



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 12th Edition provides information from June 2015 to September 2015, including (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:

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SPECIAL NOTE

Shortly after the European Commission launched its [European Agenda on Migration](#), aimed at improving the management of migration, the unprecedented number of asylum seekers arriving in Europe during the last months and the evident emergency situation called for further solidarity through EU measures and actions; this was confirmed in the [Council Conclusions of 25-26 June 2015](#), which decided, inter alia, that three key dimensions should be advanced in parallel:

- ★ Relocation/resettlement;
- ★ Return/readmission/reintegration and;
- ★ Cooperation with countries of origin and transit.

Subsequently on 22nd July the Council adopted by consensus a [resolution](#) of the Representatives of the Governments of the Member States, where the temporary and exceptional relocation over two years, from Greece and Italy to other Member States, of **40,000 persons** in clear need of international protection was agreed. The later led to the adoption of the [Council Decision \(EU\) 2015/1523 of 14 September 2015](#), however **given the sharpen increase** in the number of asylum applicants and as a result of an Extraordinary Justice and Home Affairs Council, the [Council's Decision of the 22nd September 2015](#) on the establishment of *additional* provisional measures in the area of international protection for the benefit of Italy and Greece to further relocate 120,000 asylum applicants from Italy and Greece, was also adopted. As a result, **Member States have agreed to relocate a total of 160,000 people** in clear need of international protection from the most affected Member States.

In the meantime, on 9th September 2015 the Commission also launched a set of proposals, including the [EU Action Plan on Return](#) which defines the immediate and mid-term measures to be undertaken in order to enhance the effectiveness of the EU return system. The Action Plan, amongst others, also proposes new initiatives, to fully use and, where needed, strengthen EU legislation.

Recently, on 23rd September 2015, the Commission presented its [Communication on Managing the refugee crisis: immediate operational, budgetary and legal measures under the European Agenda on Migration](#). Overall, the document provides a set of [priority actions](#) to undertake within the next six months, short term actions to stabilise the current situation and longer term measures to establish a robust system for the forthcoming future. The Communication also explains that most immediate practical support will be provided through [Migration Management Support Teams](#) working in 'hotspot' areas of time, while border guard support in cases of urgent or exceptional migratory pressure will be provided by the deployment of [Rapid Border Intervention Teams \(RABIT\)](#). [Financial support](#) will be also reinforced, however the Commission also calls for Member States to restore funding for food aid via the [World Food programme](#) and it also proposes to further support the [EU Regional Trust Fund in response to the Syrian Crisis \(Madad Fund\)](#) by also reinforcing the European Neighbourhood Instrument (ENI).

1. GENERAL POLICY DEVELOPMENTS

EU DEVELOPMENTS AND UPDATES

- ★ On 10th August 2015, the Commission [approved 23 new multiannual national programmes](#), seven under the Asylum, Migration and Integration Fund (AMIF) and 16 under the Internal Security Fund (ISF) in order to further support Member States dealing with high migratory flows. The total funding for the agreed programmes is approximately 2.4 billion euro for the period 2014-2020.

NATIONAL DEVELOPMENTS

- ★ **Poland:** The inter-ministerial Committee for Migration adopted two [reports](#) on the implementation of the Action Plan to the "Migration Policy of Poland" in the first half of 2015. According to the reports, the integration of immigrants has been identified as an area on which Poland is lagging behind.

A new Polish [Ombudsman](#) was elected, amongst other priorities; support regarding the situation of immigrants was highlighted. Poland's new President also set up in his [chancellery](#) a new bureau for contacts with Poles living abroad.

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](#).

2. IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM

EU DEVELOPMENTS AND UPDATES

- ★ As announced in the latest [Commission's Communication](#), concerning the implementation of the Common European Asylum System, on 23rd September 2015 the Commission adopted [40 infringement decisions](#) against several Member States for failing to fully implement legislation making up the Common European Asylum System.
- ★ On 9th September 2015 the Commission launched a set of proposals to help addressing the current refugee crisis. In the field of asylum, these included a proposal for a [Crisis Relocation Mechanism](#), a proposal for establishing provisional measures in the area of international protection for the benefit of [Italy, Greece and Hungary](#), and a proposal for a [Regulation establishing an EU common list of safe countries of origin](#). The latter aims at facilitating a swifter processing of asylum applications from candidates originating from countries considered to be safe across the EU and for faster returns if the individual assessments of the applications confirm no right of asylum. The list includes the following countries: Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Kosovo, Montenegro, Serbia and Turkey.
- ★ On 31st August 2015, the Commission announced the granting of [emergency assistance funding](#) to help address the situation in Calais, France. A total of 5.2 million euro have been allocated under the Asylum, Migration and Integration Fund (AMIF) to offer humanitarian assistance to approx. 1,500 irregular migrants residing in the area surrounding the day centre "Jules Ferry" and to support the transport of asylum seekers from Calais to other locations in France.

Judgment of the European Court of Justice Case C-373/13

In its judgment of 24 June 2015, the Court ruled that a residence permit for international protection granted under the conditions of Directive 2004/83/EC may be revoked for 'compelling reasons of national security or public order' when the refugee supports a terrorist organisation included on the list annexed to Council Common Position 2001/931/CFSP of 27 December 2001. Nevertheless, the competent authorities have to carry out an individual assessment of the specific facts concerning the actions of both the organisation and the refugee in question before taking a decision to revoke the residence permit.

LATEST RELEVANT STATISTICS

- ★ According to the [latest Eurostat data](#), the **number of applications for international protection lodged in the EU continued to rise in Q2 2015**, reaching up to **228,600 applications**. Also, 93% of the applicants were **first time applicants** (213,200), this number represents an **increase of 85% when compared to Q2 2014 and 15% to the same quarter of the previous year**. During the second quarter 2015, the top three countries of origin of asylum seekers were **Syria (21%), Afghanistan (13%) and Albania (8%)**. The number of Kosovars, who were the third top nationality in Q1 2015, sharply dropped from 50,000 to 10,000.
- ★ A total number of **119,775 first instance asylum decisions were issued in the EU and Norway in Q2 2015**. Total positive decisions for this period amounted **55,280**, while negative decisions accounted for **64,495** (see Figure 2 in Annex). The largest number of first instance asylum decisions was issued in **Germany**, followed by **France, Italy and Sweden**.

- ★ EASO published its [Quarterly Asylum Report](#) for the Q1 2015. According to the report, in 2015 71% of the total asylum applications in the EU were registered in **Germany (38%), Hungary (15%), Italy (7%) and France (7%)**.

NATIONAL DEVELOPMENTS

- ★ **Austria:** A special task force was established to coordinate all measures related to the current sharp increase in the number of asylum-seekers. All Director-Generals of the Federal Ministry of the Interior are represented as well as the Federal Office for Immigration and Asylum, the criminal intelligence service and the federal agency for state protection and counter-terrorism. In addition, external partners are also part of an expert group composed by the Federal Ministry for Europe, Integration and Foreign Affairs, the Austrian Armed Forces or the Federal Ministry of Finance as well as UNHCR and NGOs particularly dealing with asylum, e.g. the Austrian Red Cross, the Samaritans and the Federal fire brigade federation.

Following the reception capacity challenges faced by the Initial Reception Centre Traiskirchen, in August 2015, a legislative initiative to introduce a constitutional provision was presented. The aim is to give the Federal Government the right to establish accommodation for asylum-seekers on federal properties, without the authorisation from the respective local authorities. On the 25th August 2015, Christian Konrad was appointed as refugee coordinator in order to grant accommodation for refugees more efficiently.

- ★ **Belgium:** Following the increase in the number of asylum seekers, the Belgian government approved in August and September a [series of measures](#) to progressively increase the reception capacity for asylum seekers, from 16,200 places in July to around 36,000 places by the end of 2015.

On 3rd September 2015, [amendments to the Immigration Act](#) came into force, extending the possibilities to refuse to grant refugee status, to withdraw international protection or to exclude someone from international protection due to the threat he/she represents to society or national security.

- ★ **Croatia:** A new Act on International and Temporary Protection entered into force on 1st July 2015. The act aligns the Croatian legislation with Articles 4, 6 and Chapter 6 of the Temporary Protection Directive (2001/55/EC), prescribing the duration and end of temporary protection and the reception and transfer of foreigners under temporary protection pursuant to the principle of the solidarity of the Community.

