



EMN BULLETIN

The EMN Bulletin provides policymakers and other practitioners with updates on recent migration and international protection policy developments at EU and national level. The 20th Edition provides information from July 2017 to September 2017, including the (latest) relevant published statistics.

The Bulletin is organised by policy area. You can directly access the area of your interest by clicking on one of the following themes:

[1. General policy developments](#); [2. Implementation of the Common European Asylum System](#); [3. Unaccompanied Minors and Vulnerable Groups](#); [4. Legal migration and Integration](#); [5. Management of the external borders](#); [6. Irregular migration and return](#); [7. Actions Addressing Trafficking in Human Beings](#); [8. External dimension](#); [Annex on EU & Complementary Statistics, Additional information, other EMN outputs and upcoming events.](#)

SPECIAL NOTE

On 27th September, the European Commission published a mid-term review of the 2015 European Agenda on Migration, in which it takes stock of the EU's migration management of the past two years. With a view to upholding these efforts and working towards more long-term and structural solutions, the Commission proposed to take the following next steps:

- ★ **Continuing to implement solidarity** by ensuring that all remaining eligible persons who have arrived to Greece and Italy until 26th September are relocated swiftly. The European Commission will provide financial support to those Member State wishing to sustain their relocation efforts beyond the current schemes. At the same time, the Council and European Parliament were called upon to make use of the current window of opportunity and make decisive progress on the reform of the Common European Asylum System (CEAS), particularly the Dublin Regulation;
- ★ **Enhancing legal pathways** by offering new resettlement places to the EU. To this end, the Commission recommended a new resettlement scheme for a minimum of 50,000 vulnerable persons over the next two years, in addition to encouraging Member States to establish private sponsorship schemes. Furthermore, the Commission proposed to coordinate and financially support pilot projects for legal migration with third countries. Lastly, the EU's common visa policy will be assessed against the present and future challenges;
- ★ **Implementing a more effective EU policy on return** by significantly reinforcing the Return Department within the European Border and Coast Guard to ensure the Agency (Frontex) can implement a truly proactive return management approach. The Commission also called upon Member States to further streamline their return policies in line with the 2017 Recommendation and the Renewed Action Plan on Returns. To this end, a revised [Return Handbook](#) has been published;

- ★ **Continuing efforts in the external dimension** by fostering cooperation with countries of origin and transit under the Partnership Framework. This includes further strengthening of the EU Trust Fund for Africa and in particular its North Africa window through additional Member State funding. Furthermore, in cooperation with the United Nations High Commissioner for Refugees (UNCHR) and the International Organisation for Migration (IOM), work along the Central Mediterranean route will continue, particularly to improve the situation of stranded migrants in Libya and promote the socio-economic opportunities for local communities.

EMN Annual Conference in Estonia

On 21st-22nd September, the Estonian National Contact Point of the EMN organised the annual EMN conference in Tallinn on the topic "The EU in the Global Race for Talents". The aim was to review the current state of talent migration in the European Union and to encourage an exchange of ideas between key stakeholders in this field. All presentations given in the framework of the conference are available [here](#).



1. GENERAL POLICY DEVELOPMENTS

EU DEVELOPMENTS AND UPDATES

- ★ On 13th September, the European Commission President Jean-Claude Juncker [held](#) his State of the Union Address. On the topic of migration, he emphasised the need for European countries to continue to show solidarity and establish further legal pathways as a key means of countering irregular migration. He considered legal migration to be a necessity for Europe as an ageing continent and highlighted the importance of the recast Blue Card Directive as a tool to attract global talent. At the same time, Juncker noted that pressure to increase the pace of return remains a top priority among EU leaders.

NATIONAL DEVELOPMENTS

- ★ **France:** On 12th July, the government [announced](#) the goals of its action plan aiming at guaranteeing the right to asylum and controlling migratory flows. The first objective is the strengthening of the action on the European and international level. Regarding the right to asylum, the government wishes to improve the processing of applications and the reception conditions by increasing the number of accommodations for asylum seekers and by increasing resettlements. The government also aims at reinforcing the fight against irregular migration and the removal policies. The last objectives of this action plan are the improvement of the integration policy and France's attractiveness to foreign talents.
- ★ **The Netherlands:** Parliamentary elections were held in the Netherlands on 15th March. After a first attempt to form a government between the Liberals (VVD), the Christen Democrats (CDA), the Social Liberals (D66) and the Greens (GroenLinks) failed, new negotiations were started between VVD, CDA, D66 and the Christian Union (ChristenUnie). Due to the absence of a sitting government, hardly any policy developments have occurred in the period July-September 2017. The parties have reached agreement in October. More information about this agreement and the new government will follow in the next Bulletin.

2. IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM

EU DEVELOPMENTS AND UPDATES

- ★ On 27th July, the European Commission [announced](#) a new wave of emergency support projects for Greece worth 209 million euro. This includes the launch of the ‘Emergency Support To Integration & Accommodation’ (ESTIA) programme to enable refugees and their families to rent urban accommodation and provide them with cash assistance. This differs from previous humanitarian projects which mainly provided support for accommodation in camps and the provision of direct supplies.
- ★ On 4th August, the European Commission [awarded](#) an additional 9.3 million euro in emergency assistance to UNHCR for targeted support to refugees and migrants in Greece. This covers activities such as the provision of transportation, accommodation and auxiliary services to relocation candidates, protection and education for children. Altogether, the emergency funding granted to the Greek authorities and international authorities operating in Greece now amounts to 371.16 million euro, in addition to 509.5 million euro under the national programmes for the period 2014-2020.
- ★ As part of the mid-term review of the 2015 European Agenda on Migration explained above, the European Commission put forward a [recommendation](#) on enhancing legal pathways for persons in need of international protection. This includes the proposal for a new resettlement scheme with at least 50,000 additional resettlement places for particularly vulnerable persons in need of international protection, to be admitted by EU Member States by October 2019. Particular focus should be placed on resettlement from North Africa and the Horn of Africa, notably Libya, Egypt, Niger, Sudan, Chad, and Ethiopia. The Commission plans to support this scheme by providing 10,000 euro for each resettled person from the EU budget. In addition, it is recommended that Member States establish private sponsorship schemes to allow private groups or civil society organisation to organise and finance the resettlement and integration of persons in need of protection in line with national legislation. To this effect, the Commission has invited EASO to coordinate a pilot project with interested Member States. Furthermore, the Commission is proposing to coordinate and financially support pilot projects for legal migration with third countries, initially focusing on countries which have shown political engagement in finding joint solutions to irregular migration. Lastly, the EU’s common visa policy will be assessed against the present and future challenges.

Judgement of the European Court of Justice – Joint Cases [C-643/15 and C-647-15](#)

On 6th September, the European Court of Justice dismissed Slovakia’s and Hungary’s request for annulment of the EU’s relocation decisions of September 2015, which aimed at relocating a total of 120,000 asylum seekers from Greece and Italy across Member States. In its decision, the Court stipulated that the Relocation Plan had been a “proportionate” response to help Greece and Italy manage the impact of the 2015 migration crisis. Following this judgment, European Commissioner Dimitris Avramopoulos [warned](#) that if Poland, Hungary and the Czech Republic continue to refuse to comply with the relocation decisions, they could be referred to the Court of Justice and eventually face heavy fines.

