Council of the European Union

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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	6 November 2026
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2026) 8350 final
Subject:	COMMISSION IMPLEMENTING DECISION (EU) .../... pursuant to Article 11 of Regulation (EU) 2024/1351 of the European Parliament and the Council

Delegations will find attached document C(2026) 8350 final.

Encl.: C(2026) 8350 final

EUROPEAN
COMMISSION

Brussels, 6.11.2026
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COMMISSION IMPLEMENTING DECISION (EU) …/…

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

COMMISSION IMPLEMENTING DECISION (EU) …/…

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pursuant to Article 11 of Regulation (EU) 2024/1351 of the European Parliament and 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 604/2013[1], 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. Every year, by 15 October, the Commission is to adopt the European Annual Asylum and Migration Report and 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 Report[2] and the elements listed in Article 9 and Article 10 of Regulation (EU) 2024/1351. 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[3]. To determine what constitutes disproportionate obligations, the methodology compares each Member State's situation to the overall situation in the Union.

(3) The assessment[4] considers a 12-month period, from 1 July 2025 to 30 June 2026, 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. Furthermore, upon the request of Spain, pursuant to Article 9(1) of Regulation (EU) 2024/1351, the assessment also considers the developments related to the incident that

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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 to the European Parliament and the Council on the European Annual Asylum and Migration Report as part of the Annual European Migration Management Cycle, COM(2026)835.

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".

4 Commission Implementing Decision (EU) 2025/2323 of 11 November 2025, as the first implementing decision adopted by the Commission under Article 11 of Regulation (EU) 2024/1351 has already assessed the reporting period from 1 July 2024 to 30 June 2025 for assessing migratory pressure, and, respectively, 1 July 2020 to 30 June 2025, for assessing significant migratory situation.

took place on 30-31 July 2026 leading to large-scale illegal arrivals to the autonomous city of Ceuta, which falls outside the 12-month reporting period. 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 of a significant migratory situation considers the period between 1 July 2021 to 30 June 2026.

(4) During the reporting period from 1 July 2025 to 30 June 2026, illegal border crossings at the Union's external border decreased by 32%, showing that the overall migratory situation in the Union continues to improve for the second reporting period in a row. Applications for international protection and unauthorised movements also show decreasing trends by 16% and around 13% respectively, a continuous declining trend observed since 2024.

(5) During the reporting period from 1 July 2025 to 30 June 2026, 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 is under migratory pressure because of a large number of arrivals due to disembarkations following search and rescue ('SAR') operations. Furthermore, following the request by Spain to take into account the developments falling outside the 12-month reporting period, a possibility foreseen by Article 9(1) of Regulation (EU) 2024/1351, and notably the incident that took place on 30-31 July 2026 leading to large-scale illegal arrivals to the autonomous city of Ceuta, the assessment also concludes that Spain is under migratory pressure.

(6) During the reporting period from 1 July 2025 to 30 June 2026, while trends continue going down compared to the previous 12-month period, Greece faced disproportionate obligations in relation to the overall situation in the Union, in particular due to the number of illegal border crossings, applications for international protection and a high number of positive decisions. Although illegal border crossings dropped by 23%, the country recorded the highest number of illegal border crossings relative to its Gross Domestic Product (GDP) and population, and recorded a significant increase in arrivals following SAR operations (+ 74%). Furthermore, while the applications for international protection registered in Greece decreased by 19% compared to the reporting period assessed under Commission Implementing Decision (EU) 2025/2323, Greece continued receiving the highest number of applications for international protection relative to its GDP and population. More than half of all arrivals to Greece along the Eastern Mediterranean route were recorded in Crete.

(7) During the reporting period from 1 July 2025 to 30 June 2026, Spain continued being particularly exposed to the fluctuations of illegal arrivals along the Western Mediterranean and Atlantic routes. Spain accounted for approximately 20% of all illegal border crossings at Union level and was the third Member State in terms of arrivals due to search and rescue operations. While applications for international protection decreased by 22%, Spain was the third highest receiver of applications relative to GDP and population in the Union and the fourth in absolute numbers. Spain was also among the Member States with most temporary protection registrations, ranking fourth in the Union in absolute numbers. When the relevant quantitative and qualitative data and information were considered and assessed in relation to the overall situation in the Union for the reporting period from 1 July 2025 to 30 June 2026, Spain was identified at risk of migratory pressure. However, following the incident that took

place on 30-31 July 2026 leading to large-scale illegal arrivals to the autonomous city of Ceuta, Spain requested the Commission to take these developments into account in the context of the current Annual European Migration Management Cycle. After assessing both the quantitative and qualitative data and information in relation to the reporting period and the additional data and information transmitted by the Spanish authorities pursuant to Article 9(1) of Regulation (EU) 2024/1351 in relation to the incident that took place on 30-31 July 2026 leading to large-scale illegal arrivals to the autonomous city of Ceuta, it is concluded that Spain faced disproportionate obligations in relation to the overall situation in the Union.