- ★ **Cyprus:** On 6th September 2015, 115 persons (most of them Palestinians) coming from Lebanon and Syria, were rescued at sea by the Cypriot Authorities. People were transferred first to the Emergency Accommodation Centre in Nicosia and following the completion of their medical examination they were transferred to the Reception and Accommodation Centre at Kofinou.

- ★ **Czech Republic:** A new Migration Policy Strategy was approved in July 2015. The aim of the strategy is to define a balanced and flexible migration policy, including its priorities in the area of migration and international protection, as well as its principles, objectives and instruments. The strategy aims to respond to the current discussion on migration and the need to clearly express the view of the Czech Republic in this area.

Following the Czech Government's approval on the resettlement of refugees and the temporary exceptional mechanism of relocation of refugees from Italy and Greece on the basis of the Council Conclusions from 25-26 June 2015, a new working group for the preparation of the resettlement and relocation of refugees was established to ensure the smooth processing and also the integration of these persons into Czech society. The first group of Syrian families will be transferred from Jordan to the Czech Republic during autumn 2015.

- ★ **Estonia:** The Estonian Government has agreed to accept approximately 500 refugees under the EU Refugees Distribution Plan. It is the first time Estonia takes part in a refugees' distribution programme. A relocation system is currently being set up and the first refugee families are expected to arrive to Estonia by the end of 2015.

Given that the current accommodation centre (Vao) has reached its maximum capacity- following the increase in the number of asylum seekers- the Ministry of Social Affairs is planning to open an additional accommodation centre.

- ★ **Finland:** The Finnish Immigration Service [suspended the decision-making procedure](#) on Iraqi and Somali asylum claims, due to the ongoing assessment of the security situation in Iraq and Somalia. At the same time, EU practices and possibilities to return people to Iraq and Somalia are being reviewed.

On 22nd September 2015 a [registration centre for asylum seekers was opened](#) in Tornio to facilitate the registration of asylum seekers in northern Finland. At the same time, the Ministry of the Interior has also [appealed to municipalities](#) to make available more premises for the reception of asylum seekers.

- ★ **France:** On 30th July 2015 the [law on the asylum reform](#) was published. The main amendments concern the asylum procedure, covering for example: reduced processing time, additional asylum seekers rights/guarantees, improved housing conditions and better financial assistance with allowance linked to family composition. The creation of one-stop shops will also aim to improve reception conditions.

Moreover, asylum seekers have now access to continuous vocational training and to the French labour market after a nine-month period (instead of 12) following the filing of their application, provided they are not

responsible for this delay in the processing time. Overall, the new law provides more visibility to the status of stateless persons and a full recognition of their rights.

- ★ **Germany:** [The Act](#) redefining the [right to remain and termination of residence](#) (Gesetz zur Neubestimmung des Bleiberechts und der Aufenthaltsbeendigung) entered into force on 1st August 2015. The act introduces the responsibility of the Federal Office for Migration and Refugees for: setting a time-limit for bans on entry and residence for rejected and deported applicants and for the determination of a ban on entry and residence, as well as setting a time limit on its validity for applicants from safe countries of origin and in cases of repeated follow-up applications.

As of 25th June 2015 the Federal Office introduced an accelerated asylum procedure for applicants from Eritrea. Eritrean applicants are now provided with a special questionnaire by which they have the opportunity to provide written account of their application reasons, instead of an interview.

- ★ **Greece:** In August 2015 the Open Hospitality Centre in "Eleonas" has been prepared for the accommodation of 720 people. The Eleonas Centre's tasks are of great importance to improve the refugee situation given that the centre prioritises safety, decent standards and the well-being of the people it assists. Representatives from the Greek Asylum Service and UNHCR provide information for those seeking international protection in Greece, while the Red Cross and other Greek NGO's offer assistance and services. At the same time, a relative decline in number of asylum applications has been registered.

- ★ **Ireland:** An '[Irish Refugee Protection Programme](#)' has been established for persons seeking international protection. Under the Programme Ireland will accept up to 4,000 persons under the EU Resettlement and Relocation Programmes: 520 programme refugees (currently being resettled to Ireland); 600 persons (already committed under the proposed EU Relocation programme); and up to 2,900 additional persons in need of international protection (as part of the EU programme agreed by Council in September).

