in the legislation.

Most of the national contingency plans notified to the EUAA reflect the core elements of the template (asylum, reception and unaccompanied minors), albeit with different levels of

⁵² See Articles 9, 11 and 12 of Regulation (EU) 2024/1351.

⁵³ The Blueprint Network, an early deliverable of the Pact, is the operational framework bringing together relevant Union stakeholders to monitor and anticipate migration flows and situations. It was established by Commission Recommendation (EU) 2020/1366 of 23 September 2020 on an EU mechanism for preparedness and management of crises related to migration, [EUR-Lex - 32020H1366 - EN - EUR-Lex](#).

⁵⁴ A joint EUAA-EUROSTAT project is put in place to streamline statistics on international protection.

⁵⁵ Poland and Hungary have yet to notify their contingency plans to EUAA.

completeness and clarity⁵⁶. Most of the plans also included detailed scenarios with clear indicators and thresholds, as well as linkages between the scenarios and response measures. The majority of the plans explain the procedure for the activation/deactivation of the relevant scenarios⁵⁷. The overview of governance arrangements also varied, with some Member States addressing in greater detail how different authorities were involved in formulating the plan and how they will be involved in its activation across different scenario and areas.

Key challenges and next steps:

The Commission and the EUAA are in contact with the Member States on how to strengthen the completeness and clarity of the plans. Some general areas of improvement relate to better identifying well-formulated and measurable indicators for each scenario. Furthermore, the plans should encompass clear response measures per area and scenario. This includes the possible use of EUAA's support. Preparedness measures (e.g. logistics and procurement preparation, stockpiling, training or buffer reception capacity) should be taken to ensure capacities that can be mobilised in a flexible and efficient manner and articulate them in the contingency plan. While almost all Member States indicated linkages with other relevant contingency plans (e.g. borders, returns), not all included these references. Most plans do not explain the process and actors that would be involved to ensure the mandatory revisions foreseen in Directive (EU) 2024/1346.

As indicated by some Member States, ongoing legislative and administrative preparations for the entry into application of the Pact could still affect the content of their contingency plans. The Commission therefore invites the Member States to ensure their plans are updated, if necessary, and notified to the EUAA by the time of entry into application of the Pact. It would also be advisable to ensure capacity building and testing of the plans.

Building Block 9 - New safeguards for applicants for international protection and vulnerable persons, and increased monitoring of fundamental rights

Over the last few months, most Member States have clarified their arrangements relating to legal counselling. In some cases, Member States need to introduce legislative changes, which are currently being drafted⁵⁸. At operational level, whereas several countries are continuing with existing arrangements, most are making changes, by expanding their existing arrangements or establishing new ones. A large majority of Member States plan to work with partners, independent agencies and/or lawyers/legal aid association⁵⁹. Similarly, most Member States have by now identified partners or institutional arrangements to put in place the fundamental rights monitoring mechanism. In most cases, the task will be attributed to existing ombudspersons⁶⁰.

⁵⁶ For example, issues relate to the absence of asylum in the plan (France); absence or lack of clarity of response measures relating to UAMs (Cyprus, Estonia, the Netherlands, Portugal, and Spain), preparedness and response measures (Cyprus), lack of clarity on measures by scenarios (Estonia, Netherlands). Most of these Member States confirmed they intend to revise and complete the plans to better align them to the EUAA's template. Cyprus, Estonia and the Netherlands are already revising their plans, with the support of the EUAA.

⁵⁷ On 30 July 2025, joint indications to notify the Commission and the EUAA on the activation and deactivation of the plan in the cases foreseen in Directive (EU) 2024/1346 were circulated to the Member States.

⁵⁸ This includes Cyprus, Austria, Finland, Spain, Bulgaria, Netherlands, Slovenia, Sweden.

⁵⁹ Such as Austria, Bulgaria, Estonia, Croatia (though building on current system), Czechia, Ireland (legal aid board), Italy, Latvia, Lithuania, Portugal, Romania, Slovakia (expanding current arrangements), Slovenia, Spain, The Netherlands, Germany and Finland are relying on internal arrangements.

