



European  
Commission

# 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 17<sup>th</sup> Edition provides information from October 2016 to December 2016, 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

The EMN published the **Synthesis Reports** of two 2016 EMN Studies. The Study on [Integration of beneficiaries of international/humanitarian protection into the labour market: policies and good practices](#) examined Member States' approaches to the return of rejected asylum seekers, examining existing policies and identifying good practices..

The Study on [Resettlement and Humanitarian Admission Programmes in Europe – what works?](#) offered a comprehensive overview of policies and practices on the functioning of resettlement, humanitarian admission programmes and schemes, as well as private sponsorship programmes for refugees in the EU Member States and Norway. The study helps identify difficulties and success factors for resettlement and humanitarian admission programmes.



On the **International Migrants Day**, on 18<sup>th</sup> December 2016, the [UN Secretary General Ban Ki-moon called the international community](#) for a global engagement towards a “safe, regular and orderly migration as an important contribution to building a world of peace, prosperity, dignity and opportunity for all.” The [United Nations reminded](#) that migration throughout the history moved individuals escaping from adversities or looking for a better life. The increased number of migrants worldwide is partly due to globalisation and constitutes a complex challenge requiring strengthened cooperation and collective action among States and regions. On this occasion, the UN reminded [the New York Declaration](#), adopted by the General Assembly to reinforce the protection of refugees and migrants, on 19<sup>th</sup> September 2016, which expressed the commitment to saving lives and supporting countries that rescue migrants, protecting rights of all migrants and refugees, and sharing responsibility on a global scale.



## 1. GENERAL POLICY DEVELOPMENTS

### EU DEVELOPMENTS AND UPDATES

- ★ On the 8<sup>th</sup> of December the Commission also presented its [Fourth Report on the Progress made in the implementation of the EU-Turkey Statement](#). **Return operations have continued to be carried out** with an additional 170 persons returned since the Third Report, bringing the total number of persons returned under the Statement or the Greece-Turkey bilateral readmission protocol to 1,187. However, important shortfalls remain, notably as regards the still too slow pace of returns from Greece to Turkey which has led to additional pressure on the Greek islands.

Furthermore, the Commission adopted its [Fourth Recommendation on the resumption of transfers to Greece](#). The Commission finds that Greece has made significant progress, yet deficiencies in the Greek asylum system remain. In order to avoid that an unsustainable burden is placed on Greece, the resumption of transfers will not be applied retroactively and will only concern asylum applicants who have entered Greece irregularly from 15 March 2017 onwards or for whom Greece is responsible from 15 March 2017 under other Dublin criteria.

### WHAT IS THE EUROPEAN MIGRATION NETWORK (EMN)?

A network co-ordinated by the European Commission, assisted by a Service Provider, in co-operation with National Contact Points (EMN NCPs) established in each Member State plus Norway. Its purpose is to provide up-to-date, objective, reliable and comparable information on migration and asylum, with a view to supporting policymaking in the European Union in these areas, as well as to the wider public. More information, as well as all EMN outputs, is available on the [EMN Website](#).

- ★ On the 2<sup>nd</sup> of December, the [European Commission's Knowledge Centre on Migration and Demography \(KCMD\)](#) launched two new tools: the Migration Data Catalogue and the Dynamic Data Hub. The aim is to provide EU policy and decision-makers with better and timelier policy-relevant knowledge and evidence-based analysis in order to strengthen the response to the challenges posed by migration and fully seize its opportunities and benefits.

### NATIONAL DEVELOPMENTS

- ★ **Lithuania:** Parliamentary elections were held in Lithuania in October 2016. The elections were won by the Lithuanian Peasant and Greens Union which won 54 seats of 141 total seats in the Parliament.

## 2. IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM

### EU DEVELOPMENTS AND UPDATES

- ★ On the 15<sup>th</sup> of December, the [European Asylum Support Office \(EASO\) and Greece](#) signed a [Special Operating Plan](#) which provides for EASO support activities to Greece throughout 2017. According to the plan, EASO will support Greece in three main priority areas: implementation of the EU Relocation programme, implementation of the EU-Turkey Statement and implementation of the Common European Asylum System (CEAS).

- ★ On the 22<sup>nd</sup> of December, the [European Asylum Support Office \(EASO\) and Italy](#) signed a [single Operating Plan](#), encompassing all technical and operational assistance to Italy. Support activities foreseen include: support on relocation, supporting and enhancing identification and assistance to vulnerable applicants, especially with regards to unaccompanied minors and support with handling outgoing Dublin take charge requests.
- ★ On the 8<sup>th</sup> of December, the Commission presented its [8<sup>th</sup> report on relocation and resettlement](#) as part of its [report on progress made under the European Agenda on Migration](#). **November saw 1,406 relocations**, the highest monthly number so far, confirming a continuous positive trend, with relocation from Greece stabilising around 1,000 per month and relocation from Italy having increased significantly. **In total, 8,162 persons have been relocated so far, 6,212 from Greece and 1,950 from Italy**. Furthermore, the Commission decided to **close infringement procedures** against Italy and Greece for non-implementation of the EURODAC regulation because in both Member States, there is now a fingerprinting rate of close to 100% of third-country nationals liable to be fingerprinted who entered the EU irregularly at their external borders.
- ★ In November, the European Union Agency for Fundamental Rights (FRA) published an opinion on [fundamental rights in the 'hotspots' set up in Greece and Italy](#) and on [the impact on children of the proposal for a revised Dublin Regulation \(COM\(2016\)270 final; 2016/0133 COD\)](#) both of which identify potential and real violations of human rights. In relation to hotspots, the FRA identified potential for human rights violations in the following fields: ensuring access to international protection; rights of the child; identification of vulnerabilities; safety for all persons in the hotspots and readmissions. The FRA's opinion on the proposal for a revised Dublin Regulation focused on the impact that reforms may have on the rights of children, in particular in the following areas: the exclusion certain categories of applicants from the Dublin Regulation; the sanctioning of unauthorised secondary movements; the implementation of procedural safeguards for children; the assessment of the best interests of the child and the collection of personal data for the purpose of monitoring asylum applications and triggering the corrective allocation mechanism.

