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COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

Assessment pursuant to Article 4 of Commission Implementing Decision (EU) 2025/2323

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I. Introduction

The reform of the Common European Asylum System (CEAS) introduced by the Pact on Migration and Asylum (hereinafter 'the Pact') constitutes a fundamental step towards establishing a more sustainable, efficient and resilient European migration management framework.

A central objective of the Pact is to establish a balanced and integrated system in which responsibility and solidarity are linked and mutually reinforcing. While the reform increases the responsibilities of Member States, particularly at the external borders, it also introduces a permanent, mandatory and flexible solidarity mechanism to support Member States under pressure.

The effective functioning of the new system therefore depends on maintaining this balance. Shortcomings in the implementation of the Pact risk undermining solidarity obligations and the necessary mutual trust, notably with regard to the responsibility rules. In this context, Article 60(3), fourth subparagraph, of Regulation (EU) 2024/1351[1] (hereinafter the 'AMMR') provides that contributing Member States shall not be required to implement their pledges or to apply responsibility offsets towards a benefitting Member State, where the Commission has identified systemic shortcomings with regard to the responsibility rules that could result in serious negative consequences for the functioning of that Regulation. The provision reflects the need to ensure that the solidarity framework operates in parallel with the effective implementation of the obligations linked to responsibility determination and transfers.

At the same time, it should be recalled that the Pact introduces a broader and more comprehensive reform of the EU migration and asylum framework, which is expected to gradually reduce the pressure at the external borders of the Union, and strengthen measures against unauthorised secondary movements within the Union. The new system establishes more integrated procedures across all stages of migration management, including screening, asylum and return border procedures and swift return of those not in need of international protection. It also includes measures aimed at increasing the efficiency of asylum and return procedures, notably through the revised concepts of safe country of origin and safe third country, as well as the implementation of the newly reformed EU return framework. Together, these measures seek to establish a more effective and resilient European migration management system.

[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*.

Within the first Annual Migration Management Cycle, the Commission Implementing Decision (EU) 2025/2323[2] identified four Member States as Member States under migratory pressure: Cyprus, Greece, Spain and Italy. Those Member States are entitled to use the Annual Solidarity Pool established by Council Implementing Decision 2025/2642[3]. The existence of systemic shortcomings in any of those four Member States that could result in serious negative consequences for the functioning of the AMMR would activate Article 60(3) fourth subparagraph of that Regulation.

Against this background, Article 4 of Commission Implementing Decision (EU) 2025/2323 requires the Commission to assess whether the practices referred to in that Decision with regard to Regulation (EU) 604/2013[4] (the Dublin III Regulation) have not been remedied and thereby constitute systemic shortcomings that could result in serious negative consequences for the functioning of Regulation (EU) 2024/1351, in which case Article 60(3), fourth subparagraph, of AMMR shall apply. The Decision requires the Commission to make an assessment by 12 July 2026 and again by 15 October 2026.

The assessments to be carried out by the Commission should focus primarily on whether the practices referred to in the Commission Implementing Decision (EU) 2025/2323 regarding the Dublin III Regulation have been remedied and whether progress has been made to ensure effective operation of the new responsibility rules as envisaged under the AMMR. In this context, and to ensure a sustainable transition from the system of responsibility under Dublin III Regulation to the new rules set out in the AMMR, particular attention should be paid to the level of operational cooperation among Member States, including the active engagement to facilitate transfers and progressive cooperation on practical and logistical matters.

In light of this, the operational cooperation regarding the application of the responsibility rules between Cyprus and the other Member States does not raise any particular concern. Likewise, the operational cooperation regarding the application of responsibility rules between Spain and the other Member States does not raise any particular concern. For this reason, no specific monitoring under Article 4 of Commission Implementing Decision (EU) 2025/2323 is necessary.

On 4 April 2025 the Communication from the Commission to the Council and the European Parliament on the status of migration management in mainland Greece[5] concluded that transfers to Greece should take place in the same manner as for the other Member States and in accordance with the jurisprudence of the Court of Justice of the European Union regarding the interpretation of Article 3(2) of Regulation (EU) No 604/2013.