⁶⁰ In most cases the task is or will be attributed to existing ombudsperson (Austria, Bulgaria, Cyprus, Czechia, Latvia, Lithuania, Estonia, Poland, Portugal, Romania, Slovakia, though there are exceptions such as Croatia,

Regarding safeguards, the EUAA finalised the information provision materials relating to the new procedures in September 2025 and issued a Practical Guide for free legal counselling in the administrative stage of the procedure⁶¹. For Member States, especially the introduction of screening has required renewed attention and training specifically relating to vulnerability identification and response⁶². As part of this effort, training sessions are being organised. To support early identification and adequate and harmonised responses, the above-mentioned new screening toolbox (section 3.3) also includes a practical annex on conducting preliminary vulnerability checks. In addition, tailor-made training has been made available⁶³. The EUAA is also finalising the revision of the broader training module “Introduction to vulnerability” to reflect the Pact legislation. In relation to returns, Frontex, in collaboration with other stakeholders, is developing a mobile application on working with vulnerable groups, including also a vulnerability check. The Fundamental Rights Agency (hereinafter: FRA) continues to advise Union institutions and national governments on fundamental rights.

Member States also focused on actions related to children that include steps to ensure adequate reception, in some cases changes to age assessment procedures, as well as further engagement relating to guardianship appointments and their supervision⁶⁴.

Key challenges and next steps:

Member States who have not yet defined arrangements related to legal counselling⁶⁵ or the independent fundamental rights mechanism⁶⁶ should do so. All Member States should address any outstanding issues relating to ensuring competence and adequate independence and define clear lines of responsibility and accountability. This implies avoiding splitting this role amongst different actors or, where composite arrangements are chosen, clearly defining a lead role. Building on its December 2024 guidance relating to the set-up of the Mechanism itself, the FRA is currently developing methodological guidance for the work of the future designated monitors.

Challenges must also still be tackled in relation to vulnerable groups hosted within the reception system, such as unaccompanied minors and victims of gender-based violence. Sufficient and adequate reception capacities should be in place for unaccompanied minors who in principle should not be housed together with adults. Member States should increase efforts to ensure timely and adequate representatives for minors throughout all steps of the asylum process and to ensure access to education and health services for children in accordance with the Pact. In federal systems, special attention is needed to align legislation and practice at all levels of government.

the Netherlands. In Romania, the ombudsperson has already formally taken up the task. Ireland proposes the establishment of an independent oversight mechanism through a Chief Inspector for Asylum and Border Procedures, supported by an advisory board.

⁶¹ By the end of the year the information provision materials will be translated in 23 Union languages and 20 non-Union languages.

⁶² Austria for example has launched an initiative to establish vulnerability officers and strengthen cooperation with the UNHCR.

⁶³ “Vulnerability in the Pact on Migration and Asylum”, <https://euaa.europa.eu/publications/euaa-tailor-made-training-plan-pact-migration-and-asylum>.

⁶⁴ Here the Pact contributes to wider reforms: following a period of overcrowding that has highlighted the need to expand and reform the reception system, Ireland’s strong child protection system will be reinforced through Pact implementation.

⁶⁵ Greece, Hungary.

⁶⁶ The latter include, for different reasons: Denmark, Finland, Greece, Hungary, Malta, Slovenia, Spain, Sweden.

The next meeting of the Commission expert group on children in migration will focus primarily on guardianship reforms required by the Pact. In this regard, FRA is working to update the 2014 Handbook on guardianship for unaccompanied children in line with the provisions introduced by the Pact. Still this year, the EUAA will publish an update of the 2018 Guidance on Age Assessment (3rd edition).

Building Block 10 - Integration and legal pathways to protection

Resettlement and legal pathways: The Commission presented its proposal for the first two-year Union Resettlement and Humanitarian Admission Plan (hereinafter: the Union Plan). The proposal for the Union Plan aims to set out the total number of third-country nationals or stateless persons in need of protection that Member States aim to admit in the Union in 2026 and 2027. It reflects the discussion held at the High-Level Resettlement and Humanitarian Admission Committee meetings, the voluntary contributions made by the participating Member States, and the Projected Global Resettlement Needs identified by the UNHCR. The proposed Union Plan identifies the regions from where admission should occur, with the objective of providing viable safe alternatives to irregular journeys and further strengthen the role of resettlement and humanitarian admission in building partnerships with third countries.