The Irish Department of Defence has committed to continuing the [deployment of Naval Service vessels to the Mediterranean](#), assisting the Italian authorities in humanitarian search and rescue operations.

- ★ **Latvia:** The Latvian Government approved the resettlement and relocation of 250 persons from Greece, Italy and third countries.

- ★ **Lithuania:** The Lithuanian Government approved the resettlement and relocation of 1,105 refugees within a period of two years.

- ★ **Luxembourg:** On 13th July 2015, the inauguration of the new reception facility for newly arrived applicants for international protection "Lily Uden" took place. This reception centre can accommodate 120 persons and offers a better quality of life to its inhabitants. It is managed by the Red Cross Luxembourg based on a collaboration agreement signed with the Luxembourg Reception and Integration Agency.

Furthermore, a former language therapy centre was swiftly reconverted to be able to house around 300 applicants for international protection. Three other structures are also currently being reconverted in order to be able to accommodate the increasing number of applicants.

The bill n°6779 on international protection and temporary protection which intends to abolish the current asylum law was deposited at the Chamber of Deputies at the beginning of the year. Between June and September 2015 the Luxembourgish Refugee Council, the State Council as well as the Consultative Commission on Human Rights of the Grand Duchy of Luxembourg submitted their [respective opinions on the bill](#).

- ★ **Poland:** The Polish Government approved the resettlement and relocation of up to 6,500 to 6,800 refugees within a two year period. To ensure the effective coordination of all the necessary activities between different stakeholders, two new expert groups were appointed (one by the Secretary of State in the Ministry of the Interior and the second one by the Prime Minister). Also, [158 Syrians arrived](#) to Poland in July as part of initiative of private foundation, Estera, however, according to various sources, a large number of them have already left Poland for Germany.

[New regulations](#) on the recognition of diplomas entered into force. The new provisions facilitate the recognition of third-country nationals' qualifications, including refugees, and allow them to study in Poland.

- ★ **The Netherlands:** As a result of the increase in the asylum influx and pressure on the asylum system, on 18th August 2015 a [temporary Ministerial Commission on Migration was established](#). Amongst other issues, the Commission aims to discuss measures to: ensure a swift and thorough reception and procedure for both asylum seekers as admitted refugees and beneficiaries of international protection in the Netherlands; to diminish the causes in third countries to migrate to Europe; to contribute to a balanced EU policy of limiting migration flows and; to arrive at a proportionate apportionment of responsibility within the EU. The Commission will be composed by the relevant ministries and secretaries of State.

- ★ **Norway:** On 9th September 2015 the Directorate of Immigration enforced its emergency plan in order to manage the situation of drastic increase in the numbers of asylum seekers.

- ★ **United Kingdom:** On 7th September 2015 the Prime Minister announced an expansion of the UK's existing Syrian Vulnerable Persons Relocation Scheme. Through this expansion, the UK expects to resettle 20,000 Syrians

in need of protection. This number is in addition to those resettled under the Gateway and Mandate programmes and the thousands of people who receive protection in the UK under normal asylum procedures. Subsequently on 16th September, the Home Secretary gave a [statement](#) updating the House of Commons on the Syrian refugee situation.

3. UNACCOMPANIED MINORS AND VULNERABLE GROUPS

EU DEVELOPMENTS AND UPDATES

- ★ On 31st August 2015, **Frontex** published a handbook named "[VEGA Handbook: Children at airports](#)". The aim of the handbook is to provide guidelines and recommendations to border guard officers to identify children at risk at airports while paying special attention to the rights of children. In particular, the handbook refers to unaccompanied minors and accompanied and separated minors. Moreover, the handbook also helps border guard officers to be able to identify criminal threats to the child's wellbeing.

NATIONAL DEVELOPMENTS

- ★ **Cyprus:** From the group 115 people rescued at the sea on 6th September 2015, 44 children under the age of 18 were amongst those rescued. Of these, nine were identified as unaccompanied minors and were placed under the care of the Social Welfare Services, which transferred them to special houses for UAMs.
- ★ **Finland:** Folk High Schools in Finland will [offer accommodation and education to adolescent asylum seekers](#) to help them find employment and further training, while also improving their social, cultural and life management skills.