[2] Commission Implementing Decision (EU) 2025/2323 of 11 November 2025 pursuant to Article 11 of Regulation (EU) 2024/1 351 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*.

[3] Council Implementing Decision on the establishment of the Annual Solidarity Pool for 2026.

[4] 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, pp. 31, ELI: http://data.europa.eu/eli/reg/2013/604/oj*.

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

In December 2022, Italy suspended the receiving of transfers, with the exception of cases of family reunification of unaccompanied minors[6]. The Court of Justice of the European Union found in its judgement of 19 December 2024 on joined cases C-185/24 and C-189/24[7] that the Member State designated as responsible under the criteria set out in Chapter III of the Regulation (EU) No 604/2013 cannot unilaterally discharge itself from that responsibility.

Since Member States should ensure that the practices already observed in their countries in relation to Regulation (EU) No 604/2013 no longer persist, the operational cooperation between Greece and the other Member States, as well as between Italy and the other Member States regarding the application of the responsibility rules requires more in-depth analysis.

II. Assessment of the situation in Greece

Greece has demonstrated sustained commitment and considerable efforts in preparation for the implementation of the Pact as indicated in the third Commission Report on state of play of the Pact implementation[8], including a number of measures aiming at ensuring the application of the new responsibility rules of the AMMR, as well as key Pact innovations such as the screening and border procedures and Eurodac.

Greece has made significant progress in establishing the legal and institutional framework necessary for the implementation of the Pact. The national legislation adapting the Greek legal framework was adopted on 9 June 2026. The authorities have also undertaken extensive coordination and communication efforts, including the preparation of operational guidance and dedicated workshops for the services involved in the implementation of the new procedures.

Important operational preparations have also been completed for the border procedure. Greece has designated the relevant facilities, conducted pilot exercises at several locations and established a multi-agency coordination mechanism involving all key national authorities, EUAA and Frontex. The authorities have also introduced operational arrangements aimed at facilitating compliance with the new deadlines, including streamlined referral procedures, additional reception capacity in Crete and dedicated transport solutions for the swift transfer of applicants outside of Crete. The National Transparency Authority has been designated as the independent mechanism for monitoring fundamental rights in screening and the border procedures.

In April 2026, in compliance with Article 23 of Commission Implementing Regulation (EU) 2025/2055, Greece has informed the European Union Asylum Agency (EUAA) about the transfer locations to be used for the purpose of AMMR, including air, sea and land locations, locations for voluntary transfers and a default airport.

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[6] On 5 December 2022, the Italian Dublin Unit issued to all Dublin Units a circular stating that, due to suddenly appeared technical reasons related to unavailability of reception facilities, Member States are requested to temporarily suspend transfers under Regulation (EU) No 604/2013 towards Italy, with the exception of cases of family reunification of unaccompanied minors. By a further circular of 7 December 2022, the Italian Dublin Unit complemented that, considering the high number of arrivals both at sea and land borders, the reception conditions for third countries nationals, also taking into account the lack of available reception places, need to be rescheduled. The 2022 circulars mentioned above have not been formally revoked or replaced by the Italian authorities.

[7] Joined Cases C 185/24 and C 189/24 [Tudmur], paragraph 42; confirmed also by CJEU judgement of 5 March 2026 on C-458/24 [Daraa], paragraph 38.

[8] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions State of Play of the Implementation of the Pact on Migration and Asylum, COM(2026) 196 final.

The operational capacity of the National Dublin Unit (NDU) has been significantly strengthened in preparation for the implementation of the AMMR. On 2 June 2026, 15 additional interim staff joined the Unit under the EUAA Operational Plan, bringing the total staffing level to 69 employees (34 interim, 21 fixed-term and 14 permanent staff), supported by five team leaders. Staff from other units may also be deployed to support the NDU during periods of increased workload. In addition, a recruitment procedure for a further 116 fixed-term employees has been launched, which should further enhance the NDU's capacity to manage the incoming cases and comply with the new AMMR deadlines. The NDU has developed dedicated standard operating procedures for incoming requests and transfers under the AMMR. The new workflows provide for systematic verification of responsibility, early involvement of reception and child protection authorities, and structured preparation of incoming transfers.