Relocation and Resettlement

- ★ In its 15th [report](#) on relocation and resettlement – published on 6th September – the Commission explained that almost 27,700 relocations have taken place since the adoption of the two Council Decisions on relocation in September 2015 (19,244 from Greece and 8,451 from Italy). In terms of resettlement, 75% (17,503) of the 22,504 resettlements agreed have been completed, mainly from Turkey. 22 (Member) States have participated in the resettlement scheme so far, with seven Member States (Estonia, Finland, Germany, Ireland, the Netherlands, Sweden and Switzerland) having already fulfilled their pledges. Nine Member States have not yet resettled under this scheme.¹

LATEST RELEVANT STATISTICS

- ★ EASO [published](#) its latest asylum trends for July 2017. The number of applications for international protection in the EU, Norway and Switzerland amounted to 58,799 in July, comprising half the number of applicants that were lodged in the same month last year. Almost 4% of all applications were lodged by unaccompanied minors.

¹ Bulgaria, Croatia, Cyprus, Greece, Malta, Poland, Romania, Slovakia and Slovenia

As in previous months, Syria continued to be the main country of origin for asylum applications, followed by Nigeria, Afghanistan and Iraq.

NATIONAL DEVELOPMENTS

- ★ **Austria:** On 30th August, the Administrative High Court [lifted](#) a negative asylum decision against an Armenian mother and her minor children fearing violent behaviour of their husband and father. According to the Administrative High Court, it was not clear whether the Armenian authorities would provide the applicants with sufficient protection against domestic violence.²
- ★ **Estonia:** On 15th of September Estonian Refugee Council opened a support centre for refugees in Tallinn. There will be regular workshops, briefings, language cafes, movie nights and other events held in the centre with the aim to support the integration of the beneficiaries of international protection. Additionally two information numbers will be opened in order to provide information in Estonian, English, Arabic and Russian languages

Also, as of 1st September, the Estonian Unemployment Insurance Fund is now able to provide support under the project “My first workplace in Estonia” to employers offering employment to beneficiaries of international protection. Under this service, the employer can apply for monetary support to pay for their salaries and receive compensation for the costs of Estonian language courses, workplace translations and receiving a qualification. From 1st January 2018, remuneration for mentoring will also be provided.

- ★ **France:** On 28th August, the French President [proposed](#) in a declaration the implementation of protection missions for the resettlement of refugees from the Sahel countries situated on the migratory route to Libya and the Mediterranean Sea to the EU.
- ★ **Italy:** On 14th July, [Law n. 110](#) came into force, which redefines the contours of torture as a criminal offence in the Italian legal order. The farthest-reaching implications regard criminal law with a provision of a jail sentence of 4-10 years in case of torture, putting Italian law in conformity with the [UN Convention against Torture](#). This bill also affects the international protection legal framework with a modification of the Italian Immigration Single Act (Legislative Decree n. 286, of 25 July 1998). A paragraph is added to article 19.1, providing that “refoulement, expulsion or extradition of a person towards a State for which there are well-founded reasons to believe that she/he may undergo torture is not permitted. The appraisal of such reasons shall take into account the existence in this State of severe and systematic violation of human rights”. This is in line with the [European Convention on Human Rights](#) and a series of judgments of the European Court of Human Rights against Italy (see for instance case Saadi vs. Italy³ and subsequent cases).

Judgement of the European Court of Justice – Case [C-18/16](#)

In its judgement of 14th September, the Court of Justice found that the detention of an applicant under the Receptions Conditions Directive in order to determine or verify his or her identity or nationality is necessary with a view to preventing secondary movements and ensuring the proper functioning of the CEAS. Moreover, under that Directive, detention is subject to compliance with various conditions and is only justified under a confined framework. Therefore, the Court concluded that the EU legislature struck a fair balance between, on the one hand, the applicant’s right to liberty and, on the other, the requirements relating to the identification of that applicant which are necessary to the functioning of the CEAS.

- ★ **Luxembourg:** On 15th September, the Council of Government [endorsed](#) the bill approving the cooperation agreement on partnership and development between the EU and Afghanistan.

On 14th July, the Council of Government [approved](#) the draft regulation adding Georgia to the list of safe countries of origin.

- ★ **The Netherlands:** On 29th August, in line with the decision [Paposhvili v. Belgium](#) of the European Court of Human Rights, Dutch policy has been [revised](#) to take into account the accessibility of medical care in the country of origin. Rejected asylum seekers who risk inhuman and degrading treatment for medical reasons may be granted legal stay on the basis of the Dutch Alien Act art. 64. for a period of one year maximum. In this period, the Dutch Repatriation and Departure Service will examine if medical care is available and accessible in the country of origin. If this is the case, the service will organise the repatriation of the rejected asylum seeker.

² Administrative High Court, 30 August 2017, Ra 2017/18/0119.

³ Application No. 37201/06, judgment of the Grand Chamber, 28 February 2008.

On the same day, [changes](#) in policy for asylum applicants from Iran came into force. The Minister for Migration can now designate a group as a 'group at risk' if it is apparent that persecution of persons belonging to this group occurs in the country of origin. Accordingly, as of 1st September, the decision-making policy regarding Iranian nationals who seek asylum in the Netherlands has changed, with the following groups being considered a 'group at risk': Yarsani's (an ethno-religious group primarily found in western Iran); persons who are active in the political arena, journalism or are human right defenders and seriously criticise the government; apostates of the Islamic faith.

In July, the temporary hold on taking decisions regarding asylum applications from Burundian nationals was lifted. This hold had been in place since July 2016. Instead, a [new policy](#) came into force on 7th July, according to which three groups are considered to be at risk: journalists, members of the opposition and persons with an important position in an NGO. For these groups, it is deemed not to be possible to rely on the protection of the authorities or NGO's. Also, no internal protection alternative is deemed to be present.

- ★ **Norway:** On 1st August, the grace period during which the family members to sponsors who hold a residence permit on the basis of protection in Norway are exempted from the income requirement was changed. The application for family reunification must now be registered online within six months after the sponsor received his/her permit. The fee (NOK 8000 (857 euro approx.) for applicants above the age of 18) must also be paid within six months. Furthermore, the applicant/family member must meet in person at a Norwegian Service Mission within one year after the sponsor received his/her permit.

The time limits do not apply if the applicant has been prevented from submitting an application at an earlier time because of factors beyond the applicant's control.

On 25th August, the income requirement for family members to sponsors who hold a residence permit on the basis of protection was reduced from NOK 309,700 (approx. 32,998 euro) to NOK 256,256 (approx. 27,303 euro).

Relocation and Resettlement

- ★ **Croatia:** Throughout the reporting period, the Croatian Government has sent pledges for 80 relocation applicants from Greece and 60 applicants from Italy under the EU relocation mechanism. On 18th September, the project "Providing Refugee Resettlement Assistance to the Government of the Republic of Croatia" was launched. By 8th December 2017, this projects intends to provide comprehensive resettlement and post-arrival orientation, as well as early integration support to 150 Syrian refugees from Turkey to Croatia. Under the EU relocation mechanism, no new pledges have been made.
- ★ **Finland:** Since October 2015, Finland has [received](#) 1,975 asylum seekers who originally arrived in Greece or Italy. In autumn 2015, Finland committed to receiving a total of 2,078 asylum seekers under the EU relocation scheme. Finland has now met its relocation targets, with the exception of the last asylum seekers expected from Greece, as the selection of people, done by Greece, is still pending.
- ★ **Lithuania:** In the framework of the EU relocation scheme, Lithuania relocated 382 persons in need of international protection as of September 2017. 355 were relocated from Greece and 27 from Italy, reaching approximately 56% of the established quota. Until September 2017, Lithuania had also resettled 32 persons from Turkey.
- ★ **Luxembourg:** On 7th September, Luxembourg [relocated](#) 44 adults and 4 children from Italy in the framework of the EU relocation mechanism. In the same context, 28 adults and 27 children were [relocated](#) from Greece to Luxembourg on 4th and 8th August 2017.

