

# Input by civil society organisations to the Asylum Report 2025

Fields marked with \* are mandatory.

Dear Colleagues,

The production of the Asylum Report 2025 is currently underway. The annual [Asylum Report](#) presents an overview of developments in the field of international protection in Europe.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, researchers and UNHCR. To this end, we invite you, our partners from civil society, academia and research institutions, to share your reporting on developments in asylum law, policies or practices in 2024 by topic as presented in the online survey (**‘Part A’ of the form**).

We also invite you to share with us any publications your organisation has produced throughout 2024 on issues related to asylum in EU+ countries (**‘Part B’ of the form**).

These may be reports, articles, recommendations to national authorities or EU institutions, open letters and analytical outputs.

Your input can cover information for a specific EU+ country or the EU as a whole. You can complete all or only some of the sections.

Please note that the Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain.

All submissions are publicly accessible. For transparency, contributions will be published on the EUAA webpage and contributing organisations will be listed under the Acknowledgements of the report.

All contributions should be appropriately referenced. You may include links to supporting material, such as analytical studies, articles, reports, websites, press releases, position papers.

Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

The content of the Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA’s work in multiple ways and inform reports and analyses beyond the Asylum Report.

***NB: This year’s edition of the Asylum Report will be significantly revamped to achieve a leaner, more analytical report with streamlined thematic sections. The focus will be on key trends in the field of asylum rather than on individual developments. For this reason, information shared by***

*respondents to this call may be incorporated in the Asylum Report in a format different than in the past years.*

Your input matters to us and will be much appreciated!

**\*Please submit your contribution to the Asylum Report 2025 by Friday, 10 January 2025.\***

## Contact details

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I accept the provisions of the EUAA [Legal and Privacy Statements](#)

## General observations

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**Before sharing information by thematic area, please provide your general observations on asylum developments as indicated in the following three fields:**

What areas would you highlight where important developments took place in the country/countries you cover?

## Developments in Germany:

### Social Welfare Law:

- Reduction of social benefits for asylum seekers: after a rejection on admissibility in the Dublin procedure, social benefits can be cancelled completely if the authorities assume that there is a possibility of return to the responsible member state. This is likely to be a violation of Art. 14 of the EU directive on the reception of refugees.

- Introduction of a payment card': the granting of social benefits to asylum seekers in cash is being replaced by so-called 'payment cards', prepaid cards with limited access to cash (50 € per month), shopping facilities and restricted money transfer options.

### Residence and Asylum Law:

- introduction of a new law to simplify deportations: it makes it possible to take people into pre-removal custody even if without a risk of absconding and the possible duration of pre-removal custody has been extended to up to 18 months. A legal right to a compulsory lawyer for detainees awaiting deportation has been introduced.

- skilled labour immigration act: Enables a change from an ongoing asylum procedure to a residence permit for skilled workers if the asylum application is withdrawn for persons who entered the country before 29 March 2023

- despite recognition of the genocide, the ban on deporting yazidis to Iraq has expired and they can be deported to Iraq if their asylum application is rejected.

- the asylum procedures for Palestinians have been suspended by the asylum authority and no decisions are being made because the situation is described as too dynamic and difficult to assess. Court disagrees and grants subsidiary protection

### Reception conditions:

- the accommodation situation in the initial reception centres of the federal states and also in the municipalities has deteriorated and violence protection concepts are usually not in place

### Perception of Asylum seekers in the society:

- acceptance of refugees in society has fallen drastically since the rise of the far-right parties and this year in particular after a terrorist attack in Solingen, carried out by a former asylum seeker

What are the areas, where only few or no developments took place?

- legal proceedings under asylum law
- decision-making practice of the Asylum Authority

Would you have any observations to share specifically about the implementation of the Pact on Migration and Asylum in the national context of the country/ countries you cover?

A draft law was prepared to adapt national law to the reform of the Common European Asylum System, but was not passed due to the resignation of the government and the upcoming new elections. According to the Commission's implementation decision, Germany must provide 374 places for the external border procedure. These will be build up at international airports.