The necessary organisation is established to ensure the Reception and Identification Service (RIS)[9] is informed approximately one week before the transfer, enabling reception capacity and practical arrangements to be organised in advance. Weekly information exchanges on planned arrivals further support operational preparedness and the efficient management of incoming transfers. The authorities have also put in place the necessary arrangements to apply, where appropriate, restrictions on freedom of movement under Article 9 of the Reception Conditions Directive.

Operational capacity is further reinforced through EUAA support. The authorities intend to allocate around one third of EUAA-supported interim staff (13–14 employees) to incoming requests and transfers, and are planning additional training activities for newly recruited staff. This complements the training already provided by specialised NDU trainers on the AMMR, and specifically on responsibility criteria.

Greece successfully implemented the technical requirements to connect their national systems to the central Eurodac system and is capable of transmitting the data required to fulfil their responsibilities as laid out by Regulation (EU) 2024/1358[10].

DubliNet was successfully upgraded and is fully operational in line with the new requirements. Further automation of registration, classification and case-management processes is being

[9] Further information on the Greek reception system can be found in the Commission Communication on the status of migration management in Greece, COM(2025) 170 final. According to that Communication, while improvements may continue to be necessary in certain aspects of migration management, it can be concluded that there are no systemic deficiencies in the Greek mainland asylum and reception system resulting in a risk of inhuman or degrading treatment within the meaning of Article 4 of the Charter of Fundamental Rights of the EU. As a result, Dublin transfers to Greece should take place in the same manner as for the other Member States, i.e. without the requirement of individual assurances recommended by the Commission in its Recommendation (EU) 2016/1117, and in accordance with the jurisprudence of the Court regarding the interpretation of Article 3(2) of Regulation (EU) 604/2013.

[10] Regulation (EU) 2024/1358 of the European Parliament and of the Council of 14 May 2024 on the establishment of Eurodac for the comparison of biometric data in order to effectively apply Regulations (EU) 2024/1351 and (EU) 2024/1350 of the European Parliament and of the Council and Council Directive 2001/55/EC and to identify illegally staying third-country nationals and stateless persons and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, amending Regulations (EU) 2018/1240 and (EU) 2019/818 of the European Parliament and of the Council and repealing Regulation (EU) No 603/2013 of the European Parliament and of the Council, *OJ L 1358 22.5.2024, http://data.europa.eu/eli/reg/2024/1358/2024-05-22*.

explored to reduce administrative workload and support compliance with the AMMR deadlines.

The national case-management system *Alkyoni II* has been upgraded to support the implementation of the AMMR through automated deadline calculation, workflow management, case monitoring, alerts, reporting and statistical functions, as well as integration with Eurodac. Further connections with DubliNet, Visa Information System, Schengen Information System and ETIAS are planned, with the objective of enabling caseworkers to perform key procedural tasks through a single platform. These developments should improve efficiency, strengthen monitoring of workload and case backlogs, and facilitate compliance with the new procedural requirements introduced by the AMMR.

During the first weeks of application of the AMMR (12 June - 7 July 2026), 8 Member States reported to the Commission to have submitted take charge requests and take back notifications to Greece. Based on the information available, Greece has discontinued the practice of not accepting responsibility and no negative replies have been given on grounds outside of the scope of the AMMR during this period. The legal deadline for replying to some of those requests and notifications as laid down in Article 39(1) AMMR and Article 41 AMMR has not yet expired. Between 12 June and 7 July and given the still recent change of practice regarding the acceptance of responsibility, no transfer requests have yet been submitted to Greece.

III. Assessment of the situation in Italy

Italy has demonstrated sustained commitment and considerable efforts in preparation for the implementation of the Pact as indicated in the third Commission Report on state of play of the Pact implementation[11] including a number of measures aiming at ensuring the application of the new responsibility rules in the AMMR, as well key Pact innovations such as the border procedure or Eurodac.