The EUAA provides support to Member States with related needs and is finalising the update to its training modules on complementary pathways and on the selection phase in the context of resettlement and humanitarian admission ahead of schedule by the end of 2025.

Integration of beneficiaries of international protection: Most Member States have worked to include Pact provisions related to integration and early integration measures in their national processes of implementation and transposition. As noted in June, the need to invest more or support further integration measures, including by developing early integration measures and a more efficient process for the recognition of qualifications and the validation of skills, was addressed by several Member States in their National Implementation Plans. Some Member States have progressed with national integration strategies⁶⁷ or aim to expand integration efforts with new or earlier integration and language courses⁶⁸.

Key challenges and next steps:

The Council will need to adopt the Union Resettlement and Humanitarian Plan, based on the Commission's proposal, by the end of the year. The Commission stands ready to support Member States in its implementation.

A functioning and coherent integration policy, including early integration measures, remains a prerequisite to support the self-sufficiency of applicants, foster social cohesion and allow beneficiaries of international protection to contribute to the host societies as early on as possible⁶⁹. It also contributes to reducing incentives for unauthorised movements.

Despite their critical importance, integration support measures still vary greatly, and several Member States still need to increase their efforts, particularly regarding support to access to adequate housing, support to labour market integration, recognition of qualifications and setting up early integration measures⁷⁰. To increase the effectiveness of their support, Member States should make further efforts to provide adapted measures to specific needs and remove

⁶⁷ Malta launched the Integration Strategy and Action Plan (2025-2030) in January 2025.

⁶⁸ For example, Austria, Czechia, Estonia, Italy, Luxemburg, Slovenia.

⁶⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Action plan on Integration and Inclusion 2021-2027, COM(2020) 758 final, [EUR-Lex - 52020DC0758 - EN - EUR-Lex](#).

⁷⁰ Such as Bulgaria, Croatia, Cyprus, Greece, Hungary, Latvia, Slovakia, Romania.

obstacles for target groups such as migrant women, children or persons with mental health related needs, as highlighted in the mid-term review of the Action plan on integration and inclusion.

The Commission continues to support Member States' integration policies by providing funding (including for long-term integration under Union cohesion funds), developing guidance and fostering multi-level partnerships involving migrants, host communities, local and regional authorities, social and economic partners, civil society and the private sector.

CONCLUSION

Over the next eight months, sustained progress is needed to ensure the successful entry into application of the Pact reforms, providing a stable foundation for future Union action for migration and asylum management. This requires effort now and it will require collective work in the future.

Focus should be on the challenges outlined in this report, ensuring that solidarity and responsibility systems function, Eurodac systems are ready, arrangements for the border procedure are in place, and adequate reception capacities are ensured across all Member States. Further important elements of the Pact are the fundamental rights monitoring, legal counselling and new safeguards provisions for vulnerable groups.

The Commission remains fully engaged on this path and will continue its work both at horizontal and bilateral level through the work of the dedicated country teams.

With the launch of the Annual Migration Management Cycle, progress must be made in addressing existing weaknesses in the Dublin system and to prepare in full the application of the responsibility framework of Regulation (EU) 2024/1351. In parallel, work will advance to implement the Solidarity Pool.

At Union level, an important deliverable will be the adoption of a European Asylum and Migration Management Strategy in December 2025. This Strategy will build on the national strategies that Member States transmitted to the Commission in June, covering both the internal and external dimensions of migration in a comprehensive and integrated approach.

The Commission will present the next state of play on the implementation of the Pact to the European Parliament and the Council in March 2026.



Brussels, 11.11.2025
C(2025) 7099 final

COMMISSION IMPLEMENTING DECISION (EU) .../...

of 11.11.2025

**pursuant to Article 11 of Regulation (EU) 2024/1351 of the European Parliament and of
the Council**

COMMISSION IMPLEMENTING DECISION (EU) .../...

of 11.11.2025

pursuant to Article 11 of Regulation (EU) 2024/1351 of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on Asylum and Migration Management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013¹, and in particular Article 11 thereof,

Whereas:

