



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 19th Edition provides information from April 2017 to early July 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

Against the background of increased migratory pressure along the Central Mediterranean Route, on 4th July the European Commission presented an [Action Plan](#) on measures to support Italy and increase solidarity. The plan foresees 35 million euro in aid for Italy to increase the existing capacity of stationary hotspots, reception- and detention centres, as well as the capacity of judicial authorities. Among other measures, the Commission urges the EU to help bolster Libyan authorities through a joint project with Italy worth 46 million euro and set up a joint rescue coordination centre in Libya. Lastly, EU Member States are requested to substantially increase their contributions to the EU-Africa Trust Fund, accelerate their relocation efforts from Italy and mobilise their capabilities to support the return of irregular migrants from Italy alongside the European Border and Coast Guard.

Complementary to this Action Plan, the Ministers of Interior of France, Germany and Italy and the European Commission for Migration and Home Affairs issued a [Joint declaration](#) on 3rd July. With a view to providing increased support to Italy and contribute to stem the migratory flow, agreed measures include the following:

- ★ Develop a code of conduct for NGO's, to be drafted and presented by Italy, to improve coordination with NGO's operating in the Mediterranean Sea;
- ★ Enhance support to the Libyan coast-guard by increasing training activities and providing addition financial support;
- ★ Explore the possibilities of reinforcing border controls at the Southern border of Libya to stem irregular migratory flows, in close coordination with Libya's neighbouring countries.

The European Migration Network (EMN) is co-ordinated by the European Commission with National Contact Points (EMN NCPs) established in each EU Member State plus Norway.



1. GENERAL POLICY DEVELOPMENTS

EU DEVELOPMENTS AND UPDATES

- ★ On 30th May, the European Commission proposed a [draft budget](#) for 2018 of 161 billion euro in commitments, with a focus on jobs, investments, migration and security. A total of 4.1 billion euro has been allocated to finance actions in the areas of migration and security, including humanitarian assistance, reinforcing external border management and supporting the most affected Member States. Additional funds will also be made available to tackle the root causes of migration externally, particularly through assistance to non-EU countries such as Lebanon and Jordan.

NATIONAL DEVELOPMENTS

- ★ **France:** Following the Spring 2017 elections, the [main priorities](#) of the new government on migration and asylum focus in particular on the shortening of the processing time for asylum applications, the improvement of return effectiveness of rejected asylum seekers, the reinforcement of integration and the creation of additional 7,500 reception places for asylum seekers and 5,000 places for refugees in temporary accommodation centres by 2019.
- ★ **Ireland:** Following a cabinet reshuffle, Charlie Flanagan was appointed as Minister for Justice and Equality on 14th June 2017, having previously served as Minister for Foreign Affairs and Trade.

2. IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM

EU DEVELOPMENTS AND UPDATES

- ★ In its [13th report on relocation and resettlement](#) - published on 13th June - the Commission revealed that a total of 20,869 relocations have taken place since the adoption of the two Council decisions in September 2015 (13,973 from Greece and 6,896 from Italy). In terms of resettlement, over two thirds (16,419) of the 22,504 resettlements agreed have been completed, mainly from Turkey. 21 (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. Ten Member States have not yet resettled under this scheme.¹
- ★ On 14th June, the European Commission launched [infringement procedures](#) against the Czech Republic, Hungary and Poland for non-compliance with their obligations under the 2015 Council Decisions on relocation. While Hungary has not taken any action at all, Poland has neither made pledges nor carried out relocations since December 2015. The Czech Republic has not relocated anyone since August 2016 and has not made any new pledges for more than a year. The three countries now have one month to respond to the Commission's letter of formal notice. If no reply is given or the Commission deems the countries' explanation unsatisfactory, a 'reasoned opinion' will be issued. If necessary, the cases can then be referred to the Court of Justice of the EU.
- ★ On 5th July, EASO launched its [2016 Annual Report on the Situation of Asylum in the EU](#). It notes a 84% increase of first instance asylum decisions compared to 2016, with the highest number of asylum applicants coming from Syria, Afghanistan, Iraq, Pakistan and Nigeria. The main receiving countries were Germany, Italy, France, Greece and Austria, and 26% of all asylum applications were submitted by Syrians. Compared to 2015, applications lodged by UAMs decreased by 37%.

LATEST RELEVANT STATISTICS

- ★ On 26th April 2017, EASO published [statistics](#) on asylum decisions in the EU in 2016. Member States granted protection status to 710,400 asylum seekers last year, more than double the number of 2015. In addition, they received over 14,000 resettled refugees. Syrians remained the largest group of citizens receiving international protection (405,600 or 57%), followed by citizens of Iraq (65,800 or 9%) and Afghanistan (61,800 or 9%). 70% of the 405,600 Syrians granted protection status in the EU were recorded in Germany (294,700). Germany also granted the highest number of persons protection status in general (60% of positive decisions within the EU), followed by Sweden (69,350), Italy (35,450) and France (35,170). 55% persons were granted refugee status, 37% subsidiary protection and 8% authorisations to stay for humanitarian reasons.

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

NATIONAL DEVELOPMENTS

★ **Austria:** On 14th June 2017, the Austrian Constitutional Court lifted a decision of the Federal Administrative Court on the Dublin transfer of an asylum seeker to Hungary. According to the Constitutional Court, the Federal Administrative Court should have taken into account the new law passed by the Hungarian Parliament in March 2017, according to which asylum seekers could be detained during the asylum procedure.²

On 9th June, the Austrian Constitutional Court also lifted a decision on the Dublin transfer to Bulgaria, because the current reception conditions in Bulgaria were not duly taken into account.³

★ **Belgium:** The Council of Ministers has approved the creation of [a single registration centre for asylum seekers](#) in Neder-Over-Heembeek (foreseen for the beginning of 2019). The registration, medical examination, identification, and security screening of the asylum seekers will be organised in this centre, as well as the allocation of a reception place in the regular reception network.