(8) During the reporting period from 1 July 2025 to 30 June 2026, the migration and asylum situation in Cyprus improved compared to the previous reporting period, but it still faced disproportionate obligations in relation to the overall situation in the Union, in particular due to registrations for temporary protection, illegal border crossings, applications for international protection and a strained return system. Despite the decrease of illegal border crossings by 34% compared to the reporting period assessed under Commission Implementing Decision (EU) 2025/2323, the number of arrivals, relative to its GDP and population, put a strain on the asylum and migration system of Cyprus. Cyprus was the second highest receiver of applications for international protection in the reporting period relative to GDP and population.

(9) During the reporting period from 1 July 2025 to 30 June 2026, a high number of persons were disembarked in Italy following SAR operations. Although the total number of persons disembarked in Italy decreased by 33% compared to the previous reporting period, 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 Italy compared to the overall situation in the Union. Italy accounted for 42% of the total number of persons disembarked in the Union.

(10) During the reporting period from 1 July 2025 to 30 June 2026, 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, Czechia, Germany, Estonia, Ireland, France, Croatia, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Romania, Slovenia and Finland have been identified as at risk of migratory pressure. While Spain was also identified at risk of migratory pressure during the reporting period, it was however concluded that Spain faced disproportionate obligations in relation to the overall situation in the Union based on the assessment of the additional data and information related to the incident that took place on 30-31 July 2026 in Ceuta.

(11) Croatia, as a Member State of first entry into the Union, continued being particularly exposed to the fluctuations of illegal arrivals via the Western Balkans and Eastern Mediterranean routes. Significant increase of illegal arrivals during the year could lead the Croatian migration and asylum systems, already strained, to be affected by disproportionate obligations. During the reporting period from 1 July 2025 to 30 June 2026, Croatia was impacted by illegal border crossings, registering 78% of all arrivals along the Western Balkans route, the second highest number of illegal border crossing at Union level relative to GDP and population, and accounted for the highest number of refusals of entry in the Union in relative terms. Furthermore, Croatia received the highest number of transfers in accordance with Regulation (EU) 604/2013 in relative terms. In parallel, Croatia also received the highest number of decisions relative to its

GDP and population on requests submitted by Croatia to other Member States to take the responsibility for persons who have reached Croatia in unauthorised manner and whose applications should be examined by another Member State in accordance with Regulation (EU) 604/2013[5]. In addition, Croatia recorded an increase of 109% in absolute numbers regarding the number of decisions received in reply to such requests submitted to other Member States compared to the previous reporting period.

(12) The continued scale of temporary protection registrations placed sustained pressure on the national reception systems of Czechia. During the reporting period from 1 July 2025 to 30 June 2026, the country registered the highest number of registrations for temporary protection in the Union relative to GDP and population – at a level significantly exceeding the levels recorded by other Member States.

(13) A number of Member States recorded high numbers of unauthorised movements of applicants for international protection within the Union, 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 of the Member States concerned/impacted. During the reporting period from 1 July 2025 to 30 June 2026, Germany registered a significant decrease by 56% in decisions received on outgoing requests submitted to other Member States to take responsibility for persons who have reached Germany in unauthorised manner. Despite that decrease, Germany received the second highest number of decisions on such requests among all Member States in absolute numbers. Furthermore, while Germany registered an almost 20% decrease in received applications of international protection compared to the previous reporting period, it continued to receive the highest number of applications in the Union in absolute terms during the reporting period, which impacted its asylum and reception systems. This was further compounded by the hosting of the highest number of temporary protection beneficiaries in the Union in absolute terms and a very high share 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 compared to other Member States, and faced illegal border crossings at exit towards the United Kingdom, which impacted its national asylum and reception systems. France received the second highest number of applications in absolute numbers and sixth in relative terms, although the number of applications for international protection decreased by 8% compared to the previous reporting period. Belgium, Luxembourg and the Netherlands were also impacted by unauthorised movements of applicants for international protection, which put a strain on their reception systems. Slovenia was also impacted by a significant number of unauthorised movements, and registered the highest number of decisions received on take-back requests sent during the reporting period relative to its GDP and population. Ireland experienced a sustained high number of applications for international protection in relative terms and a significant proportion of applicants enter the country illegally principally arriving across the land border of the United Kingdom; this, together with the significant number of persons benefitting from temporary protection in Ireland, had an impact on its national asylum and reception system. Romania