In June 2026, the Italian Council of Ministers adopted a decree-law introducing urgent measures to facilitate the timely application of key Pact provisions. It introduces amendments to the national migration and asylum framework, including provisions related to the asylum border procedure, screening, Eurodac, reception conditions and return procedures. In addition, the decree-law strengthens the administrative and judicial capacity required for the implementation of the new framework, notably through ensuring additional staff for asylum procedures and measures aimed at reducing backlogs of asylum cases. The decree-law needs to be converted into law by the Italian legislator within 60 days from its publication on the Italian Official Journal; this process is currently ongoing.

In April 2026, in compliance with Article 23 of Commission Implementing Regulation (EU) 2025/2055, Italy informed the EUAA about the transfer locations to be used for the purposes of the AMMR, including air, see and land locations, locations for voluntary transfers and a default airport.

The operational capacity of the national AMMR Unit has been significantly strengthened in preparation for the implementation of the AMMR. The Unit is being reinforced through the recruitment of 15 additional long-term staff, of whom at least 10 will be assigned to incoming

[11] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions State of Play of the Implementation of the Pact on Migration and Asylum, COM(2026) 196 final.

transfer procedures, almost doubling the resources available for the handling of incoming cases[12]. Additional office space and videoconferencing facilities have also been secured. The Unit is organised into specialised sectors covering incoming procedures, outgoing procedures, relocation, appeals and family reunification, with case handlers responsible for the full lifecycle of procedures within their respective sectors.

An assessment of the expected impact of the new legal framework is ongoing to estimate future workload and long-term capacity needs arising from the AMMR revised procedures and deadlines. In parallel, a planned reorganisation will allow resources to be allocated more flexibly according to workload, taking into account both the volume of requests and notifications, and the applicable procedural deadlines.

Workflows are being adapted on the basis of the testing of the new DubliNet application and a national case-management tool was designed to facilitate the handling of take charge requests and take back notifications. Operational procedures have been established to coordinate the activities of the authorities involved in the implementation of the Pact (in particular regarding the handling of applications for international protection, including by the judiciary), ensuring streamlined case processing, clear allocation of responsibilities and compliance with the new procedural requirements.

Capacity building is further supported through continuous training, participation in coordination activities, EUAA training modules and internal knowledge-sharing mechanisms. Senior staff certified as EUAA trainers provide training, contributing to a high level of expertise and operational consistency across the Unit.

The organisation of the national reception system appears sufficient to accommodate persons transferred under the AMMR in the existing nationwide network of reception facilities, which includes centres suitable to accommodate families with children and vulnerable applicants. Reception capacity is being increased with the support of additional AMIF funding[13]. In addition, in the event of an increase of transfers, the contingency plan developed by the Italian authorities under Directive (EU) 2024/1346[14] would allow for a rapid expansion of the reception capacity through additional accommodation places, coordinated by the Ministry of the Interior and the Prefectures.

In parallel, the EUAA continues to provide operational support in the areas of outgoing procedures, appeals and relocation, with the need for further support to be assessed following the initial implementation phase of the Pact.

[12] At present, the 'incoming sector' (requests, notifications, transfers) consists of 12 internal staff members and one temporary staff member recruited through an AMIF-funded project.

[13] Detailed information on the Italian reception system could be found in the factsheets prepared by the EUAA as part of the implementation of the Dublin Roadmap (https://euaa.europa.eu/asylum-knowledge/dublin-procedure). The factsheets consist of detailed information on reception and detention conditions, including conditions for vulnerable persons, access to basic care and medical service, as well as information on the asylum procedure, including access to procedure and procedural guarantees following a transfer, as required by the relevant Union legislation. The factsheets are dynamic and are modified according to changing circumstances in the Member State concerned.

[14] Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection, *OJ L, 2024/1346, 22.5.2024, ELI: http://data.europa.eu/eli/dir/2024/1346/oj*.

Italy successfully implemented the technical requirements to connect their national systems to the central Eurodac system and is capable of transmitting the data required to fulfil its responsibilities as laid out by Regulation (EU) 2024/1358.