## PART A: Contributions by topic

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Please share your reporting on developments in asylum law, policies or practices in 2024 by topic. Kindly make sure that you provide information on:

- New developments and improvements in 2024 and new or remaining challenges;
- Changes in legislation, policies or practices, or institutional changes during 2024.

### 1. Access to territory and access to the asylum procedure (including first arrival to territory and registration, arrival at the border, application of the non-refoulement principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

We note that in some cases there are criminal investigations into illegal border crossings that are not discontinued even though the immigrants apply for asylum, but result in fines of many hundreds of euros. Adequate legal representation is usually not possible due to the poor financial situation of the accused and the large distances between the court where the illegal border crossing is being heard and the place to which the refugees are distributed after their arrival (according to the distribution key under the EASY system). Those who cannot afford the train journey and/or legal representation have no choice but to accept the fine, which is also far in excess of the amount of money available to them.

### 2. Access to information and legal assistance (including counselling and representation)

According to § 12 German Asylum Act, there is a right to legal advice on the asylum procedure (asylum procedure counselling). This legal counselling should take place before an interview by the BAMF. However, with the 25 million euros that the BAMF is making available to various non-profit organisations nationwide for this purpose in 2025, it is far from possible to create a truly nationwide service. Rather, experience shows that only a fraction of those arriving at the initial reception centres have access to asylum procedure counselling. Even if such counselling is available, it is hardly known.

Only those who can afford the costs have access to lawyers and legal representation before the administrative court. Experience has shown that an appeal against an asylum decision costs between 1000 and 2000 euros for the representation by a lawyer. A lawsuit can also be brought in the first instance without a lawyer, so that no costs are incurred, but is then much less successful.

### 3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)

Interpreters do not have to be sworn translators or have completed a degree in the language(s) they are translating for either the hearings at the Federal Office for Migration and Refugees or the asylum procedure counselling. In addition to their language skills, they must complete a form about their own residence status in Germany and their links to their home country.

Due to the lack of interpreters for languages that are rarely spoken, such as Dinka, Gonja, Comorian, Koniake, Kpelle, Krio, Malinke, Mandingo, Mende, Nuer, Oromo, Rundi/Kirundi, Rwanda/Kinyarwanda asylum procedures are considerably delayed, often taking over 2 years from the formal application for asylum to the hearing on the grounds for asylum.

Sworn interpreters are only available in court proceedings.

#### **4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)**

Ostensibly to improve the security situation, the legislator has passed a new law that will come into force on 1 November 2024 and provides for a complete exclusion from social benefits for persons obliged to leave the country, i.e. for persons who were rejected on admissibility in the Dublin procedure and for asylum seekers rejected in another European country who, in the opinion of the federal authority, could lawfully and actually leave the country. This also includes the exclusion of food and accommodation as well as cash benefits. The authorities are currently cancelling cash benefits in some cases, but people are still being housed in the accommodation centres as there is a risk of destitution and homelessness. The state authorities are currently awaiting instructions from the federal government.

Dublin transfers/deportations were carried out in around 9 % of all Dublin cases in 2023.

However, it should be noted that of the 54,865 Dublin cases (the total number of cases for which Germany requested other European countries to take over was 74,600 - <https://mediendienst-integration.de/migration/flucht-asyl/abschiebungen.html>), 15,514 refugees had entered Europe via Italy, i.e. for these 28 percent there was no realistic prospect of return, but the Federal Office refused an immediate examination of their asylum procedure on the basis of Dublin legislation (German Bundestag, printed matter 20/10869, 27 March 2024).

It can be assumed that the number of deportations will be higher in 2024 due to increased political pressure. It should be noted that deportations to Greece and Bulgaria are very low due to the often court-confirmed systemic deficiencies in the asylum system. In some individual cases, the asylum authority orders Dublin transfers to Greece if there is a promise that the persons will be accepted there in accordance with European law. However, courts still regularly stop Dublin transfers to Greece.

