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DEPREZ, Director

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Subject: COMMISSION STAFF WORKING DOCUMENT 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

Delegations will find attached document SWD(2025) 792 final.

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COMMISSION STAFF WORKING DOCUMENT

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

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

Pursuant to Article 11 of Regulation (EU) 2024/1351 on asylum and migratory management¹, the Commission shall determine every year in an implementing decision the Member States under migratory pressure, at risk of migratory pressure or facing a significant migratory situation. The Commission shall adopt this implementing decision (hereinafter, the ‘Decision’) by 15 October every year.

For the purpose of the assessment, an evidence-based methodology on the basis of the elements listed in Article 9, in particular paragraph (3), point (a) and Article 10(2), points (a) to (k) of Regulation (EU) 2024/1351 has been developed. The methodology was developed in consultation with Member States². This Staff Working Document explains this methodology.

The work on the methodology

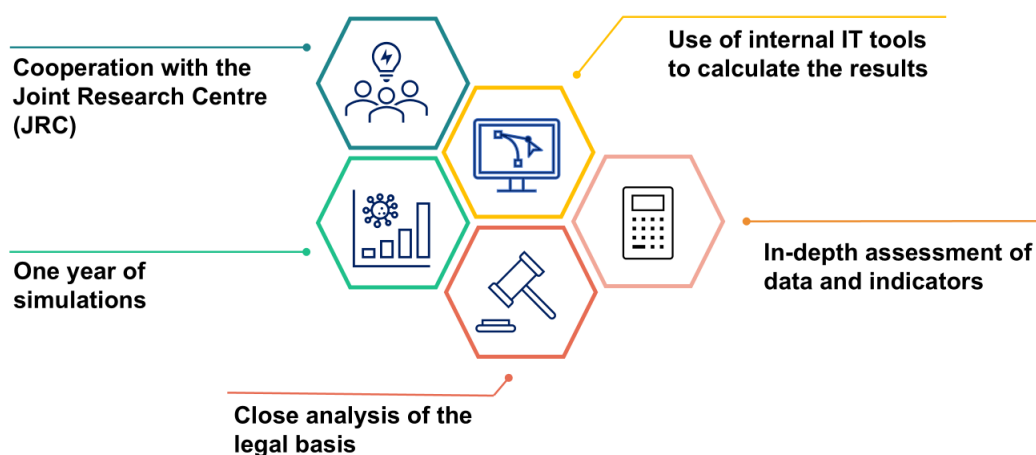


Figure 1 – Main functional blocks leading to the definition of the methodology.

The methodology seeks to provide an objective and consistent picture, using high-quality data and information, based on well-established reporting mechanisms developed in close cooperation with relevant Union Agencies and the Member States.

The quantitative data provided by the Member States via the Union Agencies and Eurostat, pursuant to Article 9(2) of Regulation (EU) 2024/1351 and in line with a common definition and methodology, undergo regular quality checks and provide a solid basis for the assessment of the migratory situation in the Union and the Member States.

At the same time, for the case of reception of applicants for international protection or secondary movements, there are limitations in relation to the available data (i.e. data on reception is not fully comparable³ and remains incomplete across Member States; data on

¹ Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulation (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 6014/2013, OJ L, 2024/1351, 22.5.2024.

² The methodology was presented to all the Member States on 9 July 2025 and adjusted further based on the comments received and presented again on 3 September 2025 to all the Member States.

³ The organisation of reception and the underlying data varies across the Union. Some Member States include and collect data on persons with different legal statuses in their reception system, including temporary

secondary movements only provides proxy indicators⁴). The below-described methodology will be further fine-tuned once new and better data becomes available. The new Eurodac database will become operational in mid-2026 and will provide new data that will lead to a better understanding of secondary movements. Furthermore, more comparable data on reception are being collected, which will complement the picture on pressure and allow to assess whether a Member State's asylum, reception and migration system is well-prepared.