On 16th and 17th August, 43 Syrian refugees (20 adults and 23 children) were [resettled](#) from Turkey in the context of the EU-Turkey Statement of 18th March 2016. On 13th July, Luxembourg [resettled](#) 24 Syrian and 2 stateless refugees (14 adults and 12 children) from Lebanon. This resettlement took place in the context of the decision taken at the Justice and Home Affairs Council on 20th July 2015 for Luxembourg to resettle 30 people who are in clear need of international protection.
- ★ **Spain:** The relocation and resettlement processes continued to be carried out, leading to a total of 1,279 relocations and 710 resettlements to Spain as of end of September 2017.
- ★ **United Kingdom:** The latest quarterly Home Office migration statistics, which were [published](#) on 24th August, show that over 1,200 refugees arrived through the resettlement scheme in the second quarter of 2017, meaning over a third of the 20,000 refugees the UK government pledged to resettle by 2020 are already in the UK. Approximately half of those who have arrived under the scheme are children.

3. UNACCOMPANIED MINORS AND VULNERABLE GROUPS

EU DEVELOPMENTS AND UPDATES

- ★ At the end of July, the European Asylum Support Office (EASO) and the Italian authorities [signed](#) an Amendment to the EASO Operating Plan to Italy with a view to formalising future cooperation with the Italian Ombudsperson for Children and Adolescents.
- ★ According to the European Commission's 15th [report](#) on relocation and resettlement, published on 6th September, a total of 31 unaccompanied minors have been relocated from Italy since May 2017. The receiving countries were the Netherlands (26), Belgium (2), Norway (2) and Germany (1). These relocations are the result of a coordinated action between the Commission, the Italian authorities and EASO.
- ★ On 20th September, the Council of Europe [published](#) a report mapping procedures, practices and methods for assessing the age of unaccompanied children in Europe. It raises concern over inaccuracies in age assessment of migrants and the wide disparities across countries with regard to different safeguards in place. One key challenge identified by the report relates to the lack of common approach to age assessment procedures in Europe.

NATIONAL DEVELOPMENTS

- ★ **Austria:** On 30th August, the Austrian Administrative High Court [lifted](#) a decision of the Federal Administrative Court on the Dublin transfer to Bulgaria of a pregnant mother and her minor children. According to the High Administrative Court, the transfer of vulnerable persons to Bulgaria could be in violation of human rights.⁴

On the same day, the Austrian Administrative High Court also [lifted](#) a decision denying subsidiary protection to an Iraqi family with five minor children. According to the Administrative High Court, the vulnerability of the minor children was not taken duly into account by the Federal Administrative Court.⁵

- ★ **Croatia:** During the reporting period, 82 unaccompanied minors lodged an application for international protection in the Republic of Croatia, according to the Ministry of Interior.
- ★ **France:** On 27th September, the Minister of Justice and the Minister of Solidarity and Health [announced](#) a series of developments on the funding of the national sheltering and the evaluation and orientation scheme of unaccompanied minors. They also presented the first lines of an action plan for unaccompanied minors, which is embedded in the wider scope of the 'migrants plan'.
- ★ **Luxembourg:** On 10th August 2017, the [bill](#) approving the [Council of Europe Convention on preventing and combating violence against women and domestic violence](#) was submitted to Parliament. The bill foresees to modify Luxembourg's immigration law by adding the possibility that the victims of a forced marriage who were coerced to leave the territory can recover their residence permit. Furthermore, victims of domestic violence can be granted an authorisation of stay for personal reasons under a number of conditions.

On 7th July, the Council of Government [approved](#) the creation of a commission in charge of determining the best interest of unaccompanied minor applicants for international protection. In accordance with the Return directive, Luxembourg's immigration law postulates that a return decision can only be issued to an unaccompanied minor if the return is in the best interest of the child, but does not detail how this interest is determined. The commission, composed of the child's and relevant services' and ministries' representatives will carry out individual assessments on the best interest of the child with the aim of delivering an authorisation of stay or a return decision.

- ★ **The Netherlands:** In September, the Youth Care Inspectorate and the Inspectorate of Security and Justice - after a previous negative evaluation - published a [re-evaluation](#) of the quality of protected shelter for unaccompanied minors and have concluded that the quality of shelter has improved. Ten out of the twelve inspection qualifications were scored sufficient. The Central Agency for the Reception of Asylum Seekers has informed the inspectorate that further improvements have been made and that it now expects to score sufficient on all qualifications. The Inspectorate will continue with closely following the developments concerning protected shelter of unaccompanied minors.

⁴ Administrative High Court, 30 August 2017, Ra 2017/18/0036.

⁵ Administrative High Court, 30 August 2017, Ra 2017/18/0089.

- ★ **Norway:** Later this autumn, the Norwegian Directorate of Immigration (UDI) will start using [BioAlder](#) results as an element in its age assessment process for the undocumented age of unaccompanied minors. BioAlder is a statistical calculation model on the basis of studies of the development of the hand skeleton and lower left wisdom tooth in more than 14,000 young persons of known chronological age. The model provides an estimate of the applicant's chronological age range. Its algorithms will be updated as new research results become available. The long-term aim is to develop molecular biological methods of age estimation (DNA methylation).
- ★ **Spain:** in the context of the relocation pledges from Italy, Spain announced in September its willingness to specifically accept 30 unaccompanied minors.

4. LEGAL MIGRATION AND INTEGRATION

EU DEVELOPMENTS AND UPDATES

- ★ The European Commission's Knowledge Centre on Migration and Demography (KCMD) [launched](#) a *Data Challenge on Integration of Migrants in Cities (D4I)* to stimulate research on various aspects of the integration of migrants at local level. Through this initiative the KCMD makes available data at high spatial resolution derived from the 2011 Census which shows the concentration of migrants in cities of eight EU Member States. The high spatial resolution of the derived data allows to examine patterns of concentration of migrants' communities in specific neighbourhoods and to perform comparisons across different origins, cities of different sizes and EU countries.

All interested researchers can submit a proposal for research to be carried out on the data, covering any aspect of integration of migrants both from qualitative and quantitative disciplines. Preference will be given to research resulting in policy recommendations with EU relevance. The selected applicants will be given the right to download the entire data set and use it freely for their research. The authors of the best studies will be invited to present their results to EU policy makers in a poster exhibition organised at the end of 2018.

NATIONAL DEVELOPMENTS

- ★ **Belgium:** On 29th August, the State Secretary for Asylum Policy and Migration and the Walloon Minister for Employment signed [a collaboration agreement](#) which aims at fostering the socio-professional insertion of asylum seekers. The agreement aims at strengthening the collaboration between FOREM - the Walloon agency for employment and training - and Fedasil - the Federal agency for the reception of asylum seekers - in Wallonia (e.g. through the organisation of information sessions in the reception centres on the services offered by FOREM).