★ **France:** A [judgment](#) of the French Council of State of 10th May 2017 specified the scope of article 18 of the Council Regulation (EC) No 2725/2000 of 11th December 2000 concerning the establishment of Eurodac. According to this decision, the breach of the information obligation for the benefit of persons whose fingerprints are collected as imposed by the Eurodac Regulation is not sufficient to lead to the unlawfulness of the subsequent decision for transferring the asylum seeker to the competent Member State.

★ **Ireland:** A ruling by the Irish Supreme Court on [NVH v Minister for Justice and Equality and the Attorney General and the Irish Human Rights and Equality Commission \(notice parties\)](#), found that the absolute ban on asylum applicants seeking employment is 'in principle' unconstitutional. The court ruled unanimously in favour of the appeal of a Burmese man, who spent eight years in the direct provision system in Ireland and challenged the ban preventing him from working. The matter is adjourned for six months to allow the legislature consider how to address the situation.

From April 2017, the Office of the Ombudsman's in Ireland [will accept complaints from people living in Direct Provision](#), while complaints from children or on behalf of children, can be made to the Irish Ombudsman for Children's Office.

★ **Luxembourg:** On 1st April, the emergency accommodation facility opened its doors. This aims at housing applicants for international protection who are subject to a decision of incompetence in the framework of the Dublin regulation or who are subject to an 'ultra-accelerated' procedure.

★ **The Netherlands:** As of 27th April, Brazil and Trinidad and Tobago have been [added to the national list of safe countries of origin](#) by the Minister for Security and Justice responsible for the Immigration and Naturalization Services. The government thereby wishes to speed up the processing of asylum applications from this category of individuals. The situation in both countries is generally deemed safe, except for lesbian women, homosexual men, bisexuals, transgender and intersex persons (LHBTI's). Hence, LHBTI's from Trinidad and Tobago are exempted from the accelerated asylum process and special attention will be paid to LHBTI's from Brazil.

★ **Norway:** On 1st July, an attachment requirement for family reunification with a beneficiary of protection (the Sponsor) entered into force, cf. the Immigration Act and Immigration Regulations. The requirement entails that the application may be rejected if the family in question would be able to live safely in a third country with which the family's overall connection is stronger than its connection with Norway. This provision does not apply if the Sponsor has been granted permanent residence in Norway.

On 1st June, the Norwegian Ministry of Justice and Public Security instructed the Directorate of Immigration to resume the proceedings on Dublin transfers to Greece. This implies that the Directorate of Immigration (UDI) shall make concrete assessments in each case based on the criteria in the Dublin III Regulation, and consider whether there is a need to obtain individual guarantees from the Greek authorities.

★ **Spain:** A draft [Protocol](#) for the coordination of actions in the framework of the Spanish National System for Reception and Integration of Asylum Seekers and Beneficiaries of International Protection was presented on 28th April.

Comment [RN1]: To ES NCP: if possible, could you kindly provide more details regarding the content of the protocol, in addition to a link? Thank you!

² Austrian Constitutional Court, 14 June 2017, E 1486/2017.

³ Austrian Constitutional Court, 9 June 2017, E 484/2017 et al.

- ★ **United Kingdom:** On 6th April, new powers to prevent illegal working in premises that sell alcohol or provide late night refreshment have come into force. Under the measures, brought in as part of the Immigration Act 2016, immigration checks will be part of the process for applying for a licence. From 6th of April, a premises or personal licence will not be issued to anyone who does not have permission to be or work in the UK. Being granted a licence and continuing to hold it will also be reliant on complying with the UK's immigration laws.

Relocation and Resettlement

- ★ **Czech Republic:** In June 2017, the Government of the Czech Republic decided to temporarily suspend its participation in the relocation and resettlement programmes.

- ★ **Luxembourg:** On 16th and 30th May 2017, 46 adults and four children were [relocated](#) from Italy to Luxembourg in the framework of the relocation mechanism.

- ★ **Spain:** From April to June 2017, the Relocation and Resettlement processes continued to be carried out in Spain.

- ★ **Sweden:** In June 2017, Sweden started to receive asylum seekers from Greece and Italy under the EU emergency relocation mechanism. [As of 13th July 2017](#), 371 asylum seekers were relocated to Sweden from Italy, and 604 from Greece. As Sweden had received a disproportionately high number of asylum seekers in autumn 2015, the Council decided in June 2016 to suspend Sweden's obligations to participate in the relocation activity. This suspension ended in June 2017. Relocations to Sweden are foreseen to continue over the summer 2017.

Judgement of the European Court of Justice - Case [C-133/15](#)

In its judgement of 10th May, the Court of Justice ruled that a third-country national may, as the parent of a minor child who is an EU citizen, rely on a derived right of residence in the EU. The fact that the other parent, an EU citizen, could take on sole responsibility for the primary care of the child is a relevant factor, but is not in itself a sufficient reason to refuse a residence permit. It has to be found that there is no such a relationship of dependency between the child and the third-country national that a decision to deny a right of residence to that parent would force the child to leave the EU.

Comment [RN2]: To CZ NCP: if possible, could you kindly provide more details? Thank you!

Comment [RN3]: To ES NCP: if available, could you provide the number of relocated and resettled people in this period or since the beginning of this year? Otherwise if no further info is available, we would suggest to delete this info, as most MS also continued relocation and resettlement activities. Thank you!

3. UNACCOMPANIED MINORS AND VULNERABLE GROUPS

EU DEVELOPMENTS AND UPDATES

- ★ On 12th April, the European Commission published a [Communication](#) outlining a set of policy guidelines to reinforce the protection of migrant children at all stages of the processes. The measures concern both migrant and refugee children, arriving with their families or on their own and include providing access to safe reception facilities, services like education and health care, and finding long-term solutions that are in the best interest of the child. In its [Conclusions](#) of 8th June, the Council welcomed this Communication and invited Member States to use these policy guidelines as a basis for actions to protect children at all stages of migration.
- ★ According to Eurostat [statistics](#) published on 11th May, 63,300 unaccompanied minors applied for international protection in EU Member States in 2016. This number constitutes a one-third decrease compared to 2015 (with almost 96,500 unaccompanied minors registered) but is still about five times higher than the annual average during the period 2008-2013. 89% of unaccompanied minors in 2016 were males, and over two-thirds were aged 16 to 17 (68%). More than a third (38%) were Afghans and about a fifth (19%) Syrians.