- (1) Under Regulation (EU) 2024/1351, the Commission is to determine every year the Member States under migratory pressure, at risk of migratory pressure or facing a significant migratory situation. By 15 October 2025, and every year after, the Commission is to adopt the European Annual Asylum and Migration Report and adopt a decision determining those Member States.
- (2) In order to determine whether a particular Member State is under migratory pressure, risk of migratory pressure, or facing a significant migratory situation, the Commission has carried out an assessment based on the European Annual Asylum and Migration Report² and the elements listed in Article 9 and Article 10 of that Regulation. For that purpose, the Commission developed a methodology that considers that pressure is relative to the creation of disproportionate obligations in a Member State taking into account the overall migratory situation in the Union. This methodology was discussed thoroughly with the Member States. To determine what constitutes disproportionate obligations, the methodology compares each Member State's situation to the overall situation in the Union³.
- (3) The assessment considers a 12-month period, from 1 July 2024 to 30 June 2025, to identify Member States under migratory pressure and Member States at risk of migratory pressure in accordance with Article 9(1) of Regulation (EU) 2024/1351 and with the definition of 'migratory pressure' in Article 2(24) of that Regulation. In accordance with the definition of 'significant migratory situation' in Article 2(25) of Regulation (EU) 2024/1351, in order to consider the cumulative effect of current and previous annual arrivals of third-country nationals or stateless persons, the assessment

¹ Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on Asylum and Migration Management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013 (OJ L, 2024/1351, 22.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1351/oj>).

² Communication from the Commission to the European Parliament and the Council - The European Annual Asylum and Migration Report (2025), COM(2025)795.

³ SWD (2025)792, "Methodology for the purposes of Commission implementing decision pursuant to Article 11 of Regulation (EU) 2024/1351 of the European Parliament and of the Council".

of a significant migratory situation considers the period between 1 July 2020 to 30 June 2025.

- (4) During the reporting period from 1 July 2024 to 30 June 2025, illegal border crossings at the Union's external border decreased by 35%, showing that the overall migratory situation in the Union continues to improve. Applications for international protection and unauthorised movements also show decreasing trends by 21% and 25% respectively, a stable trend already observed since 2024.
- (5) During the reporting period from 1 July 2024 to 30 June 2025, based on the European Annual Asylum and Migration Report and the elements listed in Article 9 and Article 10 of Regulation (EU) 2024/1351, when all the relevant quantitative and qualitative data and information are aggregated and assessed in relation to the overall situation in the Union, the assessment concludes that Greece and Cyprus are under migratory pressure. The assessment also concludes that Italy and Spain are under migratory pressure because of a large number of arrivals due to disembarkations following search and rescue ('SAR') operations.
- (6) During the reporting period from 1 July 2024 to 30 June 2025, in Greece, while trends remained overall stable compared to the previous 12-month period, the country faced disproportionate obligations in relation to the overall situation in the Union, in particular due to the number of illegal border crossings and applications for international protection. Greece recorded the highest number of illegal border crossings relative to its Gross Domestic Product (GDP) and population. Furthermore, Greece also received the highest number of applications at Union level in relation to their GDP and population and was also the first Member State in relative terms regarding decisions granting international protection, while it was second with regard to the issuance of orders to leave, but only a small proportion of returns was possible in the period under analysis.
- (7) During the reporting period from 1 July 2024 to 30 June 2025, in Cyprus, the migration and asylum situation improved compared to the previous period, but it still faced disproportionate obligations in relation to the overall situation in the Union, in particular due to illegal border crossings, applications for international protection and registrations for temporary protection. Despite illegal border crossings decreased significantly, the number of arrivals put a strain on Cyprus' asylum and migration system, relative to its GDP and population. Cyprus was in relative terms the second highest receiver of applications for international protection in the period under analysis and also received a significant number of new registrations for temporary protection compared to their GDP and population. Furthermore, while the number of third country nationals ordered to leave remained stable, twice as many third country nationals were returned following an order to leave compared to the previous period.
- (8) A high number of persons were disembarked in Italy following SAR operations during the reporting period from 1 July 2024 to 30 June 2025. The share and absolute number of arrivals due to recurring disembarkations following SAR operations were of such a scale that they created disproportionate obligations compared to the overall situation in the Union. Italy accounted for around 40% of the total number of persons disembarked in the Union.
- (9) During the reporting period from 1 July 2024 to 30 June 2025, Spain faced a large number of arrivals due to recurring disembarkations following SAR operations, which were of such a scale that they created disproportionate obligations compared to the

overall situation in the Union. Spain also accounted for around 40% of the total number of persons disembarked in the Union.