In recent years, Belgian registrars have been confronted with foreigners who aim to recognise a child with a view to obtain an advantage in terms of residence. The [Law of 19th September 2017](#) includes preventive and repressive measures to fight against these false declarations of parenthood. The legislative changes will make it possible to postpone or refuse a declaration of parenthood, it introduces penalties for falsely declaring parenthood and it foresees the possibility to annul a declaration of parenthood.

- ★ **Croatia:** Following their adoption on 30th June by the Croatian Parliament, extensive amendments to the existing Foreigners Act came into effect on 22nd July. These aim at implementing relevant EU legislation and clarifying certain provisions subject to different interpretation in practice. The existing Foreigners Act (Official Gazette No. 130/11, 74/13, and 69/17; "Foreigners Act") sets out detailed rules for entry, work and stay of foreigners on Croatian territory. While the introduced amendments do not substantially change the general framework of residence and work permits, certain existing provisions were clarified and new rules related to (i) posted, (ii) seasonal workers, and (iii) intra-corporate transferees were introduced.
- ★ **Czech Republic:** An [amendment](#) of the Employment Act, which came into force on 29th July, repealed a ban on assigning third-country nationals (except those who have free access to the labour market) to user undertakings by temporary-work agencies. This ban had been in place since 2012. At the same time, the amendment set more strict criteria on granting a Permit to Broker Employment to temporary-work agencies and defined a misdemeanour of "Concealed Brokering of Employment".
- ★ **Estonia:** On 23rd August, the first meeting of the working group on the immigration quota gathered in the Ministry of the Interior. The aim of the working group is to find the best solution on how to change the regulation on the immigration quota. The working group consists of representatives from 19 organisations as well as migration experts.

On 13th July, the Government of Estonia approved the proposition according to which people who wish to apply for Estonian citizenship who have lived in Estonia for at least 5 years, can participate in free Estonian language courses with the aim to acquire the necessary level of B1.

- ★ **Finland:** As the first organisation in Finland, the Finnish Immigration Service has started using the [Suomi.fi e-Authorizations functionality](#), in which an employer can grant electronic powers of attorney allowing a person to act on the employer's behalf in 'Enter Finland', the Immigration Service's e-service channel.
- ★ **Italy:** As of 17th August, the application process for family reunification has become fully digital. However, documents concerning the requirements related to income and housing of foreign nationals still have to be submitted scanned and attached to the request for reunion. The Point of Contact - Sportello Unico –therefore only has to summon the foreign citizen once, significantly accelerating the process. The release of the clearance form - nulla osta - will be made within 90 days after the submission of the application. This new procedure encourages the exercising of the right of family unity, which is considered one of the main factors of a full integration of foreign nationals in Italy.

Italy: On 26th September, the Italian Ministry of the Interior presented the first ever [National Integration Plan for Beneficiaries of International Protection](#). This organises the integration of its target group in a systematic and comprehensive manner. Three aspects are to be highlighted. Firstly, the plan considers that integration is a process that starts with the reception of protection seekers; they shall therefore be entitled to integration measures upon arrival, before their protection status is decided. Secondly, the plan implements a multilevel governance approach to integration: national administration, regions, local bodies and third sector organizations coordinate their efforts for better-managed integration policies. Finally, the plan proposes an approach to integration that encompasses different themes, ranging from dialogue between religions to economic integration through language learning, training, recognition of qualifications, etc.

Luxembourg: On 27th September, the Council of Government approved the elaboration of a new [multiannual national action plan on integration](#). The plan will be elaborated by the Reception and Integration Agency (OLAI) in collaboration with an inter-ministerial committee and in direct consultation with a number of stakeholders such as Parliament, municipalities and civil society. The plan will be based on two axes: the reception and follow-up of applicants for international protection and the integration of Luxembourg's non-Luxembourgish residents. On 8th July, 37 representatives of foreigners were [elected](#) for the National Council of Foreigners. The ministry of Family, Integration and the Greater Region is committed to designate the representatives of refugees, municipalities, employer and trade organisations, as well as of civil society.

- ★ **The Netherlands:** In September, the Minister of Security and Justice [revoked](#) the Dutch citizenship of four jihadists who have travelled to a conflict zone. The persons concerned had joined a terrorist organisation in a jihadist conflict zone. Apart from the revocation of their citizenship, the four persons are also declared as 'undesired foreign nationals' and therefore can no longer legally enter the Netherlands or any other Schengen country. The measures came into force immediately but still have to undergo assessment by the Dutch judiciary. Since March 2017, the Minister of Security and Justice may revoke the Dutch citizenship due to national security considerations.
- ★ **Norway:** As of 1st September, it is no longer possible to be granted permanent residency in Norway unless the applicant can prove that she/he has supported herself/himself the previous 12 months. This applies to everyone between 18 and 67 years of age. The government has stipulated that a certain amount of income is to be considered as sufficient and the applicant cannot have been a recipient of social welfare payments during this period.⁶ Some forms of social benefits from the government are considered income, as well as student loans and educational stipends. Exceptions are also made for applicants who are attending elementary school or secondary school as adult education and other full time students, or persons declared unable to work due to medical reasons.
- ★ **Spain:** On 11th September, a bilateral meeting between Fátima Báñez, Spanish Minister of Employment and Social Security, and Mohamed Yatim, Ministre de l'Emploi et de l'insertion professionnelle from Morocco was held in Madrid. The aim was to intensify collaboration in employment and social security as well as the management of migratory flows. A total of 225,000 Moroccan workers are affiliated to social security in Spain, making them the second most important group in affiliation to social security among foreigners.

⁶ Norwegian Immigration Act Section § 62 first paragraph, letter f and Immigration Regulations Section § 11-11

5. MANAGEMENT OF THE EU EXTERNAL BORDERS

EU DEVELOPMENTS AND UPDATES

- ★ On 27th September, the European Commission put forward plans for preserving and strengthening the Schengen area. This includes a [proposal](#) for an update of the Schengen Borders Code, with a view to adapting the rules of the reintroduction of temporary internal border controls to the current needs and responding to evolving serious threats to public policy or internal security. To this end, the Commission proposes to prolong the time limits for internal border controls from six months to one year, coupled with stronger safeguards, such as the obligation for Member States to assess if alternative measures could address the identified threat more efficiently and the submission of a detailed risk assessment.

In addition, the European Commission issued a [Recommendation](#) on the better application of the existing Schengen rules, highlighting that temporary internal border controls must remain an exceptional measure of last resort, the impact on free movement should be limited and that alternative measures, such as police checks and cross-border cooperation, should be prioritised.

Lastly, a European Commission Communication – also published on 27th September -takes stock of the measures already taken to respond to security challenges at the external border and within the Schengen area, such as the amendments made to the Schengen Borders Code and the introduction of temporary border controls by a number of Member States. To improve the joint application of the Schengen rules, the Communication invites the Council to take the decision to fully integrate Bulgaria and Romania into the Schengen Area, with Croatia becoming a full member once all criteria are met.

Judgement of the European Court of Justice – Cases [C-490/16](#) & [C-646/16](#)

On 26th July, the Court of Justice gave a judgement regarding the functioning of the [Dublin III Regulation](#) in relation to the mass border crossings in the Western Balkans in 2015/2016. The Court ruled that the definition of “visa” under the regulation could not be directly inferred from other acts of EU law, but instead refers to an act formally adopted by a national authority and could not be confused with the grant to admission to the territory. This understanding should be distinguished from the power to authorise entry on humanitarian grounds and is not altered by an emergency situation caused by the arrival of an unusually large number of asylum seekers. In addition, third-country nationals must be regarded as having “irregularly crossed” irrespective of whether that crossing was tolerated or authorised. The arrival of an unusually large number of third-country nationals does not affect that interpretation.