Overview of the methodology

The methodology consists of two strands:

- Strand 1 assesses migratory pressure, risk of migratory pressure and a significant migratory situation by aggregating the different indicators listed in Article 9, in particular those listed in paragraph (3)(a) thereof and 10(2)(a) to (k) of Regulation (EU) 2024/1351, following three steps: (i) the baseline quantitative analysis, (ii) the complementary quantitative analysis, and (iii) the complementary qualitative analysis.
- Strand 2 assesses migratory pressure because of a large number of arrivals due to recurring disembarkations following search and rescue operations (hereinafter, 'SAR') pursuant to Article 11(3) of Regulation (EU) 2024/1351.

The assessment covers a 12-month period from 1 July year n-1 to 30 June year n (for the first Decision: 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.

In accordance with the definition of a significant migratory situation in Article 2(25) of Regulation (EU) 2024/1351, ascertaining the existence of a significant migratory situation requires the assessment of the cumulative effect of current and previous annual arrivals of third-country nationals or stateless persons. Regulation (EU) 2024/1351 does not define the exact time period to be considered for the assessment of that cumulative effect. Five years is a period sufficiently long to assess whether "the cumulative effect of current and previous annual arrivals of third-country nationals or stateless persons leads a well-prepared asylum, reception and migration system to reach the limits of its capacity". Therefore, the assessment of a significant migratory situation covers the period from 1 July year n-5 to 30 June year n (for the first Decision: 1 July 2020 to 30 June 2025).

The sources of the data used in the assessment are, pursuant to Article 9(2) of Regulation (EU) 2024/1351, the European Union Agency for Asylum, the European Border and Coast Guard Agency and Eurostat.

Methodological principles

In order to objectively assess migratory pressure, risk of migratory pressure and a significant migratory situation across all Member States, and in accordance with the definitions of migratory pressure and significant migratory situation set out in Article 2(24) and Article 2(25) of Regulation (EU) 2024/1351, the methodology bases the assessment on the requirement that pressure is relative compared to the overall situation in the Union, in the sense that pressure creates disproportionate obligations on a Member State taking into account the

protection beneficiaries, applicants whose applications have been rejected, or persons subject to a return decision.

⁴ The available data are proxy indicators because there are currently no precise data capturing secondary movements.

overall situation in the Union. The disproportionate character of the obligations is determined on the basis of what is described below in the section for strand 1 and in the section for strand 2.

The methodology differentiates between migratory pressure, risk of migratory pressure, and significant migratory situation.

The methodological steps – Strand 1

Strand 1 uses the fair share, i.e. the share of GDP and the population of Member States calculated in accordance with the reference key set out in Article 66 of Regulation (EU) 2024/1351, to measure the relative pressure.

The relative distance from the fair share represents a standardised metric to quantify how disproportionate the obligations are.

(a) The baseline quantitative analysis

In order to ensure that all indicators that derive from the definition of migratory pressure set out in Article 2(24) of Regulation (EU) 2024/1351 are taken into account, as a first step, the assessment aggregates for each Member State the data measuring the arrivals in the Member State, i.e. the data on illegal border crossings, registrations of temporary protection, third-country nationals disembarked following search and rescue operations, incoming transfers; the data measuring applications for international protection, with special attention to the applications lodged by unaccompanied minors given the additional obligations linked to applications by this group; and data measuring the unauthorised movements between the Member States, i.e. take back requests based on Article 23 and Article 24 of Regulation 604/2013 and outgoing take charge requests based on Article 21 of that Regulation⁵ (see figure 2 below).