- (10) During the reporting period from 1 July 2024 to 30 June 2025, based on the findings of the European Annual Asylum and Migration Report and the elements listed in Article 9 and Article 10 of Regulation (EU) 2024/1351, when all the relevant quantitative and qualitative data and information are considered and assessed in relation to the overall situation in the Union, Belgium, Bulgaria, Germany, Estonia, Ireland, France, Croatia, Latvia, Lithuania, the Netherlands, Poland, and Finland have been identified as at risk of migratory pressure.
- (11) Bulgaria and Croatia, as Member States of first entry into the Union, continued being particularly exposed to the fluctuations of irregular arrivals via the Western Balkans and Eastern Mediterranean routes. Significant increase of irregular arrivals during the year could lead the national migration and asylum systems, already strained, to be affected by disproportionate obligations. During the reporting period from 1 July 2024 to 30 June 2025, although Bulgaria recorded a decrease in the number of applications for international protection compared to the previous period, it still registered a significant number of applications for international protection, one fifth of which were lodged by unaccompanied minors, making Bulgaria the second Member State in relative terms receiving most applications by unaccompanied minors in the Union. Bulgaria also registered a high and steady number of registrations for temporary protection relative to the share of GDP and population. During the reporting period from 1 July 2024 to 30 June 2025, Croatia was impacted by illegal border crossings and refusals of entry, registering 76% of all arrivals along the Western Balkans route, the second highest number of illegal border crossings at Union level relative to GDP and population, and accounting for the highest number of refusals of entry in the Union in relative terms.
- (12) A number of Member States recorded high numbers of unauthorised movements which put particular pressure on their asylum, migration and reception systems. The challenges associated with such unauthorised movements are addressed by acknowledging the possibility of applying responsibility offsets to these cases as part of the solidarity contributions. During the reporting period from 1 July 2024 to 30 June 2025, Germany received a significantly high number of unauthorised movements of applicants for international protection within the Union, resulting in a large number of applications for international protection, which impacted its asylum and reception system; this was further compounded not only by the hosting of the highest number of temporary protection beneficiaries in the EU but also due to a very high number of applications for international protection in the last ten years. France also received a very high number of unauthorised movements of applicants for international protection within the Union and faced increasing illegal border crossings at exit towards the United Kingdom, which impacted its national asylum and reception system. The Netherlands and Belgium were also impacted by unauthorised movements of applicants for international protection, which put a strain on the reception systems. Ireland has also experienced a sustained high number of applications for international protection and a significant proportion enter the country irregularly principally arriving across the land border of the United Kingdom. This, together with the significant arrivals of persons benefitting from temporary protection, had an impact on the national asylum and reception system.
- (13) Hybrid threats linked to the instrumentalisation of migration by Russia and Belarus continue to raise serious migration and security risks at the Eastern border of the

Union, especially in Estonia, Latvia, Lithuania, Poland, and Finland. In response to continued state-sponsored attempts to instrumentalise migration, Estonia strengthened border management measures at the border with Russia; Latvia and Lithuania enhanced surveillance measures at their border with Belarus; Poland established a buffer zone along its border and temporarily limits the right to apply for international protection at that border, except for vulnerable groups; Finland closed its crossing points with Russia. However, further attempts by Russia and Belarus to instrumentalise migration could put additional strain on national border protection systems, which may lead to disproportionate obligations.