NATIONAL DEVELOPMENTS

- ★ **Estonia:** On 1st July, the new [Emergency Act](#) came into force, which provides a legal basis for crisis management, including preparing for and resolving an emergency, as well as ensuring the continuity of vital services. According to the Act, events that could lead to an emergency and that are subject to a risk assessment are, among others, a mass influx of refugees and a mass border violation.
- ★ **Italy:** On 6th July, the Ministry of the Interior presented a Code of Conduct for Non-Governmental Organisations to its European counterparts on the occasion of the informal Justice and Home Affairs Council in Tallinn. The Code of Conduct was designed to reduce migratory pressure on Europe’s Mediterranean shores, and better coordinate search and rescue operations carried out by NGO’s boats. It was then endorsed by other EU Member States and presented to the NGOs operating in the Mediterranean. As provided by the code itself, failure to subscribe or comply with the code of conduct may lead to sanctions for the vessels concerned. The Code of Conduct entered in force in late July and was signed by Save the Children, MOAS, Sea-Eye, Proactiva Open Arms, SOS Méditerranée.
- ★ **The Netherlands:** In September, the Cabinet [decided](#) that the Ministry of Defence will receive additional funds for border management. In 2018, the Netherlands Royal Marechaussee will receive 2.2 million euro, and as of 2019 an additional amount of 23.4 million euro annually. The Cabinet had already decided in spring 2017 to allocate 20 million euro extra for border management.
- ★ **United Kingdom:** The second report on statistics being collected under the exit checks programme, [published](#) on the 24th of August, found that among the 1.34 million visas granted to non-EEA nationals which expired in 2016/17, 96.3% departed in time. Since 8th April 2015, departure data has been collected on all scheduled commercial services departing the UK from air and sea ports and from international rail stations except those services not within the scope of the exit checks programme.

6. IRREGULAR MIGRATION AND RETURN

EU DEVELOPMENTS AND UPDATES

- ★ On 26th July, Eurostat [published](#) new data on the number of returns in 2016. Last year, 226,150 non EU-citizens, who were illegally present in the EU and ordered to leave, were returned to a third country. This marks the highest number recorded since 2008. With over 74,000 returns (33%), Germany recorded the highest number of third-country national leaving the EU following an order to leave in 2016, followed by the United Kingdom (36,400, or 16%), Greece and Poland (either around 19,000, or 8% each).
- ★ According to the European Commission's seventh [report](#) on the progress made in the implementation of the EU-Turkey Statement, published on 6th September, the number of irregular crossings has remained low (at 93 on average). While resettlements progressed at a steady pace, with almost 9,000 Syrians having been resettled from Turkey to the EU, the pace of returns from the Greek islands to Turkey has remained slow, with the number of arrivals significantly outnumbering the number of returns (1,896 since the date of the EU-Turkey Statement). The Commission understands this to be the combined result of the accumulated backlog in the processing of second-instance asylum applications on the Greek islands and of the insufficient pre-return processing and detention capacity.
- ★ Against the background of an estimated 1.5 million people to be returned from EU Member States in the near future, the European Commission on 27th September [published](#) a revised Return Handbook. This summarises all recommendations put forward to national authorities in the framework of the [2017 Commission Recommendation](#) and the [Renewed Action Plan on Return](#), with the aim of further streamlining Member States' return policies. In situations of significant arrival surges, Member States at the external border can, where appropriate, use the hotspot approach to ensure that return operations can be managed swiftly.

NATIONAL DEVELOPMENTS

- ★ **Belgium:** Since the summer of 2017, an increasing number of transit migrants have been staying in the Maximilian park in Brussels. The Belgian government does not want this park to become "a new Calais". A number of transit migrants were intercepted and detained. As many of them were from Sudan, an identification mission by a Sudanese delegation was organised, which was questioned by opposition politicians and NGOs. Campaigns were organised by different stakeholders to better inform the transit migrants. These issues were [discussed in the Belgian Parliament](#) at the beginning of October.
- ★ **Germany:** On 29th July, the 'Act to Improve the Enforcement of the Obligation to Leave the Country' [entered](#) into force. This new legislation facilitates the custody of foreigners awaiting deportation and to monitor them before their deportation if their obligation to leave the country is no longer subject to appeal and if they constitute a significant threat to others or to internal security. It will be possible to order such persons to keep an electronic tagging device with them at all times so their movements can be tracked.

Furthermore, foreigners who are required to leave Germany but do not so voluntarily and who have provided false information about their identity or have failed to cooperate with arrangements for their deportation will only be allowed to remain in the district of the foreigner's authority where he/she has his/her habitual residence. Nor will such foreigners be notified when the temporary suspension of their deportation has been revoked.

The law also amends the Asylum Act: To verify the identity and nationality of asylum seekers who have no valid identification documents, the Federal Office for Migration and Refugees (BAMF) will be allowed, under strict conditions, to examine their mobile telephones and other data storage devices.

- ★ **Finland:** On 25th September, the maximum amount of assistance for voluntary return was [increased](#) through a Decree of the Ministry of Interior. In the future, the maximum amount of financial assistance granted to adults who decide to voluntarily return to their home countries could be 1,500 euro and to accompanying minors 750 euro. Previously, the maximum amount of financial assistance was 1,000 euro for adults and 600 euro for minors.
- ★ **France:** A [decree](#) dated 25th July has created an exceptional return allowance of 2,500 euros for third country nationals who apply for a return assistance before 31st December 2017 to return voluntarily to their country of origin.

- ★ **Lithuania:** In the strategic case of 3rd August, the Supreme Administrative Court of Lithuania ruled that according to the Return Directive, priority should be given to voluntary return against forced return and a third-country national should always be granted a period for voluntary departure. Exceptions apply for specific cases, for example, when there is a ground for believing that a third-country national may abscond or (s)he poses a threat to national security. The Court found that the current legal regulation, under which a period for voluntary departure in respect of unlawfully entering third-country nationals may be granted only under certain additional conditions, should be revised. The Court has noted that in all cases when there is no likelihood of adversely affecting the objectives of the return procedure, priority must be given to the voluntary departure and a return decision must be issued. A decision on expulsion may be issued only if there are reasons for which a more stringent measure, namely expulsion, is required. Required changes to the Law are currently being discussed.
- ★ **The Netherlands:** In July, an [information campaign](#) in Albania was launched, aimed at dissuading Albanian nationals from coming to the EU to apply for asylum or to take up illegal work. The campaign is a joint initiative of the International Organisation for Migration (IOM) and the Dutch Repatriation and Departure Service of the Ministry of Security and Justice, in line with the outstanding cooperation between the Netherlands and Albania in the area of migration and repatriation.

7. ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

EU DEVELOPMENTS AND UPDATES

- ★ In a GRETA report [published](#) on 20th September, the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) assessed the latest developments in Ireland as regards the implementation of the [Council of Europe's Convention on Action against Trafficking in Human Beings](#). Progress has reportedly been made in a number of areas, such as developing the legal framework and adopting a new comprehensive national action plan to prevent and combat human trafficking. In addition, GRETA also commended the efforts made to raise public awareness of human trafficking, discourage demand and assess the impact of public campaigns and other measures.