[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 (recast) (OJ L 180, 29.6.2013, https://eur-lex.europa.eu/eli/reg/2013/604/oj/eng).

accounts for 89% of illegal crossings at the EU Eastern border, with 99% of third-country nationals arriving from Ukraine. Ranking fifth among Member States in temporary protection registrations, Romania faces growing challenges to its reception capacity, which could intensify with further arrivals driven by Russia's ongoing war against Ukraine.

(14) Actions by Russia and Belarus continued to influence migratory dynamics, especially in Estonia, Latvia, Lithuania, Poland and Finland. In response to continued state-sponsored attempts to weaponise migration, Estonia continued strengthening border management measures at its border with Russia; Latvia and Lithuania continued enhancing surveillance measures at their borders with Belarus; Poland extended the existence of the buffer zone along its border with Belarus to maintain operational vigilance and ensure the effectiveness of border protection; Finland extended the national special regime at its crossing points with Russia, in response to Russia's attempts to weaponise migration.

(15) 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 2021 to 30 June 2026, the assessment concludes that Bulgaria, Czechia, Estonia, Croatia, Austria and Poland face a significant migratory situation.

(16) In Bulgaria, for the last five years, relative to its share of GDP and population, notably the inflow of registrations for temporary protection since 2022, together with a relative high number of international protection applications, put a strain on its system, in particular as Bulgaria issued a significant number of positive decisions on applications for international protection, as well as of rejections of applications for international protection, which created a high burden on its return system.

(17) When assessing the situation in Croatia over the last five years, and in relation to the overall situation in the Union, the strain on its return system relative to its share of GDP and population, in addition to the obligations at its external border, had a major impact on the capacities. Croatia issued in relative terms a large number of refusals of entry and has experienced a sustained, relative high number of illegal border crossings due to migrant smuggling activities in the region.

(18) Following Russia's ongoing war of aggression and escalation of attacks against Ukraine, 4.4 million persons are benefitting from temporary protection in the Union as of 30 June 2026. 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 these 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.

(19) During the five-year period 1 July 2021 to 30 June 2026, Austria received high numbers of applications for international protection. While this number continued to decrease, 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 systems in Austria.

(20) 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 a Member State under migratory pressure does not make use of the Annual Solidarity Pool or does not notify the need to use it, it 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.

(21) 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.

(22) To facilitate the use of the Permanent EU Migration Support Toolbox by Member States at risk of migratory pressure, the Commission will provide support and coordinate with the relevant Union Agencies the possible prioritisation of the provision of operational support.

(23) 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.

(24) Pursuant to Article 11(1), second subparagraph, of Regulation (EU) 2024/1351, 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.

(25) In order to ensure the balance between solidarity and fair sharing of responsibility and to safeguard the functioning of Regulation (EU) 2024/1351, Article 60(3) of that Regulation establishes that contributing Member States are not required to implement their pledges towards a benefitting Member State where the Commission has identified systemic shortcomings with regard to the responsibility rules set out in Part III of the same Regulation 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 receive the transfers of persons for whom it has been determined as responsible.

(26) Given that the rules set out in Part III of Regulation (EU) 2024/1351 are in continuity with those set out in Regulation (EU) 604/2013 and they replaced those rules as of their entry into application, continued non-compliance with the obligations stemming from both Regulations 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.

(27) In December 2022, Italy suspended the receiving of transfers under Regulation (EU) No 604/2013, with the exception of cases of family reunification of unaccompanied minors. The Court of Justice of the European Union (CJEU) found in its judgement of 19 December 2024 on joined cases C-185/24 and C-189/24 that the Member State designated as responsible under the criteria set out in Chapter III of Regulation (EU) 604/2013 cannot unilaterally discharge itself from that responsibility. This conclusion was confirmed by the CJEU in its judgement of 5 March 2026.