- (14) Based on the European Annual Asylum and Migration Report and the elements listed in Article 9 and Article 10 of Regulation (EU) 2024/1351, due to the cumulative effect of the quantitative and qualitative data and information aggregated and assessed during the five-year period 1 July 2020 to 30 June 2025, the assessment concludes that Bulgaria, Czechia, Estonia, Croatia, Austria, and Poland face a significant migratory situation.
- (15) In Bulgaria, for the last five years, and notably since 2022, relative to the share of GDP and population, the inflow of registrations for temporary protection, together with a relative high number of international protection applications, put a strain on the system, in particular as Bulgaria issued a significant number of positive decisions and of rejections that created a high burden on the return system.
- (16) When assessing the situation in Croatia over the previous five years, and in relation to the overall situation in the Union, the strain on the return system relative to its share of GDP and population had a major impact on the capacities of Croatia in addition to the obligations at its external border, notably as Croatia issued in relative terms a large number of refusals of entry and has experienced more recently a relative high number of illegal border crossings due to increased migrant smuggling activities in the region.
- (17) Following Russia's ongoing war of aggression and escalation of attacks against Ukraine, 4.3 million persons are benefitting from temporary protection in the Union as of 30 June 2025. Since the beginning of the war, Poland and Czechia have recorded among the highest number of temporary protection registrations in the Union relative to their GDP and population. This has put a significant strain on the migration, asylum and border management systems of those Member States over the last years since 2022 and created integration challenges. Estonia has recorded a high number of temporary protection registrations relative to its GDP and population combined with a relative significant number of applications for international protection that resulted in a high number of positive decisions in the last five years.
- (18) During the five-year period 1 July 2020 to 30 June 2025, Austria received high numbers of applications for international protection. While this number has decreased, the overall number of applications for international protection, and the resulting number of positive decisions, over the five-year period has had a cumulative effect on the capacity of the migration, reception and asylum system in Austria.
- (19) Member States determined by this Decision as under migratory pressure should have access to the Annual Solidarity Pool established by the Council implementing decision referred to in Article 57 of Regulation (EU) 2024/1351 and should inform the Commission and the Council pursuant to Article 58(1) of that Regulation where they intend to make use of the Annual Solidarity Pool, including information on the type and level of solidarity measures needed. Where the Member States under migratory pressure do not make use of the Annual Solidarity Pool or do not notify the need to

use it, they may request a full or partial deduction of its pledged contributions to the Annual Solidarity Pool in line with Article 61 of Regulation (EU) 2024/1351.

- (20) Member States determined by this Decision as at risk of migratory pressure should have priority access to the Permanent EU Migration Support Toolbox set out in Article 6 of Regulation (EU) 2024/1351.
- (21) To facilitate the use of the Permanent EU Migration Support Toolbox by Member States at risk of migratory pressure, the Commission will provide funding support and coordinate with the relevant Union Agencies the possible prioritisation of the provision of operational support.
- (22) Member States determined by this Decision as facing a significant migratory situation are entitled to request a full or partial deduction of their solidarity contributions in line with Article 62 of Regulation (EU) 2024/1351.
- (23) In order to ensure the balance between solidarity and fair sharing of responsibility and to safeguard the functioning of the Regulation (EU) 2024/1351, Article 60(3) of that Regulation establishes that contributing Member States are not required to implement their pledges or to apply responsibility offsets towards a benefitting Member State where the Commission has identified systemic shortcomings in that benefitting Member State with regard to the responsibility rules set out in Part III of Regulation (EU) 2024/1351 that could result in serious negative consequences for the functioning of that Regulation. Part III of Regulation (EU) 2024/1351 sets out, *inter alia*, the obligations of the Member State responsible to take charge of and take back applicants and third-country nationals or stateless persons whose application for international protection was registered in another Member State or in relation to whom another Member State was indicated as responsible under Article 16(1) of Regulation (EU) 2024/1358⁴, including to carry out the transfers of those persons with full respect of the applicant's fundamental rights within the meaning of the Charter of Fundamental Rights of the European Union as outlined in recital 87 and Article 16(3). These rules are in continuity with the rules set out in Regulation (EU) 604/2013 of the European Parliament and of the Council⁵ and they will replace those rules as of their entry into application.
- (24) On 4 April 2025 the Communication from the Commission to the Council and the European Parliament on the status of migration management in mainland Greece⁶

⁴ Regulation (EU) 2024/1358 of the European Parliament and of the Council of 14 May 2024 on the establishment of 'Eurodac' for the comparison of biometric data in order to effectively apply Regulations (EU) 2024/1351 and (EU) 2024/1350 of the European Parliament and of the Council and Council Directive 2001/55/EC and to identify illegally staying third-country nationals and stateless persons and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, amending Regulations (EU) 2018/1240 and (EU) 2019/818 of the European Parliament and of the Council and repealing Regulation (EU) No 603/2013 of the European Parliament and of the Council OJ L, 2024/1358, 22.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1358/oj>.

⁵ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, pp. 31, ELI: <http://data.europa.eu/eli/reg/2013/604/oj>).
See also recital 76 of Regulation (EU) 2024/1351.