NATIONAL DEVELOPMENTS

- ★ **Estonia:** On 20th September, the Parliament of Estonia [adopted](#) the law which ratifies the Convention on Preventing and Combating Violence against Women and Domestic Violence ([Istanbul Convention](#)). The corresponding legislative amendments came into force on 6th July. According to the amendments, the Penal Code now also criminalises forced marriage, female genital mutilation and buying sex from victims of trafficking in human beings.
- ★ **Finland:** The [number of clients](#) in the Assistance System for Victims of Human Trafficking has continued to rise this year. At the end of June 2017, the number of human trafficking victims in the assistance system had reached 200 for the first time. When including those children of adult victims who also require assistance, there are a total of about 270 people in the system as a whole.

Moreover, the Assistance System for Victims of Human Trafficking has launched a [project](#) (IHME) to improve the operational preconditions for anti-human trafficking efforts in Finland. The aim of the project is to strengthen efforts to prevent human trafficking, as well as to enhance expertise in identifying and helping victims in the pre-trial investigation of human trafficking in Finland, while promoting the equal treatment of victims by public authorities.
- ★ **The Netherlands:** On 29th September, Mr H.J. (Herman) Bolhaar was [presented](#) as the new National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children. He succeeds Ms C.E. Dettmeijer, who will be stepping down as National Rapporteur on 15th November.
- ★ **Portugal:** During the reporting period, the Immigration and Borders Service (SEF) pursued various initiatives and activities in the field of Trafficking in Human Beings (THB). For example, SEF's dedicated trafficking unit participated in the THB China group meeting within the [EMPACT THB project frame](#), which took place in September in Lisbon. It also took part in the Large Scale Joint Action Day, which was organised within the framework of [Operation DRAGON](#) on minor THB victim in The Hague in September. Furthermore, the [Observatory on Trafficking Human Beings](#) (OTSH) undertook several activities and released its second report on THB for the period April to July 2017, in addition to a paper on Statistics of convicted inmates by trafficking between 2013 and 2016. Finally, the National Rapporteur on Trafficking in Human Beings made a presentation on the OTSH/National Monitoring System at the International Seminar on Trafficking in Persons and Smuggling, promoted by the Brazilian Ministry of Justice and Public Security, with the support of the European Union and UNODC (Rio de Janeiro).

8. EXTERNAL DIMENSION

EU DEVELOPMENTS AND UPDATES

- ★ On 28th July, the [EU Trust Fund for Africa](#) adopted a [programme](#) worth 46 million euro to reinforce the integrated migration and border management capacities of the Libyan authorities. The aim is to strengthen the operational capacities of the Libyan coastguards and the Libyan border guards along the southern borders most affected by illegal crossings, as well as to equip the Libyan coastguards with the necessary tools to coordinate maritime operation.

This programme is a follow-up to the Commission's [Action Plan](#) to support Italy from 4th July, and complements the 90 million euro [package](#) adopted in April 2017 to foster the protection and resilience of refugees and host communities in Libya.

- ★ On 6th September, the European Commission [presented](#) its fifth Progress Report on the Partnership Framework with third countries under the European Agenda on Migration. Key achievements reportedly include the reduction of the number of crossing on the Central Mediterranean as well as increased cooperation with Libya, including a new 46.3 million euro project to strengthen border surveillance at the country's sea and land border. In addition, cooperation has been stepped up with some Western African countries, with the pace of implementation of programmes approved under the EU Trust Fund for Africa having further accelerated. 169 contracts have been signed for a total amount of over 1.2 billion euro across the three regions. At the same time, the report acknowledges that formal cooperation on readmission and return with some of the priority countries has continued to stall.
- ★ On 11th September, the UNHCR [called](#) for an additional 40,000 resettlement places to be made available for refugees located in 15 priority countries along the Central Mediterranean route, such as Burkina Faso, Chad, Libya, Mali and Sudan. This call comes against the background of only 6,700 refugees along the routes to Libya having been resettled so far this year and was made in the framework of the first of the Core Group for Enhanced Resettlement and Complementary Pathways along the Central Mediterranean route.⁷

NATIONAL DEVELOPMENTS

- ★ **Czech Republic:** In July, the government approved financial contributions amounting to 24 million CZK (approx. 0.9 million euro) to the EU Trust Fund for Africa (North of Africa Window) for the project "Support to Integrated Border and Migration Management" in Libya led by the Italian Ministry of the Interior. During August, two more financial donations were approved - support to the Commissariat for Refugees of the Republic of Serbia for strengthening the national local asylum infrastructure system (27 million CZK/1 million euro) and support to Jordan for building national training centre for asylum policy and asylum management (15 million CZK/0.5 million euro). Currently, the government is considering financial assistance amounting to 27 million CZK (1 million euro) to the Italian Interior Ministry for the joint Czech-Italian project on stabilisation of local population of the Republic Cote d'Ivoire. The main aim of the Czech-Italian project, which would be implemented by UNHCR, is the reduction of the risk of statelessness and reintegration of Ivorian returnees.

On 20th September, the working group of the [MEDEVAC Programme](#) met to evaluate its activities undertaken in the first half of 2017. This programme is a govern-run medical humanitarian programme of the Czech Republic focused on the provision of medical care to vulnerable groups in crisis regions. As one of its most recent activities MEDEVAC has begun establishing a physiotherapy department in Kiev and two medical mission in Jordan were underway. Overall, medical teams have been deployed into Jordan, Iraqi Kurdistan region, Senegal and Cambodia, providing surgeries for around 500 patients. Further medical missions in Jordan, Morocco and Senegal are planned towards the second half of 2017. Alongside the mentioned medical humanitarian activities, the programme will be providing donations to further support the health infrastructure in Iraq and Libya.

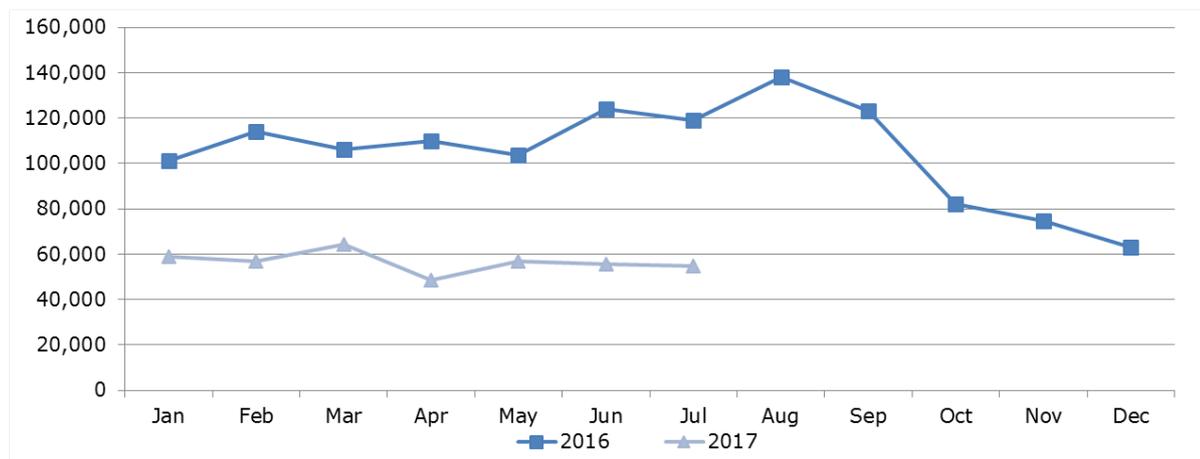
⁷ The Core Group for Enhanced Resettlement and Complementary Pathways along the Central Mediterranean route includes global resettlement States, IOM, the EU and UNHCR. In total, 17 States were present at its opening on 11th September.