#### **5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)**

In September 2024, border controls were extended to all internal borders.

Half-year statistics from the Federal Police show that the number of rejections at Germany's national borders almost doubled after the first round of introductions: from 9,464 (first half of 2023) to 17,771 (first half of 2024). Most of those affected come from the main countries of origin of people seeking protection, such as Afghanistan, Syria and Ukraine.

Accelerated procedures take place for people from so-called safe countries of origin, which have been expanded to include Georgia and the Republic of Moldova and now include the following countries: Albania, Bosnia and Herzegovina, Georgia, Ghana, Kosovo, Macedonia, former Yugoslav Republic, Montenegro, Republic of Moldova, Senegal, Serbia. In these procedures, people are obliged to live in reception centers and do not receive a work permit,

#### **6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions - housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)**

Big challenges lie in the accommodation. The initial reception centres do not have enough capacities. Instead, the federal states rent vacant buildings such as former DIY stores, training centres or exhibition halls, in which they often house the refugees for many months (up to 9 months) under highly reduced standards - so-called 'emergency accommodation'.

Necessary medical care is often not available, only acute medical problems are treated.

Vulnerable people are also housed in such camps, as identification of vulnerabilities in advance in the initial reception centres is not sufficient and authorities and interior ministries do not consider all vulnerabilities to be relevant. In the case of men in particular, chronic illnesses like HIV are not necessarily taken into account. Assigning refugees to a municipality is an intensified battle, says the Lower Saxony Ministry of the Interior. Municipalities are refusing to take in more refugees because they allegedly do not have enough capacity. The political climate seems to be becoming increasingly difficult, so it seems to be politically desirable not to take in large numbers of refugees. As a result, refugees are staying longer in the initial reception centres, where they have no access to integration courses, adequate medical care and the labour market (even if work is permitted by law, the authorities know little or nothing about it). The law allows a stay of up to 18 months in initial reception centres, including the stay in emergency accommodation.

Introduction of a payment card': the granting of social benefits to asylum seekers in cash is being replaced by so-called 'payment cards', prepaid cards with limited access to cash, shopping facilities and restricted money transfer options. A cash limit of a maximum of 50 euros for those seeking protection is not tenable without endangering the humane minimum subsistence level. Individual additional needs must be taken into account.

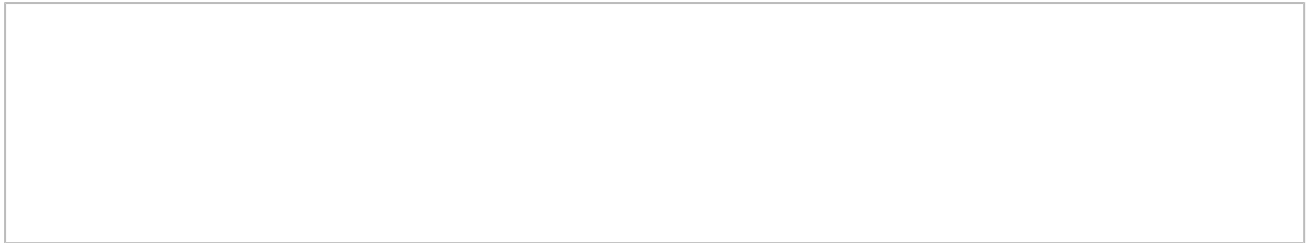
## **7. Detention of applicants for international protection (including detention capacity – increase /decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)**

## **8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decisionmaking, timeframes, case management - including backlog management)**