NATIONAL DEVELOPMENTS

- ★ **Luxembourg:** On 20th June, the Ombudscommittee for the Rights of the Child, in collaboration with Brainiact, published a [report](#) on UAMs in Luxembourg, presenting testimonies and reflections based on visits of three facilities for UAMs in Luxembourg.
- ★ **Sweden:** On 1st June, new legislation came into force in Sweden, making it possible for third-country nationals who have applied for asylum to receive a longer residence permit for high school studies. The new rules are intended to encourage newly arrived young people who have come to Sweden for protection or humanitarian reasons to study, or continue their studies, at upper secondary schools. Third-country nationals in the age group 17-25 years who study at upper secondary schools in Sweden and who have been granted a temporary residence permit for protection (or humanitarian) reasons can now receive a residence permit with a longer validity in order to be able to continue and finalise their studies. Even if the protection-related grounds are no longer fulfilled and a residence

permit for protection/humanitarian reasons expires, a permit for studies can under certain circumstances still be granted. In principle, both unaccompanied minors and young people as well as children who stay in Sweden with their families can benefit from this new possibility to be granted a residence permit.

4. LEGAL MIGRATION AND INTEGRATION

EU AND INTERNATIONAL DEVELOPMENTS AND UPDATES

- ★ Recent Eurostat [statistics](#) published on 21st April reveal that in 2015, around 840,000 persons acquired citizenship of an EU Member State, 87% of which were non-citizens. This is a decrease when compared to those 890,000 in 2014 and 980,000 in 2013. The largest group acquiring citizenship in 2015 was citizens of Morocco (86,100, of whom 88% acquired citizenship of Italy, Spain or France), followed by Albania (48,400), Turkey (35,000), India (31,000) and Romania (28,400).
- ★ On 11th May, the Council adopted a [regulation](#) granting visa-free travel for Ukrainian citizens travelling to the EU for a period of stay of 90 days in any 180-day period. This follows a Commission proposal of 20 April 2016, which found that Ukraine had met all benchmarks of the visa liberalisation plan and was therefore ready for the exemption of the visa requirement. The new provision does not apply to Ireland and the United Kingdom, whose visa regime remains subject to their national legislation.
- ★ On 23rd May, the European Commission launched the ["Employers together for integration" initiative](#), in the framework of the second meeting of the European Dialogue on Skills and Migration. This initiative aims at giving visibility to the engagement of individual employers with regard to refugee integration into the labour market and encourage more to join. Interested employers can join the initiative on the [website](#) of the Directorate-General for Migration and Home Affairs of the European Commission.
- ★ On 19th June, the European Commission launched an open public consultation to collect evidence, experiences, data and opinions to support the evaluation of the existing EU legal framework for the legal entry and stay of nationals of non-EU countries to the EU. The results of the evaluation will help the Commission understand whether the current legislation is 'fit for purpose' and if/what changes are necessary. The consultation is open until 18th September 2017 and people can participate by filling out [the EU survey](#).
- ★ On the occasion of the United Nations' World Refugee Day on 20th June, the European Commission presented the ["EU Skills Profile Tool for Third-Country Nationals"](#). This tool aims at simplifying and speeding up the mapping of individuals' skills and experiences, thereby promoting their integration into the labour market. It is targeted at a wide range of stakeholders in all Member States active in labour market integration of refugees and will soon be available in all official EU languages as well as Arabic, Farsi, Pashto, Sorani, Somali and Tigrinya. The launch of this tool represents one of the 10 Key Actions of the "New Skills Agenda for Europe", which was published in June 2016.
- ★ On 28th June, the European Parliament adopted its [report](#) on the Commission proposal reforming the Blue Card Directive. It further expands the scope of the Directive to not only include refugees and subsidiary protection holders – as proposed by the Commission – but also to asylum seekers who have been granted access to the labour market pending a decision on their claim. Additional modifications enable to the Blue Card holder to move to a second Member State for work once he or she has notified that country, rather than submitting an application.

Judgement of the European Court of Justice - Case C-449/16

In its judgement of 21st June, the Court of Justice found that as a general rule, a national of a non-EU country holding a single work permit in a Member State enjoys the social security benefits provided to nationals of that State. The Court argued that the right to equal treatment is the general rule and that the derogations from that right listed in the [Single Permit Directive](#) cannot be established in this case.

NATIONAL DEVELOPMENTS

- ★ **Austria:** The Act Amending the Aliens Law 2017 was passed by the main chamber of the Austrian Parliament, the National Council, on 28th June 2017.⁴ According to this act, foreigners regularly

⁴ See www.parlament.gv.at/PAKT/VHG/XXV/BNR/BNR_00513/index.shtml (accessed on 4 July 2017).

staying in Austria may apply for a visa for exceptional circumstances from within the country, in particular for humanitarian reasons.⁵ Furthermore, the right of residence of all asylum seekers is restricted to the federal state that is granting basic welfare support to the respective asylum seeker.⁶

★ **Belgium:** The Ordinance of 11th May of the Joint Community Commission of Brussels established a [compulsory integration programme](#), which will include a social assessment, language classes and civic integration classes for certain newcomers in Brussels. Integration programmes already existed in Brussels, but they were not mandatory. The date of entry into effect of the ordinance still has to be determined.

★ **Czech Republic:** In connection with the introduction of visa liberalisation agreement with Ukraine, the Ministry of the Interior created the [information leaflet](#) "Visa waiver for Ukrainian citizens", which provides more detailed information on the conditions of residence and employment of Ukrainian citizens in the Czech Republic. The information campaign focuses on employers and employers' unions in order to inform them about persisting job visa requirements, as these requirements are not subject to change in connection with visa liberalisation. Both employers and potential employees will be in this way informed about the need of a visa for the purpose of work. The leaflet was prepared in Czech and Ukrainian in June 2017, prior to the introduction of visa waiver.