#### LATEST RELEVANT STATISTICS

- ★ According to the [latest Eurostat data](#), the **number of first asylum applicants for international protection lodged in the EU increased by 17% compared to the second quarter of 2016, whilst it decreased by --15% compared to the same quarter of 2015** (total number July to September: 358,300, compared to the Q3 2015: 293, 500). Figure 1a in the Annex shows that, during 2016, the applications reached the highest monthly number in August (137,980) and then dropped to 82,225 in October, representing less than the half compared to October 2015 (171,895). As shown in Figure 1b, in the third quarter of 2016, **96%** of the total applications for international protection were **first time applications** (366,815) and the top-three Member States receiving asylum applications were **Germany** (251,440), **Italy** (35,035) and **France** (21,710).
- ★ A total number of **286,495 first instance asylum decisions** were issued in the EU and Norway in the third quarter of 2016. The total positive decisions for this period amounted to **182,160**, while negative decisions were **104,335** (see Figure 2 in the Annex). The largest number of first instance asylum decisions was issued in **Germany**, followed by **Sweden** and **Italy**.
- ★ EASO published its [Latest Asylum Trends for December 2016](#). According to the report, the number of asylum applications lodged in the EU 28 plus Norway and Switzerland reached **64,513** in December 2016, representing the **lowest monthly number since May 2015**. The total number of asylum applications lodged during 2016 in the EU+ was **1,234,558**, representing a decrease of -8% compared to 2015 (1,354,984). In December 2016, the three top-nationalities of asylum applicants were **Syrians** (9,661), followed by Afghans (5,341) and Iraqis (4,432). These three groups have accounted together for 30% of all asylum applicants in the EU+.

#### NATIONAL DEVELOPMENTS

- ★ **Austria:** The [agreed ceiling](#) of 37,500 asylum applications in Austria for the year 2016 has not been reached. Therefore, the envisaged emergency regulation ("Notstandsverordnung") did not enter into force.
- ★ **Estonia:** In November, information events took place in every Estonian county to give an overview of the recent changes that have occurred in the area of international protection. The authorities gave answers to any questions that had arisen thereof.

- ★ **Finland:** On 28<sup>th</sup> December 2016, the Finnish Immigration Service has informed those in charge of the reception centres of asylum seekers of new terminations of contracts. The [accommodation capacity will be reduced](#) by approximately 2,400 beds, for the most part by the end of June 2017.

On 10<sup>th</sup> October 2016, in the occasion of a [seminar promoting resettlement](#) in Helsinki, the Minister of the Interior Paula Risikko stated that Finland wanted to encourage more Member States to get involved in resettlement of quota refugees.

A [news release](#) of 26<sup>th</sup> October 2016, announced that only two per cent of the asylum decisions overturned by the Administrative Court were overturned because of mistakes made by the Finnish Immigration Service

Receptions services were no longer provided between September and November to [113 asylum seekers](#) who had received a negative decision. These rejected asylum seekers had also received an enforceable refusal of entry, but the police was not able to return them.

- ★ **France:** Because of the high increase in the number of asylum seekers since the second semester of 2015, the French government requested several measures to increase and facilitate access to dedicated accommodation for asylum seekers in a [notification of 19 September 2016](#). These included: opening additional places in reception centres for asylum seekers, verifying that only authorised persons are hosted in these centres and improving the management of available accommodation places through a coordination between the various competent services.

- ★ **Luxembourg:** On [13<sup>th</sup> October](#) and [14<sup>th</sup> December](#) 2016, 20 and 21 persons respectively were relocated from Italy to Luxembourg. These relocations of applicants for international protection occurred in the context of the relocation mechanism based on two JHA Council decisions in September 2015.

- ★ **Netherlands:** In the last quarter of 2016, the list of safe countries of origin was extended twice. On 11<sup>th</sup> October, the Dutch government [added Algeria, Georgia, Ukraine and Tunisia](#) to its list of safe countries of origin. Algeria and Tunisia have been marked as safe countries of origin except for LGBT asylum seekers. Ukraine and Georgia have been marked safe with the exception of several regions which are not under the control of the government. On 6<sup>th</sup> December, [Togo was also added](#) to the list.

On 17<sup>th</sup> November 2016, the Minister for Migration announced [stricter measures](#) to accelerate the procedure of rejection and return of applicants from a safe country of origin or Dublin claimants. Rejected asylum seekers will have no right to accommodation if they appeal against the rejection of their asylum application. On the contrary, they will receive accommodation if they cooperate with the return procedure. In addition, asylum seekers who cause serious nuisance in the asylum shelters will be placed in immigration detention facilities faster. It was agreed to handle cases of asylum seekers who cause significant nuisance with priority in the courts.

A [report on the identification of jihadists in the asylum procedure](#) was published on 29<sup>th</sup> September 2016 by the Research and Documentation Centre (WODC). This report covers various measures adopted to identify jihadists in the immigration process. Among the areas for improvement, the report highlighted the practical implementation of the policy, reporting feedback to frontline professionals and a lack of structured horizontal exchange of signals among all parties involved. In response, the Dutch cabinet announced that it would further analyse and optimise the approach and policy in the asylum procedure regarding signalling jihadism, radicalization and recruitment practices. The cabinet intends to start by exchanging data collected by the police through the registration at the National Third Country National Information Centre (NVIK).

The results of an EMN Ad-Hoc Query on the identification of jihadists in the asylum procedure in the EU Member States posted by the Netherlands through the EMN has been used by the WODC in the international-comparative chapter of the study. A summary of the results of the EMN query can be found [here](#).

In November 2016, the Inspectorate of Safety and Justice has [published a report](#) on the identification of refugees in the Netherlands. The research has shown that the quality of the asylum procedure was safeguarded and the process is been done thoroughly. All refugees were registered after the identification process. Even though all possibilities were examined, some refugees without documents could not be identified. The goal of detecting signals of the trafficking of in human beings was not fully reached, due to the complexity of establishing this fact. A new, follow up, report will be published early 2017, focusing on the identified signals in the identification process.

- ★ **Spain:** On 23<sup>rd</sup> December, 14 people were relocated from Italy to Spain, and on 28<sup>th</sup> December 198 people were relocated from Greece to Spain.

### 3. UNACCOMPANIED MINORS AND VULNERABLE GROUPS

#### EU AND INTERNATIONAL DEVELOPMENTS AND UPDATES

- ★ As of the 31<sup>st</sup> of October, according to IOM and UNHCR estimates, [20,000 unaccompanied and separated children arrived by sea to Italy](#). This is already more than in 2015 when there were in total 12,300. While the total number of all children is not yet established, it is an increase from 2015 during which there were 16,478 child arrivals, of whom 12,360 (75%) were unaccompanied and separated children.