- ★ **Germany:** On 27th August, the German and the Egyptian government [signed](#) a political agreement to further improve coordination of their policies on migration. Both countries are very much interested in preventing migrants from setting off illegally on the hazardous voyage across the Mediterranean to Europe. The agreement includes a variety of migration-policy elements, including closer economic cooperation and German support for Egypt's education sector in order to effectively address the root causes of migration. It also aims to support refugees in Egypt, including the creation of traineeships and jobs for Egyptians as well as cooperating on activities to fight criminal human trafficking and to improve border controls. The two governments also intend to cooperate more effectively on the repatriation and voluntary return of Egyptians from Germany to their home country.

ANNEX: EU & COMPLEMENTARY STATISTICS, ADDITIONAL INFORMATION, OTHER EMN OUTPUTS AND UPCOMING EVENTS

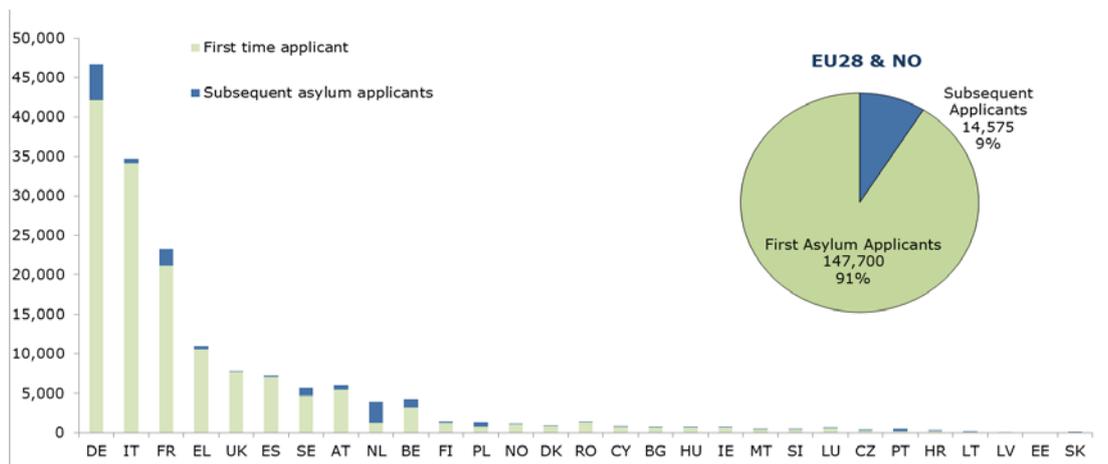
EU Figures

Figure 1a: Asylum applications in the EU-28, January 2016 – July 2017.⁸



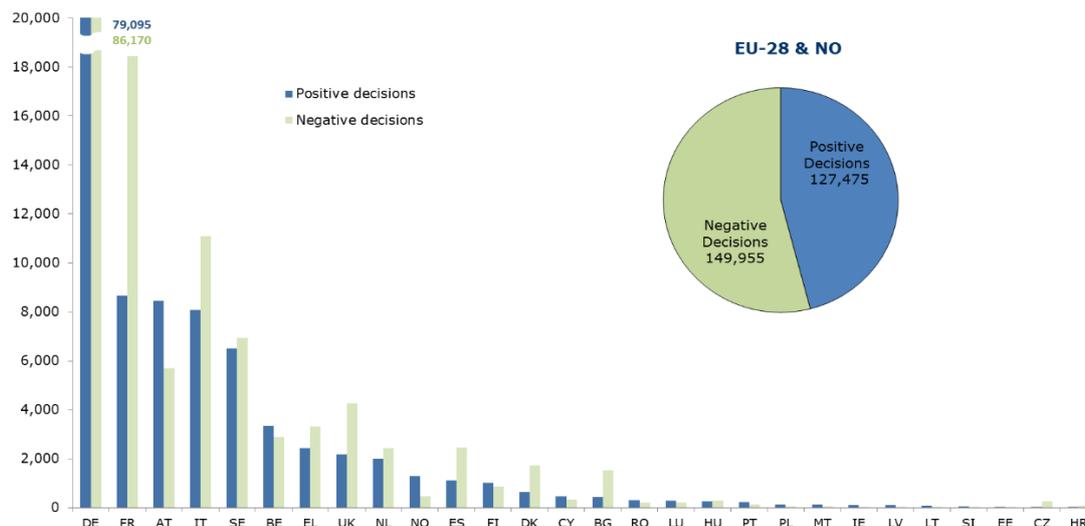
Source: Eurostat [[migr_asyappctzm](#)], total asylum applicants, accessed on 12th October 2017.

Figure 1b: First time asylum applicants and subsequent applicants (together, total asylum applicants) in the EU-28 and Norway, Q2 2017 (quarterly data)



Source: Eurostat [[migr_asyappctzm](#)], accessed on 3rd October 2017

Figure 2: First instance asylum decisions in EU-28 and Norway for non-EU citizens, second quarter 2017



Source: Eurostat [[migr_asydcfstg](#)], accessed on 3rd October 2017 – Negative decisions include also “Dublin decisions” (according to Art. 4, EC Regulation n. 862/2007).

⁸ Data for July 2017 is not yet available for Cyprus, Ireland and Spain.

Figure 4a: Illegal border crossing– Top nationalities (in %)

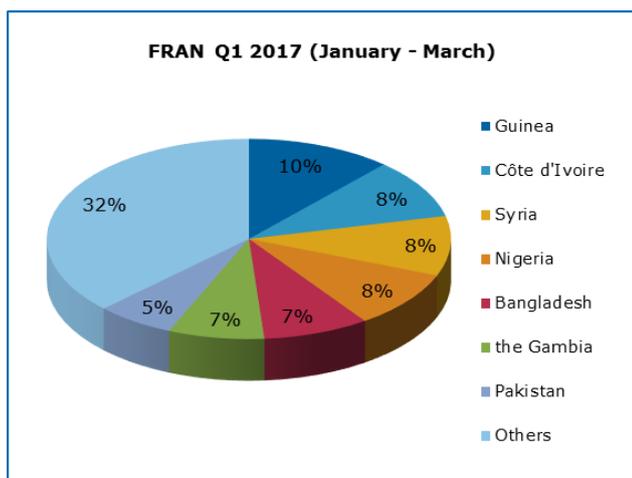


Figure 4b: Refused entry–Top nationalities (in %)