⁶ Communication from the Commission to the Council and the European Parliament on the status of migration management in mainland Greece of 4 April 2025, COM(2025) 170 final.

concluded that transfers to Greece should take place in the same manner as for the other Member States and in accordance with the jurisprudence of the Court of Justice of the European Union regarding the interpretation of Article 3(2) of Regulation (EU) 604/2013.

- (25) In December 2022, Italy suspended the receiving of transfers, with the exception of cases of family reunification of unaccompanied minors. The Court of Justice of the European Union found in its judgement of 19 December 2024 on joined cases C-185/24 and C-189/24⁷ that the Member State designated as responsible under the criteria set out in Chapter III of the Regulation (EU) 604/2013 cannot unilaterally discharge itself from that responsibility.
- (26) Member States should ensure compliance with their obligations under EU asylum law. In particular, they should ensure that the current practices already observed in their countries in relation to Regulation (EU) 604/2013 no longer persist by the entry into application of Regulation (EU) 2024/1351. Continued non-compliance would amount to systemic shortcomings with regard to the rules set out in Part III of Regulation (EU) 2024/1351 that could result in serious negative consequences for the functioning of that Regulation. This should be assessed regularly by the Commission, and if these situations persist, Article 60(3), fourth sub-paragraph of Regulation (EU) 2024/1351 should apply. To ensure a sustainable transition from the current system of responsibility to the new rules set out in Regulation (EU) 2024/1351, particular attention should be paid to the level of operational cooperation among Member States, including the active engagement to facilitate transfers and progressive cooperation on practical and logistical matters.
- (27) In view of taking a comprehensive approach to migration management at EU level, in parallel to the implementation of the Pact on Migration and Asylum, including Regulation (EU) 2024/1351, legislative work should continue as a matter of priority, particularly on the proposals for a common European system for return and for a Union list of safe countries of origin. Together these would help reduce the overall pressure on Member States' asylum systems and support the functioning of the Pact on Migration and Asylum.
- (28) Pursuant to Article 11(1), second subparagraph, consultations were carried out with the Member States identified in this decision as Member States under migratory pressure, at risk of migratory pressure, and facing a significant migratory situation.
- (29) In accordance with Article 4 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union (TEU) and to the Treaty on the Functioning of the European Union (TFEU), Ireland has notified, by letter of 14 May 2024, its wish to accept and be bound by Regulation (EU) 2024/1351. Commission Decision (EU) 2024/2088⁸ confirmed such participation. Ireland is therefore taking part in the adoption of this Decision.

⁷ Joined Cases C 185/24 and C 189/24 [Tudmur], paragraph 42.

⁸ Commission Decision (EU) 2024/2088 of 31 July 2024 confirming the participation of Ireland in Regulation (EU) 2024/1351 of the European Parliament and the Council on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 (OJ L, 2024/2088, 2.8.2024, ELI: <http://data.europa.eu/eli/dec/2024/2088/oj>).

- (30) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

The Member States under migratory pressure shall be as set in Annex I.

Article 2

The Member States at risk of migratory pressure shall be as set in Annex II.

Article 3

The Member States facing significant migratory situation shall be as set in Annex III.

Article 4

The Commission shall assess by 12 July 2026 and again by 15 October 2026 whether current practices with regard to applicable rules have not been remedied and thereby constitute systemic shortcomings that could result in serious negative consequences for the functioning of Regulation (EU) 2024/1351, in which case Article 60(3) fourth sub-paragraph of Regulation (EU) 2024/1351 shall apply.

Article 5

This Decision shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from the full entry into application of Regulation (EU) 2024/1351.

Done at Brussels, 11.11.2025

For the Commission

The President

Ursula VON DER LEYEN



Brussels, 11.11.2025
C(2025) 7099 final

ANNEXES 1 to 3

ANNEXES

to the

Commission Implementing Decision (EU) .../...of XXX

**pursuant to Article 11 of Regulation (EU) 2024/1351 of the European Parliament and of
the Council**

ANNEX I

MEMBER STATES UNDER MIGRATORY PRESSURE

Greece
Spain
Italy
Cyprus

ANNEX II

MEMBER STATES AT RISK OF MIGRATORY PRESSURE

Belgium
Bulgaria
Germany
Estonia
Ireland
France
Croatia
Latvia
Lithuania
The Netherlands
Poland
Finland