#### NATIONAL DEVELOPMENTS

- ★ **France:** A decree dated 17<sup>th</sup> November 2016, detailed the [process of age assessment unaccompanied minors](#). In particular, this decree mentions the six points to be discussed as a minimum during the assessment interview, in order to determine whether the person is an unaccompanied minor. This assessment will help the president of the departmental council to decide to recognise or refuse the status of unaccompanied minor.

### 4. LEGAL MIGRATION AND INTEGRATION

#### EU AND INTERNATIONAL DEVELOPMENTS AND UPDATES

- ★ On the 5<sup>th</sup> of December, the [European Commission adopted the Europe for Citizens Annual Work Programme 2017](#). The previous year's multi-annual priorities have been maintained and projects will also focus on the integration of migrants.

#### NATIONAL DEVELOPMENTS

- ★ **Austria:** The Federal Ministry of Labour, Social Affairs and Consumer Protection proposed a [new amendment](#) of the Act Governing the Employment of Foreigners and the Settlement and Residence Act in 2016. This amendment aims at improving the Red-White-Red Card [immigration scheme](#) for qualified third-country nationals through several adjustments.

On 7<sup>th</sup> December 2016, the "Migration Council for Austria" handed over its [report](#) to the Federal Minister of the Interior. Focusing on ten work areas, the report provides a solid basis for developing further a comprehensive migration strategy for Austria.

- ★ **Estonia:** An amendment to the law on foreigners introduced new provisions aiming to enhance and facilitate the temporary stay and living in Estonia of third-country nationals who contribute to the development of national economy (e.g., the introduction of a special regulation for start-up businesses).
- ★ **Finland:** The Finnish Immigration Service will start 2017 with a brand-new strategy, [as announced](#) on 8<sup>th</sup> December 2016. The year 2016 was unprecedented when it comes to the workload at the agency, in particular for asylum and reception matters.
- ★ **France:** The **main provisions of the law on foreigners' rights** of 7<sup>th</sup> March 2016 [entered into force](#) on 1<sup>st</sup> November 2016. The main objectives of this law are to improve the reception and integration of foreign newcomers wishing to settle permanently in France and to attract talents and knowledge.

The conditions of issuance of **newly created multi-year residence permits and the exemption of work permit for exercising a salaried activity for a period of 3 months or less in certain sectors** are among the [main measures related to legal migration](#) and implemented as from 1<sup>st</sup> November 2016.

- ★ **Latvia:** On 25<sup>th</sup> October, the Annual Report on the Investors Program was presented to the Cabinet. The main conclusions are that the number of temporary residence permits requested within the Program has significantly decreased, due to the changes introduced in the regulatory provisions. At the same time, it was concluded that the Program could not be used as a tool to provide for a long term economic development of the Member State.
- ★ **Lithuania:** a new residence permit for third-country nationals who establish innovative enterprises ('start-ups') was introduced at the end of 2016. This new route provides opportunities for talented specialists to live and work in Lithuania and bring their family members. The law introducing the new permit entered into force on 1<sup>st</sup> January 2017.

In December 2016, the Migration Department of the Ministry of the Interior opened the new Competence centre which will work as a one-stop-shop approach to provide services to highly qualified third-country nationals and their family members. Applicants can now apply directly to the Migration department which will issue residence permits more efficiently. The Centre will also analyse migration trends, as well as, research ways to combat irregular migration.

- ★ **Luxembourg:** On 9 December 2016, the Council of Government [passed the draft bill](#) on the approval of the agreement between Luxembourg and Cape Verde regarding joint management of the migratory flow and solidary development. The agreement aims to encourage temporary, circular migration between both countries, including provisions regarding irregular immigration and readmission, intends to mobilise migrants' resources for solidary development and to implement joint incentives that will facilitate migrants' reinsertion in their country of origin.

The [law of 28<sup>th</sup> October 2016](#) on recognition of professional qualifications entered into force on 18 November 2016. Most notably, it simplifies the procedure for recognition of professional qualifications and created a registry for professional titles and a registry for qualification titles.

On 3<sup>rd</sup> October 2016, the Luxembourg's Welcome and Reception Agency (OLAI) [launched a call](#) for projects by non-profit organisations which would complement the forthcoming national campaign raising awareness amongst foreign residents on participation in the municipal elections. OLAI also launched two calls for projects by municipal administrations: the first call is for projects that have as their aim the [integration of foreigners](#), and the second one for actions related to the [development of a Communal Development Plan](#) for municipalities to develop sustainable, transversal and structured integration policies.

- ★ **Netherlands:** The Dutch government proposed to introduce a '[participation statement](#)' for third-country nationals as a mandatory part of the civic integration process for all newcomers. This consists of an introduction to Dutch values and norms, which allows newcomers to get acquainted with the rights, obligations and the fundamental values of Dutch society. The process is concluded with a signed declaration whereby the newcomer states that s/he has understood and will respect the values of the Dutch society. The proposal was discussed in Parliament in December 2016, but voting has not taken place yet.

- ★ **Poland:** The Trade Union of Ukrainian Workers in Poland launched an [information website](#) which is dedicated to Ukrainians. This web portal contains the information regarding trade union and support which is provided.

The Agreements on local border traffic (LBT) with Russia remains suspended. This decision issued on July 2016 is motivated by security reasons.

The proposed amendment to the *Act on foreigners* is at the stage of public consultation. The most important prospected changes in the proposal of amendment are the following: wider opening to certain foreign workers and increased requirements for future permanent residents. The main reason for the amendment of this Act is the implementation of the Intra Corporate Transferees Directive into Polish law.

- ★ **Spain:** In the last quarter of 2016, **two awareness and training seminars** were held on the topic of "prevention and detection of racism, xenophobia and intolerance in the classroom: proposals to improve school coexistence". The actions were part of the Training Project for the prevention and detection of Racism, Xenophobia and related intolerance (FRIDA).

In the same quarter of 2016, 60 seminars took place with the aim of raising awareness and training health professionals of the emergency services to identify the potential motivation of hate in violent incidents to patients. Brochures with key ideas for these actions have been produced and published in Castilian, Catalan, Galician, Basque and English. Moreover, an Action Guide for the emergency services of hospital centres was produced.