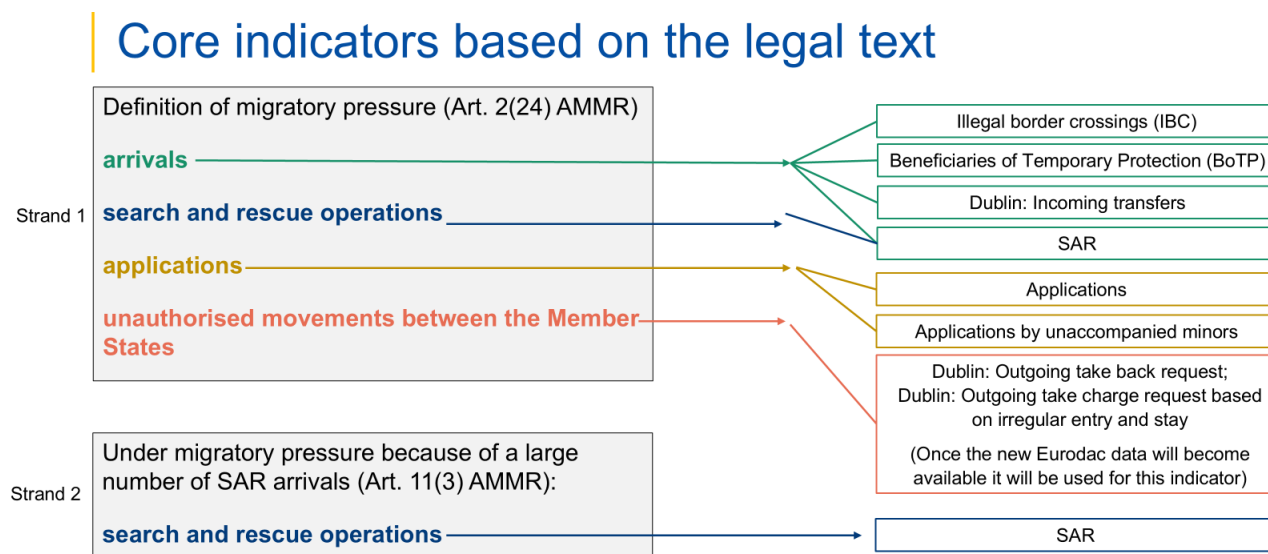


Figure 2 – Identification of core indicators based on Art. 2(24) and Art. 11(3) of Regulation (EU) 2024/1351.

Those indicators are aggregated in a composite indicator by using the equivalence ratios shown in figure 3 below. For each Member State the share of the resulting weighted sum of those indicators is compared to its fair share. The outcome of that calculation, which is expressed as relative distance from the fair share, constitutes the baseline quantitative analysis.

⁵ In the future, once the Regulation (EU) 2024/1351 applies, these will be take back notifications based on Article 41 and take charge requests based on Article 39 of that Regulation.

Baseline quantitative analysis (strand 1)

Link to definition	Indicator	Equivalence Ratio (importance)
Arrivals	IBC	1
SAR	SAR	1
Applications	Applications	1
Applications	Applications UAM	0.25
Arrivals	BoTP (new registrations)	1
Unauthorised movements	Dublin: Outgoing take back request	1
Unauthorised movements	Dublin: Outgoing take charge request based on irregular entry and stay	1
Arrivals	Dublin: Incoming transfers	1

Figure 3 – List of the indicators considered in the baseline quantitative analysis along with their equivalence ratios used in the weighted sums.

(b) The complementary quantitative analysis

As a second step of the assessment, in accordance with Article 9 of Regulation (EU) 2024/1351, further indicators listed in that Article that have a direct impact in relation to the creation of obligations in the Member States are also taken into account and aggregated in the assessment of migratory pressure, risk of migratory pressure and a significant migratory situation (see figure 4 below). These indicators cover decisions granting international protection, decisions granting a national form of protection, third-country nationals ordered to leave, third-country nationals who left the territory of the Member States in accordance with a return decision (split up into three different sub-indicators which reflect different levels of difficulty to return) as well as third-country nationals or stateless persons refused entry.