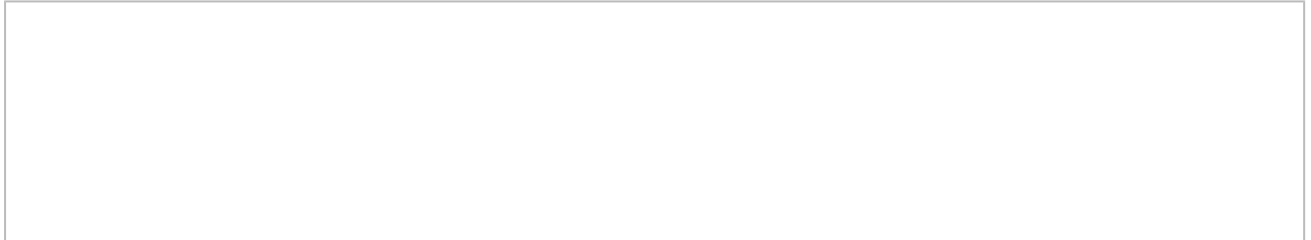
Extension of the grounds for a rejection as 'manifestly unfounded': For example, a rejection as 'manifestly unfounded' is possible if only circumstances are brought forward in the asylum procedure that are not relevant to the examination of the asylum application or if a subsequent application (or second application) has already been submitted and a further asylum procedure has been carried out or if a person has entered the federal territory contrary to an entry and residence ban imposed on them.

Criminalisation of violations of the duty to cooperate: Violations of obligations are now criminalised in both the Residence Act and the Asylum Act. It is envisaged that the non-issue of passports, other documents or data carriers as well as the provision of false information in the asylum procedure will be punishable by imprisonment of up to one year or a fine.

## **9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management -including backlog management)**



## 10. Issues of statelessness in the context of asylum (including identification and registration)



## 11. Children and applicants with special needs (special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)

For survivors of human trafficking: cooperation between specialised counselling centres and the police is usually laid down in so-called cooperation agreements. There is no national referral mechanism in Germany yet, but the cooperation agreements can be seen as a similar mechanism. There is no legal basis for a residence law for survivors of human trafficking and only very few cases where it is acknowledged as a ground to grant a protection status.

Reception facilities for unaccompanied minors

We are observing an increase in considerable structural deficits in the needs-based care and support of unaccompanied young refugees. The standards in youth welfare have been lowered for males, unaccompanied and over 16 by decree of the federal states. This group is generally assumed to have lower needs. This contradicts the European Commission's assumption that unaccompanied minors are particularly vulnerable due to their age, their distance from home and their separation from their parents or carers, they are particularly vulnerable.

Due to the lowered standards minors are accommodated in shared accommodation or hotels without adequate care and a minimum level of privacy. The lowering of standards in youth welfare for unaccompanied minors was only intended to be temporary. However, they have now been in place for two years and it is not foreseeable that the standard reductions will be reversed.

There is a shortage of skilled labour in youth welfare and a shortage of guardians for young people. Guardians look after a large number of young people and are overworked. Some children have hardly any contact with their guardians. Due to a lack of guardians, many unaccompanied minors spend months in temporary accommodation. No asylum applications are submitted during this time. This means that young people have more difficult access to asylum procedures. This has a significant impact on family reunification procedures and can also prevent them.

Family reunification for unaccompanied minors:

Asylum procedures sometimes take longer than a year. Added to this family reunification procedures can drag on for months. Minors with subsidiary protection status are in a worse legal position than minors with protection status under the Geneva Refugee Convention. The parents of refugee minors with subsidiary protection status can no longer enter the country when they come of age in the family reunification procedure. Parents of refugee minors with protection status under the Geneva Refugee Convention can also

join their children when they reach the age of majority in the asylum procedure.

Shortcomings in the assessment of age:

There is a lack of training for employees who are entrusted with age assessment. In many cases, there is also a lack of representation of interests of the minor in the age assessment procedure. There is a lack of legal protection options for young refugees. Appealing against an incorrect age assessment is associated with high bureaucratic requirements and there is a lack of financial resources for legal representation. Minors only have the opportunity to appeal against age assessments with intensive support. Unaccompanied minors whose age has been incorrectly assessed remain permanently in the accommodation and care system for adults and are increasingly at risk of trafficking and exploitation.