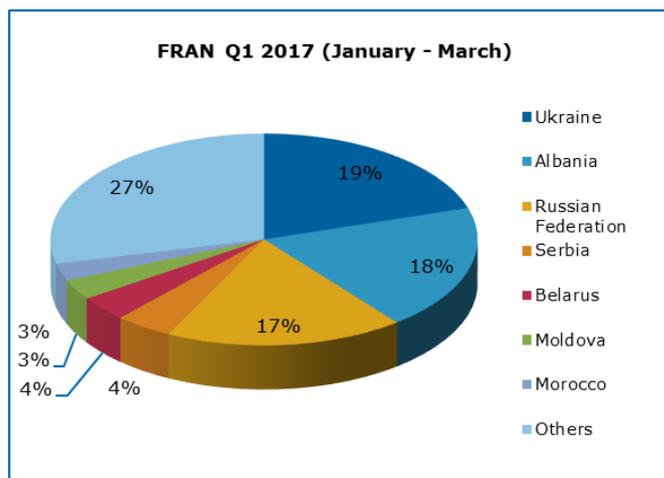


Figure 4c: Illegal stay – Top nationalities (in %)

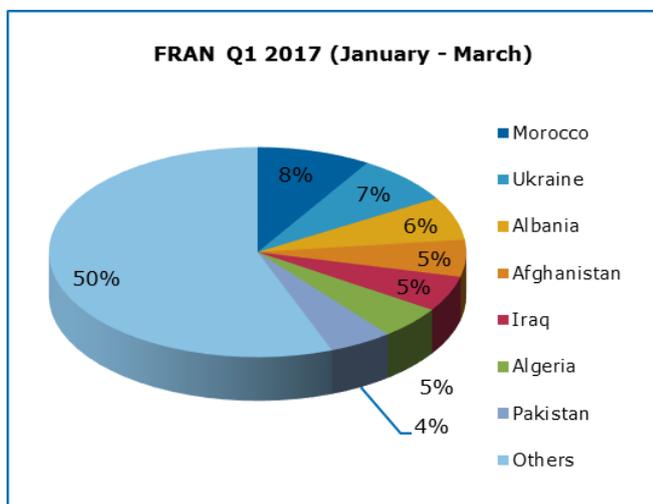
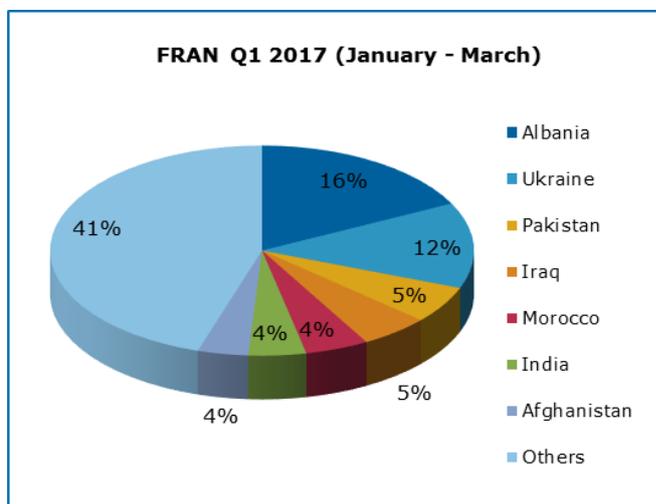


Figure 4d: Effective return–Top nationalities (in %)



Source: [FRONTEX FRAN Quarterly Report Q1 2017](#) (January - March 2017)

Latest available national statistics

IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM

- ★ **United Kingdom:** The Home Office "[Immigration Statistics April to June 2017](#)" was published on 24th August. It provides the latest UK figures on those subject to immigration control, for the period up to year ending June 2017. Topics included: admissions, visas, asylum, settlement, citizenship, detention, removals and voluntary departures.

On the same day, the Office for National Statistics' "[Migration Statistics Quarterly](#)" (produced with Home Office, Department for Work and Pensions and National Records of Scotland) was published. This provides quarterly data on UK migration flows, visas, asylum and settlement.

LEGAL MIGRATION AND INTEGRATION

- ★ **Austria:** On 23th August, Statistics Austria published the "[Statistical Yearbook on Migration & Integration 2017](#)". One of the main developments was the decrease of net migration in 2016 by 43% compared to the previous year (2015: +113,100 persons; 2016: +64,600 persons). The decrease was mainly caused by a 52% decrease in asylum applications (2015: 88,300 applications; 2016: 42,285 applications). Another important demographic development was the increase in the number of foreign residents in Austria. In 2016, on average some 1,898 million people (22% of the population) with foreign background lived in Austria, about 85,000 more than in 2015 (1.813 million). Of these, 1,415 million were born abroad, while 483,000 persons were descendants of foreign-born parents born in Austria, and thus counted as "second generation".
- ★ **Ireland:** Irish [Census](#) figures (2016) show the number of non-Irish nationals living in Ireland decreased by 1.6% between 2011 and 2016. In April 2016, there were 535,475 non-Irish nationals from 200 different nations living in Ireland.

The 2017 [Population and Migration Estimates](#) for Ireland released by the Central Statistics Office show that the number of immigrants has increased by 2.8% year-on-year from 82,300 to 84,600. Non Irish-nationals from outside the EU continued to display strong migration flows, accounting for 29,400 (34.8%) of total immigrants and 13,700 (21.1%) of total emigrants. This resulted in an estimated net inward migration among non-Irish nationals from outside the EU of 15,700.

- ★ **Lithuania:** During the first half of 2017, the Migration department issued approximately 12,000 national D visas. If compared to the first half of 2016, this is a 60% increase, which is a result of the rise in applications received by foreigners coming to Lithuania for work purposes. This shows that the national labour market lacks workers and employers are recruiting them from third countries.

Updates on EU legislation transposition

LEGAL MIGRATION AND INTEGRATION

- ★ **Czech Republic:** On 15th August, the Czech Republic successfully completed the transposition process of the Seasonal Workers' Directive [2014/36/EU](#) and the Intra-Corporate Transfers Directive [2014/66/EU](#). Three new types of residence permit were introduced: Long-term Visa for the Purpose of Seasonal Work, Intra-Corporate Transferee Card and European Union Member-State Intra-Corporate Transferee Card. The fourth new type of a permit – Long-term Residence Permit for the Purpose of Investment – was included in the same amendment of the Act on Residence of Foreign Nationals but serves only as a national permit. Moreover, the Act defined characteristics of an "Unreliable Employer" who will not be allowed to employ labour migrants from the third countries (except those who have free access to the labour market).
- ★ **Lithuania:** The Seasonal Workers' Directive has recently been transposed into national law. The work permit for seasonal workers can be issued if the seasonal occupation is included into the list of seasonal occupations approved by the Ministry of Social security and labour. Seasonal workers who come for seasonal employment for a period longer than 90 days may apply for the national D visa. If they come for shorter periods (less than 90 days) they can also work with the Schengen visa.
- ★ **Luxembourg:** On 29th September, the [bill](#) transposing the Students and Researchers Directive [2016/801](#) was submitted to Parliament. The bill introduces the right for students and researchers to stay in Luxembourg for nine months after their studies or contract has finished in order to start a company or look for work.

Other EMN outputs and upcoming events (see also the [EMN website](#))

- ★ **Slovakia:** On 3rd -5th July, the Slovak EMN National Contact Point organised in Bratislava the 5th Educational Seminar on Migration entitled “Addressing the Needs of Forced Migrants in the 21st Century”. The seminar welcomed 17 experts from international organisations, institutions and non-governmental organisations who discussed migratory trends and international governance, enhancement of safe and legal pathways for migrants, protection of migrants, and empowerment of refugees of the 21st century. They presented, among other, experiences from the West Africa, Middle East and Afghanistan. The outputs from the seminar including podcasts are available [here](#). A video from the EMN Discussion Evening about life in refugee camps can be watched [here](#).