- ★ **United Kingdom:** On 3<sup>rd</sup> November 2016, the Government announced changes to the Immigration Rules which will affect applications made on or after 24<sup>th</sup> November unless stated otherwise. The first 2 phases of changes to Tier 2 immigration scheme, announced by the government in March following a review by the Independent Migration Advisory Committee, will include:

- Increasing the Tier 2 (General) salary threshold for experienced workers to £25,000, with some exemptions
- Increasing the Tier 2 (Intra-Company Transfer) salary threshold for short term staff to £30,000
- Reducing the Tier 2 (Intra-Company Transfer) graduate trainee salary threshold to £23,000 and increasing the number of places to 20 per company per year
- Closing the Tier 2 (Intra Company Transfer) skills transfer sub-category

These changes will come into effect for all certificates of sponsorship assigned by Tier 2 sponsors on or after 24 November 2016. The date from which intra company transfers will be liable for the health surcharge will be announced in due course. A number of changes are being made concerning also Tier 4 immigration scheme. These ones include amendments to the academic progression rule, maintenance requirements for the Doctorate Extension Scheme and evidence of overseas qualifications, UK qualifications used as evidence, and a series of minor and technical adjustments.

As announced in January 2016, a new English language requirement at level A2 of the Common European Framework of Reference for Languages is being introduced for non-EEA partners and parents. This affects those applying to extend their stay after 2.5 years in the UK on a 5-year route to settlement under Appendix FM (Family Member) of the Immigration Rules. The new requirement will apply to partners and parents whose current leave under the family Immigration Rules is due to expire on or after 1 May 2017.

## 5. MANAGEMENT OF THE EU EXTERNAL BORDERS

### EU DEVELOPMENTS AND UPDATES

- ★ On the 8<sup>th</sup> of December, the Commission reported that as regards the implementation of [the Visa Liberalisation Roadmap](#), seven benchmarks remain to be met by Turkey.
- ★ A significant milestone in the development of the [European Border and Coast Guard Agency](#) was reached on the 7<sup>th</sup> of December in the form of the creation of a [rapid reaction pool of border guards and equipment](#). The pool is made of 1,500 officers committed by EU member states and Schengen associated countries. In a crisis situation, they will be put at the immediate disposal of Frontex, which can deploy them within five working days. The rapid reaction pool will ensure there is no shortage of staff or equipment for the operations of the European Border and Coast Guard Agency and that sufficient support is available to help Member States in cases where the common external EU border is placed under strong pressure.
- ★ In November the Commission proposed to establish a [European Travel Information and Authorisation System \(ETIAS\)](#) to strengthen security checks on visa-free travellers. Nationals of visa liberalisation countries will still be able to travel without a visa but will have to obtain a simple travel authorisation prior to their travel to the Schengen Area.
- ★ As part of the Commission's better regulation agenda, ensuring that EU legislation remains fit for purpose, [the Commission adopted an Evaluation Report](#) on the implementation of the Visa Information System (VIS) on the 14<sup>th</sup> of October. [The Report](#) found that the VIS meets its objectives and functions well but would need to be further developed to respond to new challenges in visa, border and migration policy.

### NATIONAL DEVELOPMENTS

- ★ **Finland:** Finland and Afghanistan [signed a joint declaration](#) on voluntary and involuntary return of Afghan asylum seekers on 4<sup>th</sup> October 2016. The joint declaration affirms official procedures concerning both voluntary and involuntary return of asylum seekers.
- ★ **Luxembourg:** On 6<sup>th</sup> October 2016, Luxembourg announced that it will contribute [8 border guards](#) to the European Border and Coast Guard.

The Council of Government of 25<sup>th</sup> November 2016 approved the signature of a [service contract](#) between the Luxembourgish state and the Luxembourg Air Ambulance. The contract settles the financial and technical modalities of the collaboration and will ensure the implementation of Luxembourg's participation in the joint operations of Frontex.

- ★ **Poland:** A group of officers from the Maritime Security Operational Unit of Polish Border Guard took part in a joint training with the officers from 5 Special Intervention Units of the Finnish Border Guard. During subsequent training, the officers were trained on the procedures and tactics of action. Another training on emergency medicine for Polish and German Border Guard officers took place in October 2016 in Ludwigsdorf.
- ★ **Sweden:** In November 2016, the Swedish Government decided to prolong the **controls at Sweden's internal borders** until 11<sup>th</sup> February 2017. It also decided to prolong **extra-territorial id-checks** on passengers travelling from Denmark to Sweden by bus, train or ferry until 4 February 2017. Sweden's internal border controls were originally introduced as a temporary measure in November 2015, in response to the extraordinary refugee situation at the time, which according to the Government posed acute challenges to vital functions of society. They have since been prolonged several times. Extraterritorial ID-checks on public transportation from Denmark were originally introduced in January 2016, also on a temporary basis. They have now been prolonged three times by an ordinance, issued by the Government.

## 6. IRREGULAR MIGRATION AND RETURN

### EU DEVELOPMENTS AND UPDATES

- ★ On the 12<sup>th</sup> of October, [the Commission and Tunisia began parallel negotiations in Tunis](#) on an agreement to facilitate the process of issuing short-stay visas and an agreement to establish procedures for the readmission of irregular migrants.

### NATIONAL DEVELOPMENTS

- ★ **Austria:** The Austrian Federal Office for Immigration and Asylum has [published a brochure](#) on voluntary return from Austria in several languages. The project is co-financed by the AMIF.

- ★ **Belgium:** In October 2016, the Federal Agency for the reception of asylum seekers (Fedasil) opened a [return desk in Charleroi](#). There are now five return desks in Belgium (also in Antwerp, Ghent, Liege, and Brussels). At return desks migrants can obtain information and assistance regarding voluntary return.

Some officials of the Belgian Immigration Office [have been granted direct access](#) to the central database of the Belgian Police. This direct access will make it easier for the Immigration Office to determine whether or not a foreign national might be a threat to the public order or public security.

- ★ **France:** The law on foreigners' rights entered into force on 1<sup>st</sup> November 2016 also included [new provisions for fighting against irregular migration](#) by detailing and completing the process of removal orders for third-country nationals and by reforming the litigation regime related to removal orders.

A decree dated 9<sup>th</sup> November 2016 created an [exceptional return allowance of 2,500 euros](#) for third- country nationals who apply for a return assistance before 31<sup>st</sup> December 2016 to return voluntarily to their country of origin.