4. LEGAL MIGRATION AND INTEGRATION

EU DEVELOPMENTS AND UPDATES

- ★ The European Commission together with the OECD launched the "[Indicators of Immigrant Integration – Settling In 2015](#)". The joint report provides the first broad international comparison across the EU and OECD countries on integration outcomes for migrants and their children. The report covers 34 key indicators in areas such as employment, education and skills, social inclusion, civic engagement and social cohesion. A special focus on young people with an immigrant background is provided in the report, as these are often seen as the benchmark for the success or failure of integration.

NATIONAL DEVELOPMENTS

- ★ **Estonia:** As of 1st August 2015 all third-country nationals and citizens of the EU who have legally resided in Estonia for less than five years are provided with the possibility to take part in one-day adaptation training and 80 hours of Estonian language training (level A1). The adaptation training consists of basic and additional modules that correspond to the needs and interests of the foreigner (i.e. working and entrepreneurship, studying, research, family life, children and young people, international protection).
- ★ **Germany:** The Act redefining the right to remain and termination of residence also introduced changes in the German statutory order for employment matters (Beschäftigungsverordnung). For example, it now regulates the labour/internship permits for newly third-country nationals entering Germany.
- ★ **Greece:** A new law (L.4332/2015) was enacted in July 2015 (Gazette of the Hellenic Republic, series A', issue No 76/9.7.2015). The law amended the Greek Nationality Code (articles 1-3) and introduced new provisions that allow third-country national children born or raised in Greece to acquire Greek citizenship (i.e. to 2nd generation immigrants), provided they fulfil certain criteria including: birth and attendance of a Greek school in Greece, successful attendance of nine classes of Primary/Secondary Education or six classes of Secondary Education in a Greek school in Greece and; graduation of a Greek University.
- ★ **Ireland:** [New legislation](#) has been introduced under the Civil Registration (Amendment) Act 2014 giving marriage registrars in Ireland new powers to prevent marriage for immigration purposes only. In addition, the

Judgment of the European Court of Justice Case [C-153/14](#) and Case [C-579/13](#).

The Court assessed the requirement of civic integration exams in its rulings of 9 July 2015 and of 4 June 2015. In that of 9 July, the Court stated that Member States may require TCNs to pass a civic integration examination, before authorising entry into and residence in their territory for the purposes of family reunification. Such exam may consist in an assessment of basic knowledge of the language of the Member State and of its society and can entail the payment of costs, provided that it is not made impossible or excessively difficult to exercise the right to family reunification. In the second case (4 June), the Court clarified that those TCNs who are eligible to or already possess long-term resident status may be obliged to pass a civic integration examination, under pain of a fine, at the condition that the achievement of the objectives pursued by EU law is not jeopardised.

Irish Naturalisation & Immigration Service (INIS) has announced [changes to the application for permission to remain in Ireland](#) on the basis of parentage of an Irish citizen child effective from 1st October 2015.

- ★ **The Netherlands:** As of 1st July 2015, foreign au pairs working in the Netherlands and their sponsors are requested to sign a contract to state there is no biological relation -up to the third degree- between the parties, as this is considered illegal. In addition, the provision requiring the sponsor to inform the Dutch Immigration and Naturalization Service about any changes in the daily schedule of the au pair has been revoked, due to the impractical nature of this measure, unless this alteration has consequences for the au-pair's eligibility for a provisional residence permit.

On 22nd July 2015 amendments were introduced to the Dutch policy establishing the actual family relationship test between parents and adult children intending to reunite their parents who have been granted asylum in the Netherlands. Overall, the policy has been aligned with the underage children policy; the testing of the so-called 'more than normal emotional ties' has been replaced by the simple testing of the existence of family ties before the departure of the parent(s) from the country of origin.

- ★ **Poland:** The Mazowieckie Province Governor appointed a [plenipotentiary for migration](#) issues whose task is to draft a regional migration policy focusing on social and cultural integration of the growing number of foreigners. Also, in June 2015 the [results of the Migrant Integration Policy Index \(MIPEX\)](#) were presented in Poland. Overall, Poland's integration policies were evaluated as being "halfway favourable".