ANNEX III

MEMBER STATES FACING A SIGNIFICANT MIGRATORY SITUATION

Bulgaria
Czechia
Estonia
Croatia
Austria
Poland



Minister van Justitie en Veiligheid
Staatssecretaris van Justitie en Veiligheid

Cluster secretaris-generaal

Directie Europese en
Internationale
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nota

Geannoteerde agenda van de formele JBZ-Raad, 8-9
december 2025 te Luxemburg

Datum

13 november 2025

Onze referentie

6908053

Bijlage(n)

0

1. Aanleiding

De JBZ-Raad zal van 8-9 december 2025 plaatsvinden in Brussel onder Deens voorzitterschap. Met de geannoteerde agenda worden de Kamers over de agenda en Nederlandse inzet tijdens deze Raad geïnformeerd.

2. Geadviseerd besluit

Instemmen met verzending van de aanbestedingsbrieven en de geannoteerde agenda aan de Eerste en Tweede Kamer.

3. Kernpunten

De onderwerpen in de aanbestedingsbrieven en de geannoteerde agenda zijn als volgt verdeeld:

MJenV:

- Implementatie van interoperabiliteit: Post 2026 Roadmap (p. 2)
- Uniemechanisme voor Civiele Bescherming en Gezondheidsnoodhulp (UCPM) (p. 4)
- De impact van de huidige geopolitieke situatie op de interne veiligheid van de EU (drones) (p. 5)
- Conclusies over modelbepalingen voor EU strafrecht (p. 7-8)
- De Russische agressieoorlog tegen Oekraïne: strijd tegen straffeloosheid (p. 8)
- Aanpak georganiseerde criminaliteit (p. 6, 8)
- Werklunch – justitiële samenwerking met derde landen (p. 9)
- AOB: Toegang tot gegevens voor effectieve rechtshandhaving (p. 6)
- EBSP (aanbestedingsbrief)
- Kopgroep contraterrorisme-ontbijt (aanbestedingsbrief)
- Ministeriële conferentie Straatsburg over het EVRM (aanbestedingsbrief)

SJenV

- Lopende wetsvoorstellen: afronding insolventierechtrichtlijn (p. 7)
- Weg voorwaarts met betrekking tot simplificatie Algemene Verordening Gegevensbescherming (AVG) (p. 7)
- AOB: Digitale rechtspraak en strategieën voor justitiële opleiding (p. 9)

- AOB: Toegang tot gegevens voor effectieve rechtshandhaving (p. 6)
- Ministeriële conferentie Straatsburg over het EVRM (aanbiedingsbrief)

Cluster secretaris-generaal

Directie Europese en
Internationale
Aangelegenheden
Europese Unie

(ter info) MAenM:

- Terugkeerverordening (p. 1)
- Implementatie van interoperabiliteit: routekaart voor na 2026 (p. 2)
- Staat van het Schengengebied (p. 1)
- Verordening veilige landen van herkomst (p. 2)
- Verordening inzake de toepassing van het begrip "veilig derde land" (p. 3)
- Uitvoeringshandeling van de Raad voor de vaststelling van de jaarlijkse solidariteitspool (p. 5)
- Asiel- en migratiepact: implementatie (p. 5)
- Compromisvoorstel Digital Travel Credential (aanbiedingsbrief)
- Voorstel voor een Unieplan voor hervestiging en humanitaire toelating 2026-2027 (aanbiedingsbrief)
- Ministeriële conferentie Straatsburg over het EVRM (aanbiedingsbrief)
- Onderdelen implementatie /uitvoering asiel-migratiepact (aanbiedingsbrief)

Datum

13 november 2025

Onze referentie

6908053

4. Toelichting

N.v.t.

5. Informatie die niet openbaar gemaakt kan worden

5.1. Toelichting

6. Bijlagen

1. Aanbiedingsbrief geannoteerde agenda JBZ-Raad 8-9 december 2025
2. Geannoteerde agenda JBZ-Raad 8-9 december
3. Bijlage: Annual Report over 2024-2025
4. Bijlage: Annex bij Annual Report 2024-2025
5. Bijlage: Commission implementing decision article 11
6. Bijlage: Commission implementing decision article 11 Annexes