- ★ **Germany:** The first group of rejected asylum seekers from Afghanistan was returned for to their country of origin. The group was made of 34 Afghans, all young men without family. The charter plane arrived in Kabul on 15<sup>th</sup> December 2016, carrying out a first collective deportation based on an agreement Berlin and Kabul reached in early October 2016. A third of them had criminal records in Germany. The Minister Interior Thomas de Maiziere stated that "such deportations are justified and important in order to keep our asylum system functioning".`

- ★ **Luxembourg:** On 1<sup>st</sup> December 2016, Luxembourg [abolished the financial assistance](#) granted to Kosovar returnees in the context of the 'Assisted Voluntary Return and Reintegration' programme of IOM.

- ★ **Netherlands:** In November 2016, the Dutch Minister for Migration [announced](#) that the negotiations with several municipalities to reach an agreement on the shelters for rejected asylum seekers (the so-called 'bed, bath, bread' scheme) failed. The Dutch government doesn't provide shelter to rejected asylum seekers who are unwilling to cooperate in their departure. However, in the past several municipalities (mostly large cities) have offered shelter to these persons in order to prevent them from living on the street.



The central government wants to set up eight large scale shelters and asked the municipalities to close their own shelters. Several municipalities refused to close their shelters, thus no agreement could be reached. As a consequence, the central government will stop the temporary funding for shelters run by the municipalities.

Moroccan and Algerian migrants [no longer receive any financial and in kind assistance to return](#) from IOM since the 1<sup>st</sup> of December 2016, because of the high influx of asylum seekers originating from these countries of origin. They however can still be eligible for the arrangement and payment of the return flight and assistance with the journey. As of 1<sup>st</sup> January 2017, this arrangement will also apply to various other countries surrounding Europe (except for Libya and Syria). Mongolian nationals will also be excluded from additional financial and in kind assistance. They however can still be eligible for the basic financial assistance under the full "REAN" program. This includes a sum of €200 (adult) and €40 (child) for the period after their return, arrangement and payment of the return flight and assistance with the journey.

The Netherlands and Belgium [will increase their co-operation](#) in monitoring beneficiaries of international protection who are travelling to their country of origin. In case a beneficiary of international protection does travel to his/her country of origin, this could indicate that the reasons for receiving an international protection status may no longer apply. Some beneficiaries residing in the Netherlands travelled to neighbouring countries, e.g. Belgium, prior to returning back to the country of origin in order not to be detected. Increased co-operation between the two Member States, in the form of exchange of information, should counter that phenomenon.

- ★ **Poland:** The Border Guard officers carried out a control of the legality of employment in one of the companies in Przemyśl, which employed 141 Ukrainian citizens. The control showed that 101 foreigners were employed in breach of law.

## 7. ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

### EU DEVELOPMENTS AND UPDATES

- ★ On the 2<sup>nd</sup> of December the European Commission adopted [two reports on the prevention and combating of trafficking in human beings and the protection of victims of trafficking](#). The ['Report on the extent to which the Member States have taken the necessary measures to comply with the Directive'](#) indicates that, despite substantial efforts undertaken in this field, EU Member States still need to step up their efforts in addressing trafficking in human beings. The findings of the ['Report assessing the impact of existing national law, establishing as a criminal offence the use of services which are the objects of exploitation of trafficking in human beings'](#) shows that only ten EU Members States have so far established the use of services of victims of trafficking as a criminal offence.

### NATIONAL DEVELOPMENTS

- ★ **Estonia:** New amendments to the Victim Support Act were adopted, with the aim to ensure a better system for detecting the victims of trafficking in human beings and to improve the access to victim support services. Such amendments also aim to ensure access to victim support services in case the criminal procedure commenced outside of Estonian territory or when the victim of trafficking has been recognised by the authorities of another country.
- ★ **Luxembourg:** On 2<sup>nd</sup> December 2016, under Luxembourg's Presidency of the Benelux, the ministers of Justice of Luxembourg and Belgium and the deputy ambassador of the Netherlands to Luxembourg signed [a declaration of intent](#) on the cooperation in the fight against human trafficking.

On 1<sup>st</sup> December 2016, a campaign was launched to raise the public's awareness on the different forms of human trafficking that exist. The campaign includes radio spots, cinema ads, a poster campaign as well as a website.

- ★ **Netherlands:** The Dutch Minister of Security and Justice is making [extra funds available](#) to pay for additional capacity and expertise to tackle human trafficking. In 2017 the first million Euros of extra funding will be invested in more detectives certified to take on human trafficking cases. The availability of information will also be improved by deploying more analysts at the Expertise Centre for Human Trafficking and Human Smuggling (EMM). Thanks to the training of police personnel in the front line, more is being invested in heightened alertness to the signs of human trafficking. As from 2018, the first million euros will be increased to 2 million Euros per year on a long-term basis.

## 8. EXTERNAL DIMENSION

- ★ On the 15<sup>th</sup> of December, the [EU Trust Fund for Africa \(EUTF\)](#), the governments of Germany and Italy, and the International Organization for Migration (IOM) have launched a new initiative to support African countries in responding to the urgent protection needs and tragic loss of life of migrants along the Central Mediterranean migration routes and in strengthening migration governance. The fund, benefiting from a €100 million allocation, will cover the Sahel and Lake Chad region and neighbouring countries, including Libya.
- ★ On the 14<sup>th</sup> of December, the Commission presented its [Second Progress Report: First Deliverables on the Partnership Framework with third countries under the European Agenda on Migration](#). Results in the priority countries are taking shape, including first decreases in migratory flows. [In Niger, the number of people crossing the desert has dropped from 70,000 in May to 1,500 in November](#). In addition, 102 smugglers have been sent to justice and 95 vehicles have been seized. 4,430 irregular migrants have been repatriated with the assistance of IOM and around 2,700 irregular migrants from the priority countries have been returned from the EU to their respective countries of origin.
- ★ On the 8<sup>th</sup> of December, the Commission reported that as regards the implementation of the **Visa Liberalisation Roadmap**, seven benchmarks remain to be met by Turkey.
- ★ On the 17<sup>th</sup> of October, ahead of the European Council on 20/21 October, [President Juncker informed the EU heads of state or government](#) that six months into implementation the [Facility for Refugees in Turkey](#) is delivering fully and is helping to secure livelihoods and create opportunities for the refugees hosted by the country. The total amount of funding allocated under the Facility now stands at over € 2.2 billion, with over € 1.2 billion already awarded via concrete contracts.
- ★ On the 13<sup>th</sup> of October, the EU has formally launched a [Mobility Partnership with the Republic of Belarus](#) to ensure better management of migration flows. Under the Mobility Partnership, measures will be launched to increase cooperation in the areas of legal and labour migration; asylum and the protection of refugees; prevention and combating of irregular migration, including smuggling of migrants and trafficking in human beings; maximising the development impact of migration and mobility.