Participation in education:

Unaccompanied minors are taken in custody for many month and are spending therefor many month in accommodations with lowered standards. During this time, they are rarely enrolled in school. There are too few language courses. In Addition there are too few follow-up places in youth welfare centers for those over 18. Due to a lack of capacity in youth welfare centers, unaccompanied minors are not placed in forms of accommodation that are appropriate for their age and development.

Temporary custody is not designed for long stays. The long time the minors have to spend in temporary accommodation deprives young people of important rights. They have no representation by a guardian, in many cases no school attendance, health insurance is provided via sickness certificates and there is no assessment of needs under youth welfare law.

Overall, it must be mentioned that the conditions for access to education, care and access to the healthcare system in Germany vary greatly from region to region.

## **12. Content of protection (including access to social security, social assistance, healthcare, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)**

We are increasingly seeing problems with recognized refugees with refugee status, subsidiary protection status or a national ban on deportation, who have to leave the reception centers but often cannot find a place to live; this particularly affects families. In some cases they are threatened with being placed in homeless shelters.

## **13. Return of former applicants for international protection**



Repatriation Improvement Act (<https://www.recht.bund.de/bgbl/1/2024/54/VO.html>) :

- A new authorisation is to be introduced for the authorities to search the homes and other premises of the persons concerned for documents, other papers and data carriers that may be relevant for establishing identity and nationality and for determining and asserting the possibility of repatriation to another country if the person concerned is not in possession of a valid passport or passport substitute. This now also encroaches on the fundamental right to the inviolability of the home. In the event of imminent danger, not even a court order should be required.
- Extension of the immediate enforcement of residence law measures: In future, appeals and legal action against a number of measures directed primarily against persons obliged to leave the country will no longer have a suspensive effect. This means that although these measures can still be contested by means of an appeal and legal action, they are already enforceable regardless of this. In order for enforceability to be suspended, those affected may have to apply to the competent authority or administrative court for the suspensive effect of the action to be restored (by the authority or court). In future, appeals and legal actions against the imposition of spatial restrictions, against the imposition of residence restrictions and against the imposition and limitation of entry and residence bans will no longer have a suspensive effect.
- Extension of detention pending departure: The maximum duration of detention pending departure (i.e. detention that can be ordered by a court even if there is no risk of absconding) has been extended from 10 to 28 days. As with the previous regulation, considerable doubts were expressed as to whether the regulation is compatible with the European Return Directive (among other things because Section 62b AufenthG allows detention without examining individual grounds for detention and because no examination is provided as to whether detention is proportionate in individual cases or whether the purpose of the measure could also be achieved by other means).
- Changes to pre removal detention (ordering or maintaining detention even during ongoing asylum proceedings): With an amendment to Section 14 (3) AsylG, it is now possible that the filing of an asylum application does not prevent detention pending deportation from being ordered or maintained if the requirements for detention pending deportation were met at the time the asylum application was filed. This means that, in principle, any person who is apprehended after crossing the border irregularly (due to a lack of legal escape routes) and files an asylum application could be taken into detention pending deportation if there is an assumed risk of absconding - for which, however, further requirements must also be met (among other things, detention may only be ordered if it is certain that it can actually be carried out within six months, according to Section 62 para. 3 sentence 3 AufenthG, which has also been amended). With the amendment, it will also be possible for preventive detention to be ordered if the person concerned has become subject to an enforceable obligation to leave the country following authorised entry or has entered the country in breach of an entry and residence ban. This means that a person who re-applies for asylum after re-entry can be detained immediately, even if the asylum application has good prospects of success. Detention pending deportation can also be maintained if a new asylum procedure is carried out following a subsequent application. It should also always be possible to order detention pending deportation if a person poses a significant risk to the life and limb of third parties or important legal interests and it is certain that the deportation can be carried out within six months (no longer within three months as previously).
- Entering the rooms of third parties in shared accommodation: The amendment makes it possible to 'enter' the rooms of third parties who are not involved or all rooms in shared accommodation in order to locate a person to be deported.