DubliNet was successfully upgraded and is fully operational in line with the new requirements. The Italian authorities have actively participated in eu-LISA testing activities, including bilaterally with other Member States, and have successfully tested key functionalities such as the creation, transmission and receipt of standard forms. The AMMR Unit staff also completed dedicated training.

In parallel, the authorities are adapting the national case management system (*SUA*) to incorporate the new requirements introduced by the Pact. The planned upgrades aim to enhance interoperability with police databases and Eurodac, facilitate the exchange of information across procedures, and introduce greater automation of workflows.

During the first weeks of application of the AMMR (12 June - 7 July 2026), 8 Member States reported to the Commission information regarding the submission of take charge requests, take back notifications and/or standard forms for transfers. Based on the information available, Italy continues accepting requests and notifications tacitly. However, transfers have not yet resumed. During the above-mentioned period, 12 transfers have been requested and Italy has rejected them[15]. Under the AMMR, a receiving Member State may not reject a transfer and shall, in line with Commission Implementing Regulation (EU) 2025/2055, propose an alternative date for the transfer[16].

IV. Conclusions

Considerable progress has been made in implementing the rules of the Pact on Migration and Asylum. Member States are on track to adapt their national legislation, to set up and organise the mandatory screening and the border procedures, to reach sufficient reception capacity, as well as to reduce backlogs and delays in asylum procedures. Member States have also advanced in reinforcing their capacity to process responsibility transfers and implement solidarity pledges. At the same time, efforts are needed to address remaining challenges, including with regard to the new responsibility rules under the AMMR.

The current application of responsibility rules by Cyprus and Spain and the operational cooperation currently taking place with these Member States does not raise any particular concern and is considered adequate to ensure the correct implementation of Part III of Regulation (EU) 2024/1351. Accordingly, no further monitoring under Article 4 of Commission Implementing Decision (EU) 2025/2323 is considered necessary.

The measures taken by Greece to date, together with the active engagement and cooperation of national authorities with other Member States, are positive indications that Greece has started

[15] 1 transfer took place to Italy during the reporting period, based on a request that was confirmed before 12 June 2026.

[16] Commission Implementing Regulation (EU) 2025/2055 of 2 October 2025 laying down rules for the application of Regulation (EU) 2024/1351 of the European Parliament and of the Council, as regards asylum and migration management and repealing Commission Regulation (EC) No 1560/2003, *OJ L, 2025/2055, 12.11.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/2055/oj*. Article 25(5) and Article 26(2) of the Commission Implementation Regulation require the receiving Member State to confirm its availability to receive the transfer or propose different modalities of transfer and/or a different location and/or time for the transfer, as well as to indicate the reasons for not being available to receive the transfer as proposed by the transferring Member State.

remedying the practices observed in the application of the Dublin III Regulation and is demonstrating its readiness to ensure the effective and correct implementation of Part III of the AMMR. Given that the new AMMR responsibility rules have been in application for less than one month and the time limits related to the new responsibility rules are yet to take effect, it is not yet possible to conclude whether the past practices have been fully remedied.

The measures taken by Italy so far show significant efforts in preparing for the implementation of Part III of the AMMR. At this stage however, no concrete indications could be observed that the practices under the Dublin III Regulation, and notably with regard to the suspension of the reception of transfers, except for cases of family reunification of unaccompanied minors, no longer persist. Furthermore, there are, at present, no indications that the Italian authorities have actively engaged with other Member States on the practical and logistical steps to resume transfers. Italy needs to remove all the remaining impediments as a matter of priority, including by discontinuing the practices that have so far 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 the AMMR.

The Commission will continue to monitor the situation based on the relevant information and data to be provided by Member States in view of the assessment to be carried out by 15 October 2026 in accordance with Article 4 of Commission Implementing Decision (EU) 2025/2323. In doing so, particular attention will be paid to the level of operational cooperation among Member States, including the active engagement to facilitate transfers and close cooperation on practical and logistical matters.