## NATIONAL DEVELOPMENTS

- ★ **Czech Republic:** In December 2016, the Czech Government approved support for medical assistance amounting to 425,926 EUR (11.5 million CZK) to the humanitarian organisations ADRA and Caritas Internationalis for the projects implemented in Iraq, Lebanon and Ukraine. Financial aids aim to improve the quality of care and to increase the number of treated patients in the areas affected by the refugee crisis or war conflict. The funded actions will be implemented by the end of the first half of 2017.

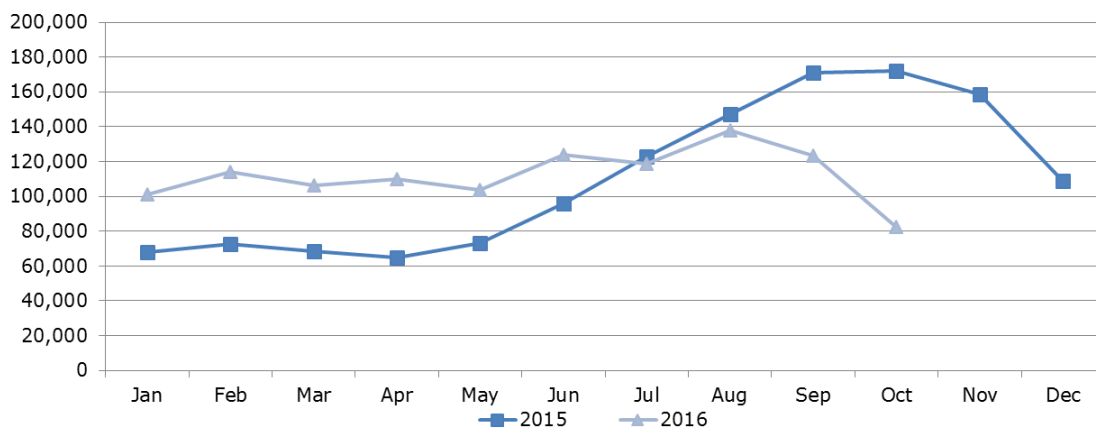
The special Programme of the Ministry of the Interior for the Assistance to Refugees in Regions of Origin and Prevention of Large Migration Flows provided financial assistance aimed at supporting refugees in the country of first displacement. The funds will also support the migration and asylum systems of the countries which host large refugee communities as well as transit countries. From October to December 2016, the Government approved financial assistance to Bulgaria, Serbia, Iraq, Jordan and Syria for the total amount of 2,403,850 EUR (65 million CZK). The financial assistance is provided from the MEDEVAC Programme which is supervised by the Ministry of the Interior.

- ★ **Spain:** in the framework of the programme Northern Window of the Emergency Trust Fund for Africa, the project "Living without discrimination: an approach based on human rights and the gender dimension" has been launched. The project targeting Morocco is led by the Spanish Agency for Cooperation for Development (AECID) and the General Secretariat for Immigration and Emigration, Ministry of Employment and Social Security. The project will last 3 years with a budget of 5.5 million euros. It will support Moroccan authorities in strengthening public policies to promote coexistence and non-discrimination towards migrant population and prevent racism and xenophobia.

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

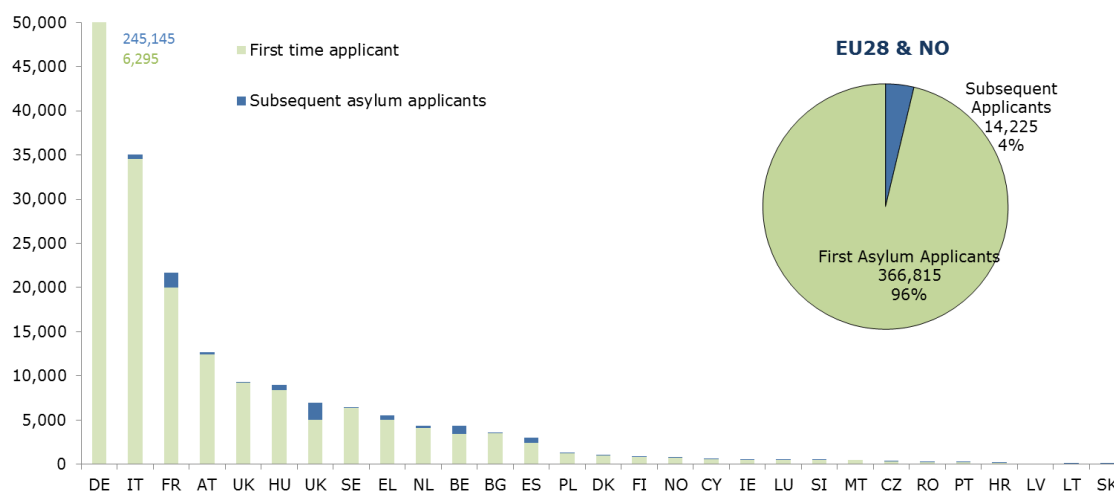
## EU Figures

Figure 1a: Asylum applications in the EU-28, January 2015 – October 2016.