#### **14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)**

According to the federal government's coalition agreement, the federal admission program for people at risk from Afghanistan (BAP) should run until September 2025, the end of this legislative period. However, the Federal Cabinet's draft budget for 2025, presented on July 17, 2024, provides for massive cuts in humanitarian reception. Specifically, all funds for the BAP are to be deleted from the Federal Ministry of the Interior budget for 2025. These major cuts would mean the de facto and premature end of the BAP. Instead of enabling 1,000 Afghans to escape safely from the Taliban regime per month as planned, only around 1,020 people were admitted from October 2022 to the beginning of December 2024. No new admission commitments have been made since the summer of 2024, and non-governmental organizations have been asked not to submit any new cases. Now all that's left to do is process the program. Around 2,000 Afghans have already been accepted and are still to be brought to Germany. The 17,000 people who are still in the process of applying are left in the lurch.

For the years 2024 and 2025, Germany will provide up to 6,500 places for resettlement, humanitarian admissions from Turkey and two state admission programs (Berlin, Brandenburg). By summer 2025, member states must make new commitments to the UN resettlement program at European level. The new federal government will then also have to determine what promises it will make.

An important supplement to federal admission programs were always the state admission programs, through which people entitled to protection could bring family members to Germany. In Berlin there were still state reception programs for Afghanistan, Iraq and Syria in 2024 - but according to media reports, these are unlikely to be renewed. In Schleswig-Holstein, too, there has so far been no extension of the admission program for Syrians. In Thuringia, the new coalition agreement does not provide for any renewal of the state's reception programs for Syria and Afghanistan.

#### **15. National jurisprudence on international protection in 2024 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))**

- Decision of July 18, 2024, Hamburg Social Court (S 7 AY 410/24 ER) on payment card: <https://www.landesrecht-hamburg.de/bsha/document/NJRE001581892>
- Decision of November 21, 2024, Federal Administrative Court (1 C 23.23) on Dublin transfers of single parents and children to Italy: <https://www.bverwg.de/pm/2024/57>

#### **16. Other important developments in 2024**

According to media reports, almost 15,000 people were deported from Germany by the end of September 2024, an increase of 20 per cent compared to the previous year.

## **PART B: Publications**

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### **1. If available online, please provide links to relevant publications produced by your organisation in 2024**

<https://www.nds-fluerat.org/aktionen/aktionsseite-gegen-die-diskriminierende-bezahlkarte-in-niedersachsen-und-anderswo/>  
<https://www.nds-fluerat.org/wp-content/uploads/2024/08/Kirchenasyl-dritte-Auflage-23072024.pdf>  
<https://www.slu-boell.de/de/flucht-und-asyl-niedersachsen>

**2. If not available online, please share your publications with us at: [Asylum.Report@euaa.europa.eu](mailto:Asylum.Report@euaa.europa.eu) or upload your file using the functionality below (max. file size 1MB).**

Please upload your file

The maximum file size is 1 MB

3. For publications that due to copyright issues cannot be easily shared, please provide references using the table below.

	Title of publication	Name of author	Publisher/Organisation	Date
1				
2				
3				
4				
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## Useful links

[EUAA Asylum Report 2024 \(https://euaa.europa.eu/asylum-report-2024\)](https://euaa.europa.eu/asylum-report-2024)

[Executive Summary -Asylum Report 2024 \(https://euaa.europa.eu/asylum-report-2024/executive-summary\)](https://euaa.europa.eu/asylum-report-2024/executive-summary)

[Sources on Asylum 2024 \(https://euaa.europa.eu/publications/sources-asylum-2024\)](https://euaa.europa.eu/publications/sources-asylum-2024)

[National asylum developments database \(https://euaa.europa.eu/national-asylum-developments-database\)](https://euaa.europa.eu/national-asylum-developments-database)

[International Protection in Europe: 2023 in Review \(https://euaa.europa.eu/international-protection-europe-2023-review\)](https://euaa.europa.eu/international-protection-europe-2023-review)

## Background Documents

[Word template to submit input](#)

## Contact

[Contact Form](#)