In May 2017, the implementation of the project "Student Regime: the Concept for the Facilitation of the Visa Procedure for Selected Students ("Student Regime") was approved. Its main aim is to facilitate the visa procedure for selected students who were admitted to study in the accredited study programmes at higher education institutions enrolled in the Student Regime in the Czech Republic. The Student Regime will mean faster and more efficient visa application for selected foreign students, thus enabling students to begin their studies in time.

★ **Finland:** On 14th July, the Ministry of the Interior set up a [project](#) for the preparation of the Government's migration policy programme on the basis of decisions taken by the ministerial working group on migration and the Government in its mid-term policy review. The programme aims to lay down Finnish migration policy guidelines for the current government term.

Since May 2017, the Oulu reception centre, National Police Board and Police University College are running a [joint project](#) (TURVA) to promote asylum seekers' understanding of civil and human rights and their understanding of Finnish society, and to prevent crimes being committed by asylum seekers.

★ **France:** As of June 2017, a [professional integration pathway for beneficiaries of international protection](#) was implemented on an experimental basis for a period of eight months. This programme, signed by the Ministries of the Interior, Employment and Housing, "Pôle Emploi" (national employment agency) and the French Office for Immigration and Integration (OFII), covers 1,000 beneficiaries and includes accommodation, catering, social and professional support, job workshops and graduating training offers in the framework of the establishment of a career plan.

★ **Latvia:** On 6th June, amendments to the Cabinet Regulation No 564 "Regulations Regarding Residence Permits" were issued, which provide for simplified receipt of residence permit for certain categories of foreigners. This applies, for example, to persons who apply for the EU Blue Card, persons who intend to establish a start-up company, and to citizens of countries not included in the list of countries of increased risk of terrorism who wish to study in Latvia and already have a valid visa in Latvia. In addition, conditions for representatives of foreign merchants wishing to obtain residence permits are adjusted.

★ **Luxembourg:** Between April and June, Luxembourg's Welcome and Integration Agency OLAI launched a number of calls for projects on [charitable and social solidarity action](#) that initiate and implement projects favouring the reception and integration of third-country nationals and for the [organization of actions](#) favouring the integration of refugees or information actions in the framework of the World Day of Refugees on 20th June 2017. It also announced subsidies for projects of municipal administrations related to [integrating foreigners](#) as well as for the [laboration and the implementation](#) of a Communal Integration Plan.

On 4th May, the Minister of National Education, Childhood and Youth presented the "[Elementary dictionary French – Farsi/Dari – Luxembourgish](#)", a dictionary of 1.590 words, established in collaboration with the Support Association for Immigrated Workers (ASTI) and the Oeuvre de Secours

Comment [RN4]: To CZ NCP: if available, could you please provide a link to the information leaflet? Thank you!

⁵ Art. 2 par 37 of the amendment.

⁶ Art. 3 par 15c of the amendment.

Nationale Grande-Duchesse Charlotte. It is aimed at Farsi-/Dari-speaking applicants for international protection and people who provide language classes to individuals speaking those languages.

On 8th May, Luxembourg's Minister for Family, Integration and the Greater Region certified trained 'multipliers'. In this [training](#) organised by CEFIS with the support of OLAI, participants were prepared to raise awareness regarding foreign residents' registration on the electoral roll for Luxembourg's municipal elections on 8th October 2017. On 13th May, the first national day of registration on the municipal electoral roll took place, during which a number of municipal administrations opened their doors to foreign residents to register in view of the municipal elections.

On 9th May, the [agreement](#) between Luxembourg and New Zealand regarding the 'working holiday visa' entered into force. It allows 50 individuals from each partner country between the ages of 18 and 30 to obtain a 12-month visa for the other partner country, the duration of which they are also allowed to work or study.

On 21st June, Luxembourg's Council of Government approved the [draft regulation](#) concerning the organisation of the Luxembourgish evaluation exam and the verification and certification of the required level of competence in the context of acquisition of nationality.

On 27th June, Parliament passed [the bill](#) approving the agreement between Luxembourg and Cape Verde regarding the concerted management of the migratory flow and solidary development. The agreement aims to a) facilitate the circulation of persons, b) organise and issue authorisations of stay, c) detail procedures of readmission, d) fight irregular migration e) strengthen the integration of the nationals of one country legally residing in the other country, and f) leverage migrants' skills and resources in support of development.

Comment [RN5]: To LU NCP: if available, could you kindly provide the link to the bill? Thank you!

- ★ **The Netherlands:** Since 1st July, the "[Declaration of participation](#)" has become a compulsory part of the integration process, both for asylum seekers and for migrants arriving under the family reunification procedure. All new arrivals, as part of their integration exam, first must go through the procedure for the declaration of participation at their municipality. By signing this declaration, they express their understanding of Dutch values and norms, as well as their rights and obligations.

Also, since April, it is possible for employers for whom a renewal application GVVA (single permit for residence and work) has been submitted after 5th April, to continue working for their employers. The following special conditions apply: (1) the application is submitted on time; (2) the employee continues to do the same work for the same employer; and (3) there is a residence sticker placed in the passport, with which it can be demonstrated that employee is allowed to keep working for the employer.

Comment [RN6]: To NL NCP: we have included this clarification regarding the declaration of participation. Could you please confirm that this correct? Thank you!

The right for an interpreter during General Practitioners (GPs) or doctors' consultations has been granted since 1st May. GPs or doctors can [request](#) the interpreter services for a consultation with holders of a residence permit. After six months of registration at the GP the holder of a residence permit has the right for assistance by an interpreter through phone when he/she has a consultation with a GP. This provision is available until the 1st of May 2019 and is paid for by the Dutch Ministry of Health, Welfare and Sport.

- ★ **Spain:** On 11th May, the Official State Gazette announced the provisional application of the Agreement between Spain and Japan regarding [Working Holiday and sporadic Labour Activities](#), signed in Tokyo on 5th April 2017.

Via the Order governing the collective management of recruitment in countries of origin, the 2017 campaign on hiring seasonal agricultural workers from Morocco for the strawberry harvest in Huelva led to 5,156 job offers and 5,041 granted permits (an increase of 2,863 permits compared with 2016). Furthermore, as of 12th April, 4,523 visas were issued (an increase of 2,422 compared with 2016).