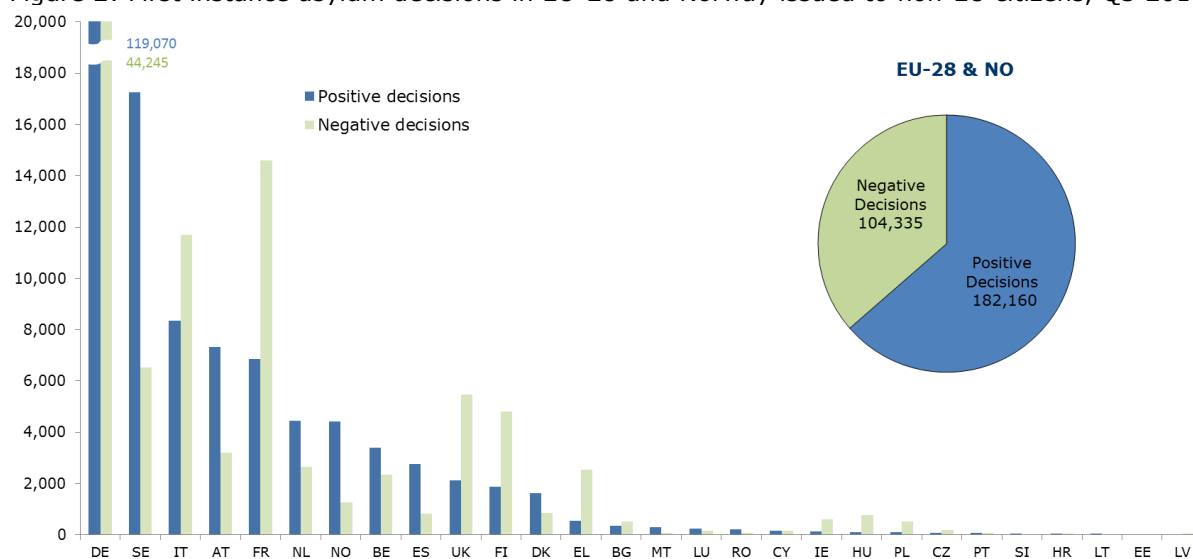
Source: Eurostat [[migr\\_asyappctzm](#)], total asylum applicants, accessed on 27<sup>th</sup> January 2017.

Figure 1b: First time asylum applicants and subsequent applicants (together, total asylum applicants) in the EU-28 and Norway, Q3 2016 (quarterly data)



Source: Eurostat [[migr\\_asyappctzm](#)], accessed on 27<sup>th</sup> January 2017.

Figure 2: First instance asylum decisions in EU-28 and Norway issued to non-EU citizens, Q3 2016 (quarterly data)



Source: Eurostat [[migr\\_asydcfstq](#)], accessed on 31<sup>st</sup> January 2016 – First instance decisions include decisions granted to persons who are a subject of the Dublin Regulation (according to Council Regulation 604/2013/EC).

Figure 3a: Illegal border crossing – Top nationalities (in %)

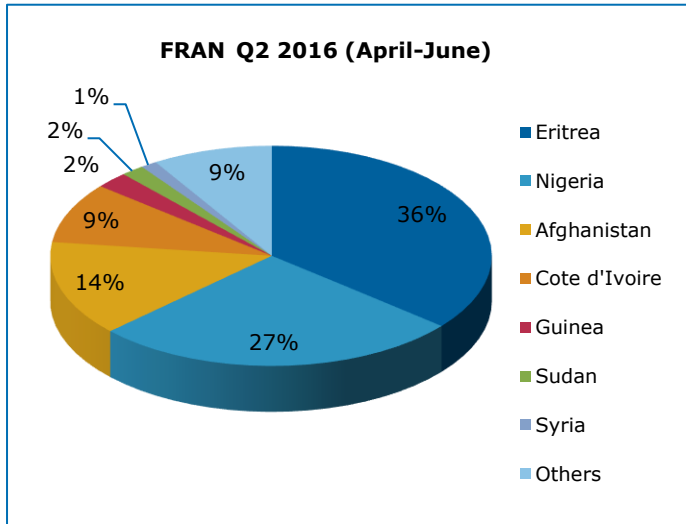


Figure 3b: Refused entry–Top nationalities (in %)

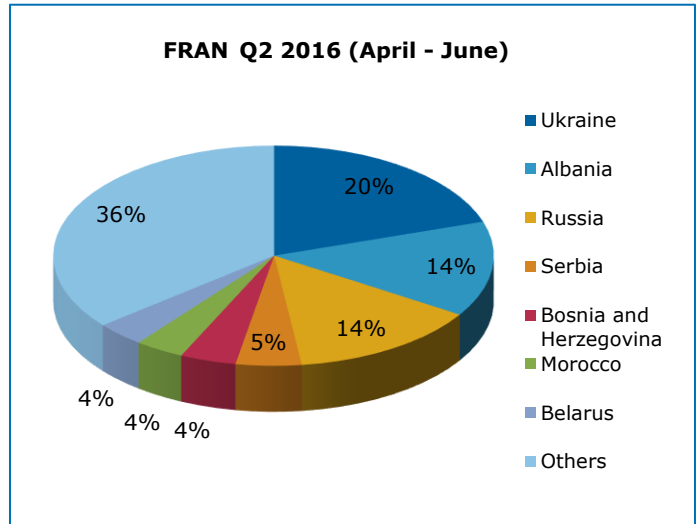


Figure 3c: Illegal stay – Top nationalities (in %)

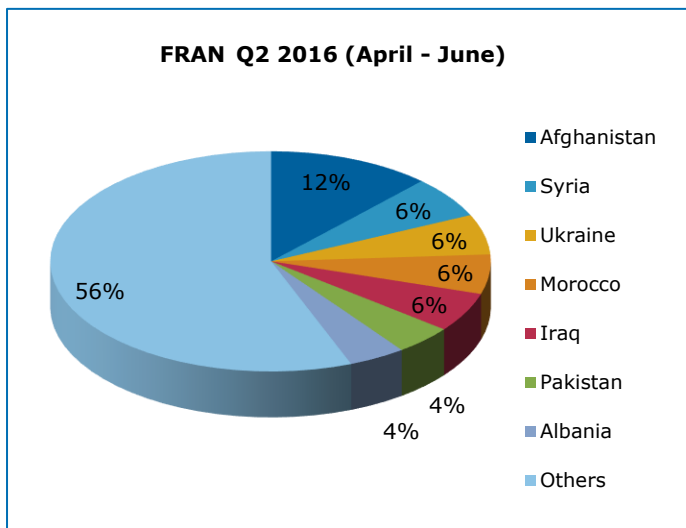
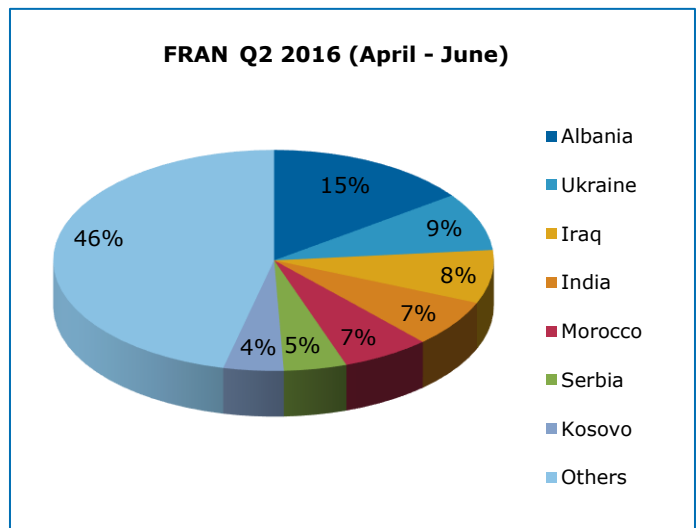


Figure 3d: Effective return–Top nationalities (in %)



Source: [FRONTEX FRAN Quarterly Report Q2 2016](#) (April - June 2016)

## Latest available national statistics

### **IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM**

- ★ **Sweden:** According to the Swedish Migration Agency, 28,939 people applied for asylum in Sweden in 2016. This represents the lowest annual figure since 2009, and a drastic decrease compared to the year before (2015), when almost 163,000 asylum applications were counted. The number of first-instance asylum decisions made in 2016 was 111,979, which represents a record.