(28) In its Communication of 15 July 2026, the Commission assessed the progress made by Italy in remedying the practices previously observed in the application of Regulation

(EU) No 604/2013 and in ensuring the effective operation of the new responsibility rules under Regulation (EU) 2024/1351. This assessment, which covered the first weeks since the entry into application of the new rules, concluded that, following the entry into application of Regulation (EU) 2024/1351, Italy has made significant efforts to prepare for the implementation of Part III of Regulation (EU) 2024/1351, including by strengthening the operational capacity of the national AMMR Unit, adapting its workflows and case-management systems, designating transfer locations in accordance with Commission Implementing Regulation (EU) 2025/2055, completing the necessary technical preparations and implementing the technical requirements related to Eurodac and upgraded DubliNet. The Italian authorities have confirmed to the Commission that the Italian national reception system is sufficient to ensure that persons transferred under Regulation (EU) 2024/1351, including families with children and vulnerable applicants, are accommodated within the existing nationwide network of reception facilities. Moreover, the contingency plan established by Italy pursuant to Directive (EU) 2024/1346 provides for the rapid expansion of reception capacity through additional accommodation places in the event of an increase in incoming transfers. However, no concrete indications were at the time observed by the Commission indicating that the practices under Regulation (EU) No 604/2013 no longer persist, notably with regard to the suspension of the reception of transfers, except for cases of family reunification of unaccompanied minors. In addition, there were no indications that the Italian authorities have actively engaged with other Member States on the practical and logistical steps to resume transfers. Measures were needed to remove all the remaining impediments as a matter of priority, including by discontinuing the practices that have prevented transfers from taking place, and to ensure the necessary engagement and operational cooperation with other Member States on all practical and logistical arrangements, so that transfers are effectively carried out in compliance with Regulation (EU) 2024/1351.

(29) Based on the information provided by the Member States since 12 June 2026, transfers requested by other Member States continued to be rejected by the Italian authorities, and operational cooperation to facilitate the transfer of persons for whom requests and notifications have been accepted or confirmed by Italy in accordance with Article 40 and Article 41 of Regulation (EU) 2024/1351 needed to be further developed. Furthermore, according to information received by the Commission, there have been cases in which the Italian authorities returned persons to the transferring Member States, despite Italy having been determined as the Member State responsible. These instances concern in particular transfers carried out in accordance with Article 25(5), third subparagraph, and Article 26(3), fifth subparagraph, of Commission Implementing Regulation (EU) 2025/2055. Finally, Italy has modified the default locations for transfers notified in accordance with Article 23(1), second subparagraph, of Commission Implementing Regulation (EU) 2025/2055, which according to Italian authorities was needed for internal organisational reasons and with a view to ensure a better management of the large migration caseload Italy is confronted with, including preventing the risk of absconding.

(30) At the same time, some positive developments have been observed as Italy took steps to establish bilateral contacts with the Member States with the biggest caseload under Regulation (EU) 2024/1351 towards Italy, which have resulted in a limited number of transfers, in addition to transfers of unaccompanied minors for the purpose of family reunification. In addition, Italy adopted a new administrative letter on 29 October 2026, which specifies that Italy has resumed transfers since 12 June 2026, subject to a case-by-case assessment of whether the relevant conditions are effectively met. This

circular letter supersedes the circular letter issued by the Italian Dublin unit on 5 December 2022 and updated on 7 December 2022 regarding the temporary suspension of transfers under Regulation (EU) 604/2013, with the exception of cases of family reunification of unaccompanied minors.

(31) These are new encouraging developments that require close and continuous monitoring for determining whether the practical cooperation with all Member States and the transfers of persons for whom Italy is responsible in accordance with Regulation (EU) 2024/1351 will be effectively and sustainably resumed, and therefore all shortcomings remedied.

(32) To that end, Italy should continue taking determined steps to address the existing shortcomings. In particular, it should ensure that the administrative letter of 29 October 2026 is implemented fully in line with the spirit and the letter of Regulation (EU) 2024/1351. This means that any assessment carried out by the Dublin Units and transfers meet the conditions laid down in Regulation (EU) 2024/135, particularly in relation to take-back notifications, given their automatic nature. Italy should establish effective and sustainable operational cooperation with all Member States, in particular regarding the implementation of Chapter V of Commission Implementing Regulation (EU) 2025/2055. In this context, it is important that the forms submitted to Italy in accordance with annexes V and VI of that Implementing Regulation are processed effectively and the necessary practical and logistical information is provided accordingly. As part of this cooperation, Italy should ensure that the default locations for transfers notified in accordance with Article 23(1), second subparagraph of Commission Implementing Regulation (EU) 2025/2055 allow for effective transfers by other Member States without undue operational obstacles. At the same time, Italy should actively communicate about the preferred modalities for transfers, and close cooperation between the Member States of transfer and Italy should be ensured with a view to reducing the use of default locations.