Comment [VM7]: TO ES NCP: could you please briefly explain the aim of the agreement. Thank you!

On 1st June, "[Rising Startup Spain Programme](#)" launched its second edition aimed at entrepreneurs and foreign startups who contribute to promoting entrepreneurial activity in Spain. The Programme will be run by ICEX-Invest in Spain in collaboration with the public and private sector to complement the offer of services for entrepreneurs and foreign startups interested in developing their projects in Spain.

Comment [RN8]: To ES NCP: if available, could you kindly provide the link to the campaign and/or the Order? Thank you!

Between April and June 2017, training seminars and workshops were organised in the framework of the projects "FRIDA: [prevention and detection of racism, xenophobia and related intolerance at school](#)" and "Pandora: [prevention and detection of racism, xenophobia and other intolerance in the field of health](#)". While the former targets teachers and directors of schools, the latter aims at raising awareness among health professional. The projects were launched in 2014 and 2016 respectively.

5. MANAGEMENT OF THE EU EXTERNAL BORDERS

EU DEVELOPMENTS AND UPDATES

★ With the intention of contributing to the gradual phasing out of the temporary internal border controls, the European Commission on 12th May presented a [recommendation](#) on proportionate police checks and police cooperation. This encourages Member States to give precedence to police checks over static border controls temporarily reintroduced at internal borders, and invited them to adopt necessary measures in this regard at the latest within six months. This should be achieved primarily through a more effective use of police checks and strengthening cross border police cooperation.

★ Following a European Commission [recommendation](#), the Council on 15th May adopted an [Implementing Decision](#) for prolonging temporary internal border controls in Austria, Germany, Denmark, Sweden and Norway for an additional six months. The Commission underlined that this was the last time such prolongation will be adopted.

★ In its fourth [report](#) on the operationalisation of the European Border and Coast Guard (Frontex), published on 13th June, the European Commission describes progress was made regarding operational cooperation with priority third countries and deployment of Frontex officers, as well as an increase in the number of return operations from Member States supported by Frontex.

The Commission has concluded a second round of negotiations with Serbia on a status agreement, which will allow Frontex to operationally engage together with at least one EU Member State in the border management of a third state bordering the EU. It also intends to open negotiations on a status agreement with Macedonia and present proposals for status agreements with Albania, Bosnia and Herzegovina and Montenegro. Lastly, the report describes Frontex' rising support to Member States in the field of return. So far, the Agency has assisted 144 return operation of third-country nationals involving 6799 people.

NATIONAL DEVELOPMENTS

★ **Austria:** On 26th April, the National Council enacted the continuation of the aid mission of the Austrian military at the Hungarian-Serbian border until the end of the year 2017.⁷ Austria's minister of defense, Hans Peter Doskozil, substantiated his request for prolongation claiming that due to the closure of the Western Balkans route, human traffickers and migrants coming from Hungary are still being picked up.

★ **The Netherlands:** The government is [allocating 20 million euro](#) to expand the capacity of the Royal Netherlands Marechaussee. This was included in the Spring Memorandum which was sent to the House of Representatives on the 1st of June. As a result of this investment, approximately 200 additional Royal Netherlands Marechaussee officers can be structurally deployed for border security at airports and seaports in the coming years, mainly at Amsterdam Airport Schiphol.

★ **Sweden:** On 2nd May, the Swedish government decided to phase out the extraterritorial identity checks on persons travelling to Sweden on public transportation from Denmark. These ID-checks, which were carried out by public transportation operators in the border region between Denmark and Sweden, had originally been introduced in January 2016, on a temporary basis and in response to the extraordinary refugee situation at the time. However, the Swedish government decided to continue to carry out border controls at its intra-Schengen borders. These controls were introduced on a

Judgement of the European Court of Justice - Case C-9/16

In its judgement of 21st June, the Court of Justice ruled that Article 67(2) TFEU and Articles 20 and 21 Schengen Borders Code must be interpreted as follows: these articles preclude national legislation conferring on the police authorities the power to check the identity of any person, within 30 kilometres from that Member State's land border with other Schengen states, with a view to preventing unlawful entry or residence in the territory of that Member State, irrespective of the behaviour of the person concerned and of the existence of specific circumstances. An exception applies if that national legislation lays down the necessary framework for that power ensuring that the practical exercise of it cannot have an effect equivalent to that of border checks.

⁷ See https://www.parlinkom.gv.at/PAKT/PR/JAHR_2017/PK0471/index.shtml (accessed on 14 July 2017).

temporary basis in November 2015, also in response to the refugee situation. They have been prolonged several times.

6. IRREGULAR MIGRATION AND RETURN

EU DEVELOPMENTS AND UPDATES

- ★ In the framework of the Justice & Home Affairs Council on 8-9th June, EU Member States adopted [Conclusions](#) on enhancing return and readmission of illegally staying third-country nationals. These mention in particular the need to consider stronger coordination between the areas of return and visa policy, and the need to improve the rate of return as a matter of urgency.
- ★ On 13th June, the Commission [reported](#) on the progress made concerning the implementation of the EU-Turkey Statement. While the number of irregular crossings from Turkey to Greece has remained low, challenges remain, in particular as arrivals still outpace the number of returns. The pace of resettlement of Syrian refugees from Turkey has increased, with a total number of 6,254 resettlements as of 9th June. This stands in contrast to 1,789 returns to Turkey. With regard to the Facility for Refugees in Turkey, a total of 2.9 billion euro has been allocated and 811 million euro disbursed.

NATIONAL DEVELOPMENTS

- ★ **Austria:** According to the Act Amending the Aliens Law 2017 passed by the National Council, foreigners who do not immediately leave Austria after a final and enforceable return decision has been issued, may be punished with a fine between 5,000 and 15,000 euros. If the fine cannot be collected, the foreigner may be imprisoned for up to six weeks.⁸
- ★ **Belgium:** On 29th April, [two new laws](#) entered into force. These facilitate the procedure to end the residence rights and organise the removal of certain foreign nationals legally residing in Belgium for reasons of public order or national security.

