Safeguarding protection, ensuring efficiency: quick processing of claims unlikely to succeed
Outcome Report
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Online Format

Introduction

The fourth technical meeting of the Asylum Capacity Support Group (ACSG) Dialogue Platform was held on 25 June 2025 focusing on the topic "**Safeguarding protection, ensuring efficiency: quick processing of claims unlikely to succeed**". The meeting brought together over 120 participants, including representatives from national asylum authorities, civil-society organizations, academics and UNHCR.

The opening remarks highlighted the pressures on the asylum systems. The number of asylum applications continue to be high, with over 4.8 million people seeking international protection in 2024, including 3.1 million through individual asylum procedures. This situation reflects the persistent increase in drivers of displacement and the complexity of mixed movements, where the asylum systems are often used to regularize stay due to limited migration pathways. A global protection rate of 55 per cent in individual procedures means that over half of the 8.4 million asylum-seekers awaiting decisions are refugees, who will wait for extended periods to get certainty on their legal status, access to services and opportunities to rebuild their lives with dignity. Conversely, approximately 45 per cent of applicants remain in prolonged asylum procedures while ultimately not needing international protection. This situation strains reception systems, delays early return procedures for those not in need of internation protection, and undermines the credibility of asylum systems without yielding political or policy benefits. These challenges need to be addressed through a comprehensive approach to tackle asylum and migration issues not only in countries of destination, but rather by looking along the whole journey - through the implementation of a route-based approach.

It is a priority to address such challenges through quality and sustainable asylum systems that are as efficient as possible, including by applying processing approaches tailored to different claim types while ensuring procedural guarantees. Such differentiated procedures should include approaches for application types which are unlikely to succeed, such as manifestly unfounded claims. Concerns about technicality, complexity, increasing appeal rates and litigation can be addressed through careful design and implementation of these procedures.

The discussion focused on three thematic areas, with presentations by Switzerland's State Secretariat for Migration (SEM), UNHCR Austria and UNHCR's Regional Bureau for the Middle East and North Africa. There were also questions and interventions from the floor. The following are key observations and conclusions from the discussion:

Terminology

- Various terminologies are used across different contexts for asylum applications that are unlikely to meet the refugee criteria, including low recognition rate applications, claims from safe countries of origin, and manifestly unfounded claims. Despite variations in terminology, these generally refer to procedures for claims unlikely to succeed due to conditions in the

country of origin (COI) which are generally considered as safe. However, even in such contexts, specific profiles or individuals within these caseloads may meet the refugee definition.
- Procedures for applications unlikely to meet the refugee criteria mostly involve simplified determination processes and/or accelerated timelines. Simplification can apply to interviews and/or assessments using abbreviated formats or standardized text and may lead to the merging of different steps. Acceleration does not adjust the procedure itself but shortens the timeframes between procedural stages. Within these broad categories, specific definitions, like streamlined or fast tracked, are often used in national or regional contexts. These terms may also introduce a location element, such as airport or border procedures as for example used in the EU Pact on Migration and Asylum.

Procedural Design: key features and considerations to address manifestly unfounded and other applications unlikely to succeed

- The design of procedures for manifestly unfounded claims should consider that rejected claims tend to be more contentious, increasing the risk of appeals and litigation. Therefore, such procedures should ensure procedural fairness is built into the design of efficient procedures. Access to legal representation is an example, which, while sometimes seen as a costly constraint on speed, enhances fairness and accuracy of decision-making thus providing efficiency overall by resulting in fewer appeals. It was highlighted that when considering the efficiency of differentiated procedures, an end-to-end perspective needs to be taken to ensure durable outcomes.
- Criteria for applying efficient procedures for applications unlikely to succeed are often based on countries of origin with consistently low recognition rates for previously made applications and homogeneity in profiles or claims types. These rates might apply to the entire country or specific areas. The profile may include elements related to sex, age, family status, and locations of origin.
- The decision-making process for prioritizing applications unlikely to succeed has included additional considerations relating to maintaining the integrity of the asylum process, such as the impact on the protection environment, security concerns, show rates, or mixed and onward movement situations.
- Thorough COI research forms the basis of the design process to confirm the profiles identified. It is further decisive for the analysis of whether simplification of the Refugee Status Determination (RSD) procedures is possible. Beyond the design stage, close monitoring and updating of COI must continue through the process to support efficient legal analysis and ensure the continued relevance of procedures.
- The discussion underscored the need for documenting clear Standard Operating Procedures (SOPs) for any procedures that outlines roles, timeframes, and legal safeguards, including the right to appeal and legal representation. While the set timeframe for completing the procedure for manifestly unfounded claims may vary across operational contexts, it is critical to establish a clear timeframe for each procedural step—from registration and interview to decision, notification, and appeal.
- Procedures for applications unlikely to succeed need to be adjusted to their operational contexts, such as international airport settings and reception centers etc. The procedures may also require dedicated arrangements relating to infrastructure, staffing, interpretation, coordination with other actors in the asylum process, and provision of additional services

through seamless coordination. In this context the benefits of an "all-under-one-roof" concept were particularly highlighted.