(33) Taking into account the outcome of the monitoring and the consultation of the Member States, and having regard to the nature, extent and impact of those practices, if not remedied in a sustainable manner, continued systematic non-compliance with the provisions of Part III of Regulation (EU) 2024/1351 by Italy, in particular as regards responsibility transfers, would amount to systemic shortcomings that could result in serious negative consequences for the functioning of that Regulation, within the meaning of Article 60(3), fourth subparagraph, thereof.

(34) For this reason, the Commission should continue monitoring the situation, based on the information Italy and the other Member States will need to provide on a regular basis. To ensure an objective determination of whether the practices previously observed are remedied and therefore the practical cooperation and transfers have effectively and sustainably resumed, the Commission should consult the Member States and inform the Technical-Level EU Solidarity Forum. At the same time, if the monitoring shows that the practices previously observed are not being effectively remedied, the Commission should bring it to the attention of the High-Level Solidarity Forum for discussion; in case the situation persists, the Commission shall bring the matter to the attention of the Council accordingly.

(35) In its Communication of 15 July 2026, the Commission assessed the progress made by Greece in remedying the practices identified in the application of Regulation (EU) No 604/2013, concluding that the measures taken by the Greek authorities, including their active engagement and cooperation with other Member States, constituted positive

indications of progress and demonstrated Greece's readiness to ensure the effective and correct implementation of Part III of Regulation (EU) 2024/1351. However, at that time the Commission considered that it was too early to conclude whether the practices previously identified had been fully remedied. Based on the information provided by Member States since 12 June 2026, the progress observed in the Commission's assessment of July 2026 has been further consolidated. Effective cooperation between Greece and all Member States has been established. Greece has continued providing positive replies to take-charge requests and take-back notifications. The change in the practices observed in the application of Regulation (EU) No 604/2013 has led to the first successful transfers to Greece. The Commission should continue monitoring the progress made by Greece towards the continuous and sustained effective implementation of Part III of Regulation (EU) 2024/1351.

(36) 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) 2024/2088[6] confirmed such participation. Ireland is therefore taking part in the adoption of this Decision.

(37) 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 a significant migratory situation shall be as set in Annex III.

Article 4

1. The Commission shall monitor whether the current practices and those identified under Article 4 of Commission Implementing Decision (EU) 2025/2323[7] have been remedied by Italy following the entry into application of Regulation (EU) 2024/1351.

2. In the course of that monitoring, the Commission shall pay particular attention to operational cooperation in the application of the rules laid down in Part III of

[6] 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).

[7] Commission Implementing Decision (EU) 2025/2323 of 11 November 2025 pursuant to Article 11 of Regulation (EU) 2024/1351 of the European Parliament and of the Council (OJ L, 2025/2323, 14.11.2025, ELI: http://data.europa.eu/eli/dec_impl/2025/2323/oj).

Regulation (EU) 2024/1351. The Commission shall invite Italy and the other Member State to submit on a regular basis, and at least every three months, relevant information in particular on the effectiveness of operational cooperation, the processing and implementation of responsibility procedures, the carrying out of responsibility transfers, and cooperation on practical and logistical arrangements among Member States since the entry into application of Regulation (EU) 2024/1351 in relation to persons for whom Italy is responsible in accordance with Regulation (EU) 2024/1351.

3. The Commission shall regularly inform the Technical-Level EU Solidarity Forum referred to in Article 14 of Regulation (EU) 2024/1351 about the outcome of the monitoring referred in paragraph 2. If the monitoring shows that the practices previously observed are not being effectively remedied, the Commission should bring it to the attention of the High-Level Solidarity Forum for discussion. In case the situation persists, the Commission shall bring the matter to the attention of the Council accordingly.

4. Where, on the basis of the information obtained pursuant to paragraph 2, as well as the monitoring referred to in paragraphs 2 and 3 and at the latest along with the decision referred to in Article 11 of Regulation (EU) 2024/1351 to be adopted in 2027, the Commission finds that the practices referred to in paragraph 1 have not been remedied and their continued existence thereby constitutes systemic shortcomings that could result in serious negative consequences for the functioning of Regulation (EU) 2024/1351, Article 60(3), fourth subparagraph of that Regulation 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 1 January 2027.

Done at Brussels, 6.11.2026

For the Commission
The President
Ursula VON DER LEYEN