



SINGLE PROGRAMMING DOCUMENT



Amendment No. 3

2025 - 2027

B.3.7 Use of artificial intelligence in asylum and immigration procedures

Area of activity: *Justice, Digital and Migration*

Theme: *Migration and Asylum*

Status: *new*

Policy relevance

Driven by the potential of artificial intelligence (AI) to transform migration/asylum processes and its possibilities to underpin more humane, fair and effective migration/asylum systems in the future, EU Member States' asylum and immigration authorities increasingly explore and use AI-powered technologies to support their decision-making. Some of these AI tools support purely administrative tasks (e.g. filing documents, interacting with clients) while others support the decision-making itself and would thus qualify as high-risk AI systems within the meaning of the EU AI Act (Regulation (EU) 2024/1689, Annex III, point 7, read together with Article 6 (2)). At present, there is limited knowledge and awareness about the AI-driven tools which are being tested, piloted or deployed in EU Member States to support decision-making on asylum, visas, residence permits or returns, including assessing various risks as part of the procedures (e.g. risk of irregular migration, health risk, or security risk posed by a person seeking entry or having entered the EU). At an event on digitalisation of asylum procedures organised by the EU Asylum Agency in June 2025, which FRA attended, and following related discussions with various stakeholders working in this area (including through the European Migration Network and the EP Research Service), the Agency has been gaining an overview of what is being developed, tested, piloted or deployed by Member State authorities. Against this background and as a follow up to FRA's upcoming report on high-risk AI systems, FRA will undertake in-depth research in those EU Member States which are more advanced in testing, piloting or deploying AI tools for the above purposes in the context of asylum and migration management, in order to analyse their fundamental rights risks and impact, as well as the measures envisaged to mitigate these risks. The project will thus provide a balanced assessment of the actual application of such AI-driven technologies in the context of asylum and migration management with respect to their fundamental rights impact. The research will start by mapping the use of such AI tools in selected EU Member States presenting 'strong' use-cases, and the respective national legal frameworks governing the use of these AI systems in this area. For selected 'use-cases' from a number of EU Member States, the project will assess the purpose, context and scope of [high-risk] AI tools supporting asylum and immigration procedures, which are subject to stricter rules, including fundamental rights risk assessment, continuous monitoring of their use and an individual right of explanation under the AI Act (with certain exceptions as concerns human oversight and transparency mechanisms). Based on the information and data gathered re. concrete use-cases, the project will analyse fundamental rights risks and necessary safeguards mitigating those, with a view to ensuring their fundamental rights compliant deployment and use. FRA will mainly collect the data and information on law and policy through FRANET in selected EU Member States, accompanied by FRA staff missions to follow and oversee the fieldwork and data collection. The project will use the relevant provisions of the AI Act and other pieces of applicable EU law, notably EU data protection legislation and the Charter, as points of reference. The results will serve to inform those asylum and immigration authorities which consider, test or use AI systems about their fundamental rights impact and compliance and will also provide practical guidance for relevant authorities on how to hard-wire appropriate safeguards to protect fundamental rights. The research findings can equally inform the future review (and possible revision) of Annex III of the AI Act classifying AI systems as high risk, including four types of high-risk systems in the area of borders, migration and asylum (point 7 of Annex III).

Objectives (contributing to the Strategic Objective: 2.1)

- Support Member States in implementing the fundamental rights safeguards embedded in the AI Act and other pieces of applicable EU law, including the EU Charter, concerning high-risk AI tools used in the area of borders, asylum and immigration.
- Provide fundamental rights expertise and advice to Member States when using such AI tools - supporting decision-making in asylum and immigration procedures.
- Contribute with robust, evidence-based findings to the regular review (and possible revision) of Annex III of the AI Act classifying AI tools as high risk.

Activities

- Expert consultation, project design and planning
- Data collection – through FRANET
- Analysing research results and drafting a comparative research report.
- Exchange with key stakeholders on promising practices, gaps and new challenges.
- Missions to oversee fieldwork and engage with key stakeholders at Member State/local level

Outputs

- Planned for 2026 - one comparative research report and 12 FRANET country reports
- Participation in stakeholder events at national and EU levels, including European Commission (notably its AI Office), Council of Europe, FRONTEX, EUAA

Financial resources

	1 st priority	2 nd priority	3 rd priority
Equality, Roma, and Social Rights	-	-	-
Justice, Digital and Migration	490,506,45	-	-
Communication and Events	-	-	-
Institutional cooperation and networks	-	-	-
Total	490,506,45	-	-