These elements provide an indication of the medium to long-term efforts associated to the integration of persons who receive protection in the Union and those who have not been returned. In addition, the obligations related to the refusal of entry in accordance with Article 14 of Regulation (EU) 2016/399 are taken into account. These indicators are also combined into a composite indicator as explained under point (a) above on the baseline quantitative analysis. The outcome of that calculation, which is expressed as relative distance from the fair share, constitutes the complementary quantitative analysis. The result of the complementary quantitative analysis is added up to that of the baseline quantitative analysis.

Complementary quantitative analysis (strand 1)

Other indicators in Art. 9	
Asylum decisions	international protection
	humanitarian status
Unreturned (ordered to leave – returned)	for countries with no-return policy
	for candidate countries
	for rest of the world
Refused entry	

Figure 4 – List of the indicators considered in the complementary quantitative analysis.

(c) The complementary qualitative analysis

Lastly, in the complementary qualitative analysis consideration is also given to additional elements, e.g. third-country nationals or stateless persons admitted through Union and national resettlement or humanitarian admission schemes within the reference period, responsibilities related to the border procedure, as well as relevant qualitative information (hereinafter, ‘additional analytical considerations’) set out in the European Annual Asylum and Migration Report, or any other report listed in Article 10 of Regulation (EU) 2024/1351. For the indicators regarding resettlement and the border procedure, Member States can receive a limited number of extra percentage points; for the remaining indicators, regarding ‘additional analytical considerations’ (e.g. instrumentalisation, geographical specificities), Member States can receive a limited number of extra or minus percentage points.

(d) Aggregation of results

On the basis of these steps, the assessment concludes which Member States are under migratory pressure under strand 1 of the methodology. The aggregation of the assessed quantitative and qualitative data and information for the period 1 July year n-1 to 30 June year n indicates which Member States face disproportionate obligations taking into account the overall situation in the Union.

This aggregation also indicates which Member States are at risk of migratory pressure because they are subject to a high but not yet disproportionate level of obligations compared to the rest of the Union. Furthermore, to determine whether there are other Member States at risk of migratory pressure, the methodology also takes into account where there are other compelling qualitative considerations, notably objective, concrete and real risks that have the potential to develop into migratory pressure in the Member State concerned in the course of the year, and that are set out in the European Annual Asylum and Migration Report, or any other report listed in Article 10 of Regulation (EU) 2024/1351. For the purpose of the first Decision, the compelling qualitative considerations relate to: the risk of instrumentalisation of migration, a continuous concrete threat that, if it materialises, could lead to a sudden increase of irregular arrivals at the Union external borders; as well as strained capacities of Member States, where further significant arrivals (including through secondary movements) and practical difficulties to transfer persons to the Member States responsible in accordance with Regulation (EU) 604/2013 could create disproportionate obligations.

Finally, the aggregation for the period 1 July year n-5 to 30 June year n also reveals those Member States that are facing a significant migratory situation due to cumulative annual arrivals to these Member States, which has brought their migration, reception, and asylum systems to the limits of their capacity.

The methodological steps – Strand 2

Pursuant to Article 11(3) of Regulation (EU) 2024/1351, the Commission shall also consider a Member State to be under migratory pressure where it has faced a large number of SAR arrivals, provided those arrivals are of such a scale that they create disproportionate obligations on even a well-prepared asylum, reception and migration system of the Member State concerned.

Given that SAR operations represent international obligations of the Member States concerned and constitute a structural form of pressure, the assessment measures separately, under strand 2 of the methodology, the obligations due to disembarkations following SAR operations.

In order to ascertain whether the number of SAR arrivals is to be considered as “large”, as required by Article 11(3) of Regulation (EU) 2024/1351, the absolute number of SAR arrivals per Member State over the years 2015-2024 has been analysed. In addition, to ascertain whether the number of SAR arrivals is to be considered to create “disproportionate obligations”, as required by Article 11(3) of Regulation (EU) 2024/1351, the share of Union total SAR arrivals per Member State over the years 2015-2024 has been analysed. A Member State that has a “large” number of SAR arrivals that creates “disproportionate obligations” is considered to be under migratory pressure.