The Council of Ministers has approved the proposal to [increase the capacity of the closed detention centres](#) for irregularly staying migrants. This will entail an increase in the number of places of existing detention centres, as well as the creation of new centres in Holsbeek, Antwerp and Charleroi. The capacity of the detention centres is planned to increase from 400 places (at the beginning of the legislature) to 1,066 places by 2021.

In May, Belgium and Germany signed [a letter of intent](#) to increase their cooperation to better monitor beneficiaries of international protection who temporarily return to their countries of origin. Beneficiaries of international protection are not allowed to travel to their countries of origin. If they do so, the protection status can be withdrawn. Some beneficiaries of international protection residing in Belgium try to avoid detection by travelling to neighbouring countries (including Germany) before departing to their countries of origin.

- ★ **Germany:** An [online information hub](#) for third-country nationals interested in returning to their country of origin from Germany has been launched. The digital platform gathers relevant information on Assisted Voluntary Return and Reintegration (AVR(R)), including AVR(R) programmes, the nearest return counselling services and country of origin information. The platform is run by the Federal Office for Migration and Refugees, the Ministry of the Interior and IOM and is currently available in German and English.

Germany (temporarily) halted its forced returns to Afghanistan after a massive bomb attack in Kabul that killed at least 90 people and heavily damaged the German Embassy on 31st May 2017. The federal government decided to halt the forced returns until the German Foreign Office has re-evaluated the security situation.

- ★ **France:** A [decree](#) dated 5th May 2017 reinforces rules to fight against illegal international service provisions. It determines the conditions under which project managers are responsible for the full chain of sub-contractors regarding the obligation for prior secondment declarations for foreign subcontractors and for work accident notifications for seconded employees.
- ★ **Lithuania:** As of April 2017, the Migration Department strengthened the monitoring of foreigners who have established companies in Lithuania and received a temporary residence permit on this

⁸ Art 2 para 82 of the amendment.

ground. Inspections demonstrated that 9% of checked companies do not fulfil the requirements established in the law and residence permits were revoked.

- ★ **Luxembourg:** On 18th and 19th May, a delegation of representatives of Luxembourg's Parliament and governmental administrations carried out a study visit focussing on Dutch reception, detention and return practices. Invited by the Dutch authorities, the delegation undertook a visit of the Detention Centre Zeist (closed family facility) and of the Return House Katwijk (family location).

7. ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

EU DEVELOPMENTS AND UPDATES

- ★ The 15th [Annual Report](#) of Eurojust, published on 3rd July, provides insight into Eurojust's activities in the fight against serious cross-border crime. With regard to trafficking in human beings, the report notes a general increase in support to national investigations and prosecution, registering a total of 93 cases. Eurojust also continued coupling its operational support with strategic activities, for example through close coordination with the EU Anti-Trafficking coordinated and providing input to the EU post-2016 Strategy on Trafficking in Human Beings.
- ★ In a [special edition newsletter](#) published on 14th June, the United Nations Office on Drugs and Crime (UNODC) provides an update of the GLO.ACT joint initiative between the EU and UNODC aimed at addressing the trafficking in persons and the smuggling of migrants. It was launched in January 2016 and will reach 13 countries across Africa, Asia, Eastern Europe and Latin America. So far, good progress has been made in all countries. For example, a call of proposals for civil society organisation was released in May 2017 in Belarus, Brazil, Lao PDR, Morocco and South Africa and regular coordination meetings with national institutions and implementing partners have been held. The initiative will run until July 2019.

NATIONAL DEVELOPMENTS

- ★ **Austria:** In May 2017, the "[Joint Operational Office Against Human Smuggling Networks](#)" (JOO) celebrated its first anniversary. The JOO is Austria's operational link to Europol's European Migrant Smuggling Center (EMSC), fostering the cooperation of investigators in counteracting human smuggling and trafficking. During its first operational year, the JOO carried out 25 international investigations, made 185 arrests, conducted 109 interrogations, and analysed the data of 697 mobile phones.
- ★ **Belgium:** As of 20th May and following modifications made to the Immigration Act, potential victims of trafficking are now issued a [temporary residence document](#) valid for 45 days during the recovery and reflection period, instead of an order to leave the territory with a validity of 45 days.

On 12th June, the [Belgian Louise-Marie frigate](#) departed from the port of Zeebrugge, starting its deployment in the Mediterranean sea as part of the [EUNAVFOR MED – Sophia operation](#). The deployment will last until 28th July. The EUNAVFOR MED – Sophia operation was launched in 2015 in the framework of the EU's Common Security and Defence Policy (CSDP) with the aim of disrupting the business model of human smuggling and trafficking networks in the Southern Central Mediterranean.

8. EXTERNAL DIMENSION

EU DEVELOPMENTS AND UPDATES

- ★ As a follow-up to the [Joint Communication on the Central Mediterranean Route](#) and the [Malta Declaration](#), on 12th April the EU Trust Fund for Africa adopted a 90 million euro [programme](#) to step up the protection of migrants and reinforce migration management in Libya. The programme addresses various aspects of the migration management challenge in Libya and along the Central Mediterranean route by aiming at improving the conditions of host communities and of internally displaced persons and facilitating the voluntary return of migrants from Libya.
- ★ On 4th May, the European Commission and the High Representative of the EU presented the EU's political priorities and concrete proposals for a stronger strategic partnership with Africa. The [Communication](#) contains proposals in a number of key areas, such as peace and security, migration, job creation and energy and revolve around two main strands: the first aiming to achieve more resilient states and societies, while the second strand aims to create more and better jobs, especially

for youth. This comes ahead of the Africa-EU Summit in November 2017, which will focus specifically on youth.