### **LEGAL MIGRATION AND INTEGRATION**

- ★ **Sweden:** In December 2016, Statistics Sweden published a number of statistical tables on **circular migration**. Statistics Sweden had been commissioned by the Government to produce statistical data on circular migration to and from Sweden. A "circular migrant" is a person who has crossed the Swedish border at least three times during the past ten years and who has stayed in Sweden and abroad for at least 12 months each time. This definition is in line with a recommendation that was recently published by the United Nations Economic Commission for Europe (UNECE) in its report "[Defining and Measuring Circular Migration](#)". According to Statistics Sweden, 15,577 people were circular migrants in Sweden during the period 2005-2014. Together, they had moved to and from Sweden almost 49,000 times.
- ★ **United Kingdom:** The Office for National [Statistics' Migration Statistics Quarterly](#) (produced with Home Office, Department for Work and Pensions and National Records of Scotland) was published on the 1st of December. This provides quarterly data on UK migration flows, visas, asylum and settlement.

### **IRREGULAR MIGRATION AND RETURN**

- ★ **Austria:** In 2016, the number of voluntary returns from Austria has increased by about one third in comparison to the previous year. Most voluntary returnees are from Afghanistan, Iraq and Iran.
- ★ **United Kingdom:** Home Office [Immigration Statistics July to September 2016](#) were published on the 1<sup>st</sup> of December. It provides the latest UK figures on those subject to immigration control, for the period up to year ending September 2016. Topics included: admissions, visas, asylum, settlement, citizenship, detention, removals and voluntary departures.

## Updates on EU legislation transposition

### **LEGAL MIGRATION**

- ★ **Austria:** In December 2016, [a new amendment](#) of the Austrian law on foreigners intended to transpose the Seasonal Workers Directive (Directive 2014/36/EU) and the Intra-corporate Transferee Directive (Directive 2014/66/EU).
- ★ **Cyprus:** On 14<sup>th</sup> October of 2016, two amendment bills of the Refugee Law were published (N.105 (I)/2016, N.106 (I)/2014). These two amendment laws transpose the recast Reception Conditions Directive (Directive 2013/33/EU) and the recast Asylum Procedure Directive (Directive 2013/32/EU). These provisions include a new mechanism for the identification of vulnerable persons and the provision of special reception guarantees and special procedural guarantees.
- ★ **Estonia:** A new amendment to the law on foreigners transposed into national law the Seasonal Workers Directive (Directive 2014/36/EU) and the Intra-Corporate Transfers Directive (Directive 2014/66/EU).
- ★ **Netherlands:** In November 2016, the Netherlands [implemented the ICT Directive](#). In the Netherlands, the EU ICT-permit for managers and specialists will last 3 years, whilst for trainees will last 1 year. These terms correspond to the maximum duration of the permit foreseen in the Directive.

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

- ★ **Belgium:** On 8<sup>th</sup> November 2016, the Belgian Contact Point organised its **national conference on labour market participation of beneficiaries of international protection**. The conference gathered a wide range of stakeholders active at the European, national, regional and local level in order to exchange know-how and best practices. The presentations given during the event, as well as some photographs, are available [here](#).
- ★ **Czech Republic:** The CZ EMN NCP organized a conference titled "**Integration of Refugees: 25 Years of Experience of the Czech Republic**" on 1<sup>st</sup> December 2016. The main aim of the conference was to evaluate the first year of implementation of the new State Integration Programme for beneficiaries of international protection and to present the Czech integration policy as well as the experiences of other Member States. The conference gathered a wide range of actors, including representatives of the Parliament of the Czech Republic, UNHCR, state sector, local government, public administrations, embassies, international organizations, academia, NGOs and also representatives of other EMN NCPs.

★ **Netherlands:** On 29<sup>th</sup> November, the Dutch NCP hosted the 9<sup>th</sup> EMN network event in the House of Europe in The Hague. During this event, the main theme, integration of asylum seekers, was related to the increased influx of asylum seekers of the previous year. The event aimed at integration measures which were implemented for asylum seekers who are still in the procedure as well as those who have received their international protection status. The matter of whether these measures were implemented before, during or after the increased influx in 2015 was raised as well. For this event, 75 participants from different fields such as science, governmental and non-governmental organisations were present.

★ **Poland:** The PL EMN Contact Point organised the National Conference titled "Towards the abolition of the visa regime for Ukraine" in Warsaw on the 19<sup>th</sup> of December 2016. The main goal of the conference was an attempt to assess the EU's visa policy towards Ukraine and the progress of implementation by Ukraine of the Action Plan on visa liberalization (VLAP). The conference met with great interest and appreciation from the audience.

On the 20<sup>th</sup> of October 2016, the EMN Contact Point in Poland organized the conference named "Support provided to foreign victims of trafficking in human beings – lessons learned from referral mechanisms" in Warsaw. The main goal of the conference was to evaluate the current referral mechanisms and show the best practices in this area.

The Ministry of Interior and Administration, in close cooperation with the Council of Europe, organized a seminar in Warsaw, involving Polish and foreign experts and focusing on the responsibility of the State to prevent and remedy THB-related abuses by private business and the role of businesses in respect of THB. On the basis of the experience from different countries, the seminar explored how the private sector can mitigate risks of human trafficking and promote and respect human rights, as well as how state engagement with businesses and the use of regulatory tools can be used to combat THB.

★ **Spain:** on 19<sup>th</sup> December the launching event of the bilateral Morocco cooperation project on capacity building for the management of migration, integration and asylum in Morocco took place. The project will focus on human rights protection and is funded by the Spanish agency for International development cooperation (AECID).