- Operational readiness - including staffing, infrastructure but also tools such as focused interview forms, pre-populated assessment templates support the implementation of accelerated procedures. It was highlighted that simplification of the overall procedure enhances successful implementation.

Guaranteeing due process when processing applications unlikely to succeed: challenges, lessons learned and recommendations

- Ensuring due process is essential to the successful implementation of procedures for applications unlikely to succeed. All decisions need to remain evidence-based, procedurally sound and legally robust. Ensuring due process in such cases requires a context-sensitive and flexible approach to ensure fairness and procedural efficiency.
- Coordination and close cooperation with other authorities or units such as those handling reception, identity verification, travel route, reasons for flight and collection of evidence and registration were highlighted as important elements. The involvement of highly qualified staff upfront and collection of quality registration data during reception and registration procedures forms the basis for effective screening and triaging applications into appropriate tracks as well as further processing of applications.
- Staff qualifications and skills to effectively interview, gather information and conduct assessments are key procedural safeguards. Training and capacity-development of staff – especially in COI and tools for common claim types - were highlighted as enhancing quality, consistency, and confidence in decision-making. Caseworkers should have the flexibility to adjust the approach required for the interview and be encouraged to give applicants the space to provide a free account as an efficient way to gather valuable information. Staff should be empowered and made comfortable to refer cases to more extended procedures based on need.
- Verbatim transcripts and interview recording need to be implemented for the transparency of the process. The simplification of assessments can be implemented through prepopulated assessment templates which cover elements of the legal analysis and COI excerpts allowing decision makers to pick and choose. Pre-populated decision letters which provide for individualized content can enable meaningful appeals while simplifying the decision letter drafting process. Such tools have been found critical to provide caseworkers and reviewers the confidence to make correct, evidence-based decisions.
- The role of legal representatives throughout the process was strongly emphasized to safeguard procedural fairness but also to enhance efficiency. The roles include free legal counselling and representation throughout the process. Ensuring the right to appeal, ideally with support from the legal counsellor involved in the initial process was highlighted as a key element for effective and fair implementation. It was noted that State investment in free legal representation ultimately leads to greater savings in overall procedural costs.
- It was noted that the implementation of procedures needs to be grounded in accurate, up-to-date COI and supported by well-trained staff applying effective interviewing techniques, especially when assessing credibility in countries which are generally safe but not for all individuals or profiles.
- External stakeholders, including UNHCR, can fulfil a quality control function. In specific cases, national asylum authorities consult UNHCR before rejecting manifestly unfounded claims. In

these situations, UNHCR may review the complete case file, conduct or request the authorities to carry out a follow-up interview within a defined timeframe. These arrangements should be formalized in a written agreement and worked out in detailed written procedures.
- Supervision and monitoring of trends, decision quality and COI updates are essential to ensure that procedures remain effective. Monitoring the implementation should include a statistical analysis which includes the number of referrals, appeal lodges and outcomes.

Criteria and procedures for referral and processing of applicants at heightened risk or vulnerability

- Specific safeguards must be in place for individuals at heightened risk or with vulnerabilities especially during profile definition, triage, and procedural implementation.
- The presentations highlighted specific profiles that are excluded from accelerated processing and instead referred to regular procedures to ensure appropriate attention. These profiles include families with children, unaccompanied or separated children and other individuals in vulnerable situations not suited for accelerated or simplified procedures such as applicants with claims based on sexual orientation or gender identity.
- Applicants who have grounds for asylum and/or present a complex case need to be referred from the accelerated tack to be examined under the regular procedure. Caseworkers should be equipped with clear criteria and the authority to refer applications to regular asylum procedures.

Lessons learned

- Differentiated procedures for applications unlikely to succeed have demonstrated significant operational benefits. The structured, time-bound nature of these procedures lead to fewer missed appointments and reduced delays, contributing to a more streamlined process. Crucially, despite the expedited timeline, all applicants retained access to legal representation, ensuring that procedural fairness and the right to a fair hearing were preserved. This underscores that efficiency and fairness are not mutually exclusive—well-designed systems can uphold due process while accelerating the resolution of claims unlikely to succeed.
- Differentiated procedures for applications unlikely to succeed facilitated the reduction of backlogs and procedural bottlenecks which allowed the capacity needed to focus on regular asylum claims. The reduction in appeals, repeat applications, and unfounded claims also contributed to a more sustainable and responsive asylum system. This assists well-functioning asylum systems to balance protection obligations with the need to manage resources effectively. Such procedures also enhance the credibility of the asylum system by demonstrating that it can respond decisively to unfounded claims while maintaining fairness.
- Variations in legal frameworks, institutional capacity, and political will of States influence how and whether such procedures are adopted. The discussion emphasized the importance of cross-country learning—sharing experiences, challenges, and best practices to inform more effective implementation. It further highlighted the need for adopting or refining such procedures to their specific contexts, ensuring that safeguards are in place to protect the rights of applicants while enhancing system efficiency.

Asylum Capacity Support Group Secretariat, July 2025