- ★ One year after its launch, the European Commission [reported](#) on the progress achieved under the EU Partnership Framework with third countries. Overall, cooperation with third countries has improved, with EU migration liaison officers being present in 12 partner countries (Ethiopia, Jordan, Lebanon, Mali, Niger, Nigeria, Pakistan, Senegal, Serbia, Tunisia and Turkey). Formal negotiations on readmission agreements have been initiated with Nigeria, Tunisia and Jordan, in additions to those ongoing with Morocco. The report also highlights that progress has been made in the five priority countries (Niger, Nigeria, Ethiopia, Mali and Senegal), which will be extended by three additional states (Ivory Coast, Ghana and Guinea). Under the EU Trust Fund for Africa, 118 projects have been approved so far, with the funds amounting to a total of 2.8 billion euro.
- ★ On 20th June, the EU Regional Trust Fund in Response to the Syrian crisis adopted new [projects](#) totalling 275 million euro. These are targeted at refugees and their overstretched host communities in Turkey, Lebanon, Jordan, Iraq, the Western Balkans and Armenia. Projects will aim at improving access to education and health care, as well as providing support to local community, social inclusion and gender equality. This brings the current overall volume of the Trust Fund to over 1 billion euro, which corresponds to the goal set by the European Commission President Jean-Claude Juncker on 23rd September 2015 at the Informal meeting of the European Council on migration and in the Communication on Managing the Refugee Crisis.

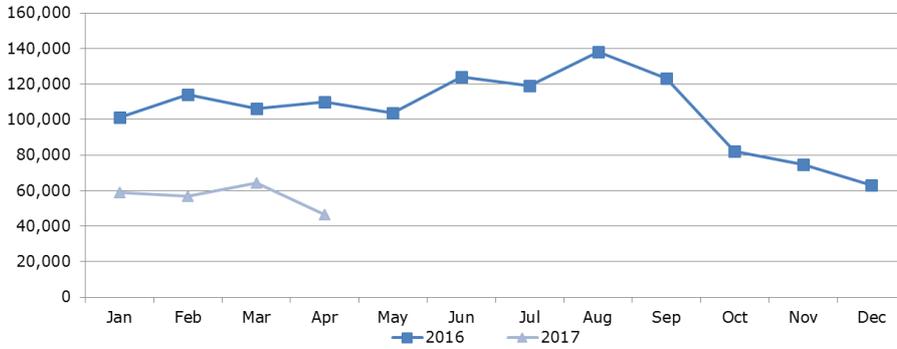
NATIONAL DEVELOPMENTS

- ★ **Czech Republic:** In June 2017, the Ministry of the Interior of the Czech Republic provided financial assistance amounting to CZK 28,020,000 (around 1 million euro) to the Republic of Macedonia aimed at strengthening its asylum and migration system. In addition, CZK 40 million (around 1.48 million euro) were allocated to the UN High Commissioner for Refugees to support Infrastructure and Non-Food Item actions for refugees in Azraq Camp in Jordan. The latter is part of the Czech-German project in Jordan. Donations were made within the *Programme of the Ministry of the Interior for the Assistance to Refugees in Regions of Origin and Prevention of Large Migration Flows*, which was established in January 2015 as a special tool to address the refugee/migration situation in Europe and its neighbourhood. Among the 2017 priorities of this Programme are the Middle East Region (Jordan and Iraq) and the region of Western Balkans (Macedonia and Serbia).
- ★ **Spain:** The bilateral Spain-Morocco Cooperation Project on capacity building for the management of migration, integration and asylum in Morocco continued its activities. A meeting was held in Rabat on 28th-29th June with representatives of the Ministry in charge of the Moroccan residents abroad (Ministère chargé des Marocains résident à l'étranger et des affaires de la migration) in order to continue to the next step of the activities foreseen under the project.

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

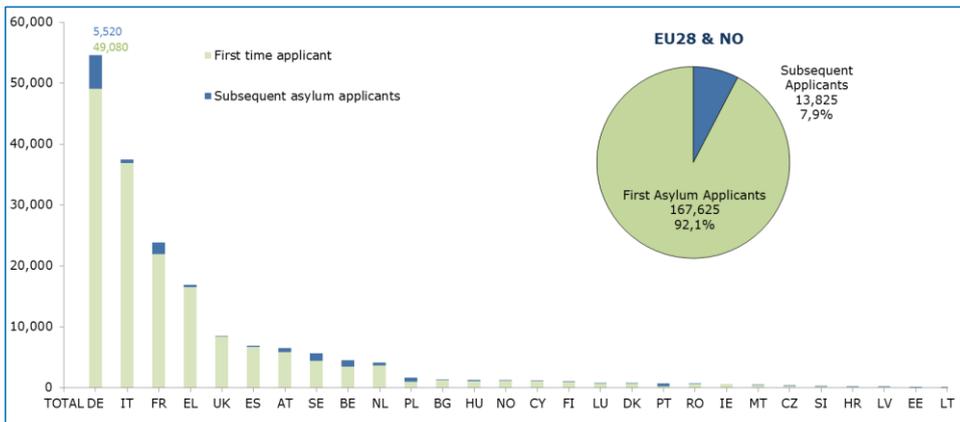
EU Figures

Figure 1a: Asylum applications in the EU-28, January 2016 – April 2017.⁹



Source: Eurostat [[migr_asyappctzm](#)], total asylum applicants, accessed on 7th July 2017.

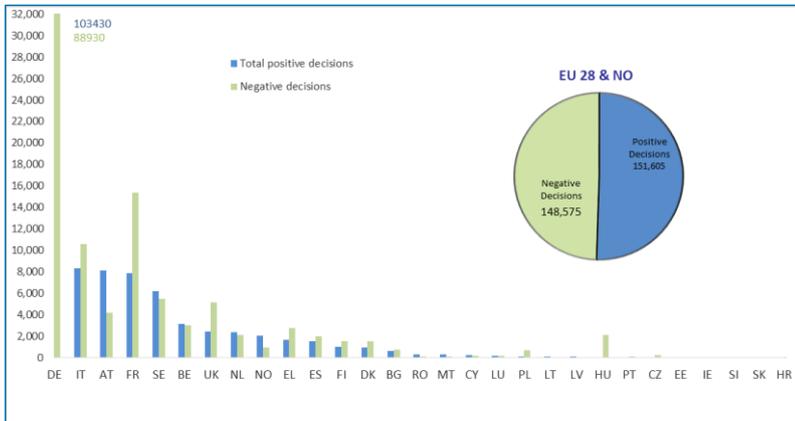
Figure 1b: First time asylum applicants and subsequent applicants (together, total asylum applicants) in the EU-28 and Norway, Q1 2017 (quarterly data)



Source: Eurostat [[migr_asyappctzm](#)], accessed on 7th July 2017

⁹ Data for April 2016 is not yet available for Ireland, Spain and Portugal.

Figure 2: First instance asylum decisions in EU-28 and Norway for non-EU citizens, fourth quarter 2016 (quarterly data)



Source: Eurostat [[migr_asycdfstq](#)], accessed on 7th July 2017 – Negative decisions include also "Dublin decisions" (according to Art. 4, EC Regulation n. 862/2007).

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

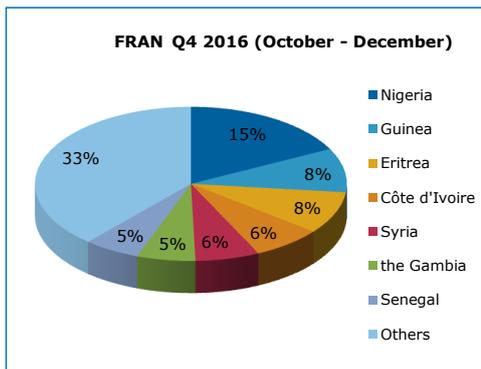


Figure 4c: Illegal stay – Top nationalities (in %)

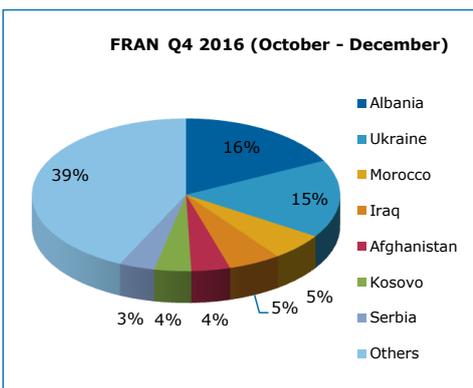


Figure 4b: Refused entry–Top nationalities (in %)

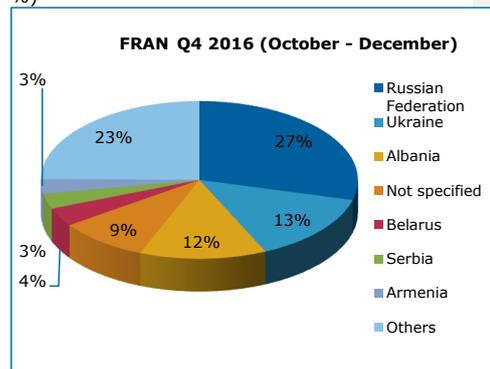
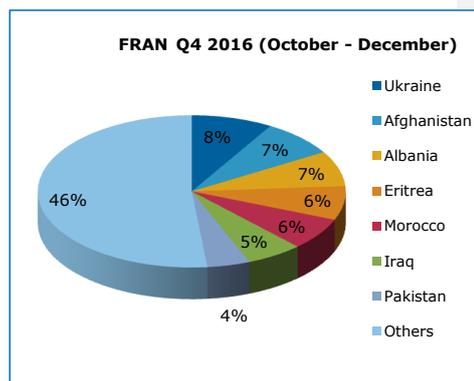


Figure 4d: Effective return–Top nationalities (in %)



Source: [FRONTEX FRAN Quarterly Report Q4 2016](#) (October - December 2016)

Latest available national statistics

IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM

- ★ **United Kingdom:** [Immigration Statistics January to March 2017](#) were published on 25th May by the Home Office. It provides the latest UK figures on those subject to immigration control, for the period up to year ending March 2017. Topics included: admissions, visas, asylum, settlement, citizenship, detention, removals and voluntary departures. In addition, 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 same day. This provides quarterly data on UK migration flows, visas, asylum and settlement.

IRREGULAR MIGRATION AND RETURN

- ★ **Austria:** Between January and April 2017, Austria forcibly returned 2,291 individuals. This represents a 77% increase compared to the reference period of the previous year. In total 3,750 irregularly staying persons left Austria including 1,459 voluntary returnees.

Comment [RN9]: To AT NCP: if possible, could you please provide a source for these statistics? Thank you!

Updates on EU legislation transposition

LEGAL MIGRATION AND INTEGRATION

- ★ **Czech Republic:** In June 2017, the [amendment](#) to the Act on the Residence of Foreign Nationals in the Czech Republic was approved, transposing [Directive 2014/36/EC](#) on seasonal workers and of [Directive 2014/66/EC](#) on intra-corporate transferees into the Czech legal system. The amendment also regulates the rules on the entry and residence of foreign nationals for business purposes, includes an adjustment aimed at strengthening the security features of the migration process and also specifies the arrangements for the residence of a family member of EU citizen in order to better comply with Directive 2004/38/EC. Among others, the new legislation defines covert brokering of employment, introduces the concept of "unreliable employer" who would not be allowed to employ TCNs and allows the suspension of the residence permit procedure if the foreign national appears at the procedure without a serious reason, tells lies, or submits forged documents etc. The amendment is expected to come into force in mid-August 2017.

Comment [RN10]: To CZ NCP: if available, could you please provide a link to the new amendment? Thank you!

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

- ★ **Luxembourg:** A [follow-up](#) of the 2nd national conference (*assises nationales*) on integration on the local level took place on 30th June. Participants of these "after assises" (*après assises*) met in order to create an exchange and support group on integration on the local level.
- ★ **Spain:** On 14th June, a Conference on Reception and Integration of Refugees in Spain, organised by the General Secretariat for Immigration and Emigration with the participation of Filippo Grandi, High Commissioner for Refugees (UNHCR), took place in Madrid.

The Seminar on "Analysis on the Recommendation 15 on Combating Hate Speech" of the Council of Europe Commission Against Racism and Intolerance (ECRI) was held on 30th March at the General Secretariat of Immigration and Emigration. The objective of the seminar was to increase awareness on the recommendation in order to facilitate its practical application. [The recommendation n° 15 of ECRI has been translated into Spanish](#) and widely distributed among interested stakeholders (judicial operators, NOGs, public institutions, others).

ⁱ http://www.olai-public.lu/fr/publications/brochures-depliants/11-assises/assises-2017_brochure.pdf