An agreement on social security between Poland and Quebec was signed. So far, Poland has concluded eight agreements regulating coordination of social security issues

- ★ **Norway:** In June 2015, the Government submitted a draft bill to the Storting (national assembly) to introduce new requirements for obtaining Norwegian citizenship. The proposed requirements will ensure that all persons who are granted Norwegian citizenship have a minimum command of spoken Norwegian and have passed a civics test.

A proposal to amend the Introduction Act to improve the quality of Norwegian language training and the Introduction Programme has been also submitted to the Storting (national assembly) by the Government. Amongst other issues, the proposal provides that: municipalities will be responsible for initiating courses in language training and social studies; participants have to document skills in Norwegian civics to be exempted from the social studies course and; participants in the Introduction Programme can be granted leave of absence for up to one year if they are offered a job.

- ★ **Spain:** The project "Training for the Prevention and Detection of Racism, Xenophobia and related Intolerance at school - FRIDA ("Formación para la prevención y detección del racismo, la xenofobia y formas conexas de intolerancia en las aulas") has been implemented during the reporting period. It aims to train teachers and specialists in education on non-discrimination by racial or ethnic origin and hate crimes and on the criteria for detecting racist or xenophobic incidents and hate crimes at school, and to disseminate the knowledge acquired, together with the training material that will be produced. All regional governments have participated in the project and the main result will be a handbook, to be launched by the Ministry of Employment and Social Security (OBERAXE) and the Ministry of Education.

Economic migration

- ★ **Ireland:** Following amendments to the Irish Employment Permits (Amendment) Regulations 2015, changes have been made to the [Highly Skilled Occupations List](#) in response to identified shortages in occupations in the Irish labour market.
- ★ **Poland:** In response to an increased rate in the misuse of the 'simplified system of employment of foreigners' (based on the registration of declarations of intent to entrust work to a foreigner and addressed to citizens of six countries - Armenia, Belarus, Georgia, Moldova, Russia and Ukraine), further [restrictions](#) were introduced (in addition to other measures introduced earlier this year).

Student migration

- ★ **France:** In order to improve the reception conditions of third-country national students and increase France's attractiveness, the [decree of July 30th 2015](#) modifies the competency of the Préfet (Police authorities) in charge of issuing French residence permits. According to the decree, the competency to issue a residence permit now depends on the location of the French university or school where the residence permit application is filed, provided that the entity has concluded a convention with the State. If no convention has been signed, the competency resides on the entity established at the student's home address.

Also, on 8th and the 25th of June respectively, France signed a "Working Holidays" agreement with Chili and Colombia (in addition to those with Japan, New Zealand, Canada, South-Korea, Russia, Argentina, Hong-Kong and Brazil). These last two agreements will be soon enforced. The [agreement](#) provides nationals from one of the

signatory countries aged between 18 and 30 years old with an opportunity to spend holidays and to work in the host country.

- ★ **Ireland:** Reforms have been introduced to the [student immigration system for international education](#) in Ireland, specifically to the list of eligible programmes for study.
- ★ **Poland:** The Ministry of Science and Higher Education [adopted](#) the long-awaited "Higher Education Internationalisation Programme" to foster the internationalisation process in Poland. Also, [new regulations](#), starting from the 2014/2015 academic year, introduced more favorable terms for international students in Poland.

In July 2015, the Polish President [signed](#) an amendment to the Act on Polish language. The new provisions provide for easier access to Polish language certificates.

5. MANAGEMENT OF THE EU EXTERNAL BORDERS

EU DEVELOPMENTS AND UPDATES

- ★ During the month of September, [Austria](#), [Germany](#) and [Slovenia](#) notified the European Commission of their intention to temporarily reintroduce border controls, as an exceptional possibility foreseen and regulated by the Schengen Borders Code.
- ★ On the 29th July 2015, the [Public Consultation on the Smart Borders Package](#) was launched. The Smart Borders Package aims, amongst other things, to improve the management of Schengen Member States' external borders, fight against irregular migration and provide information on over-stayers. The consultation aims to feed into the on-going impact assessment of the Smart Borders package and the policy preparation of the revised proposal that will be issued by the Commission. The consultation will be open until 29th October 2015.

NATIONAL DEVELOPMENTS

- ★ **Austria:** On 16th September 2015 temporary border controls were conducted, requiring all passengers to show travel documents.
- ★ **Croatia:** Following the closure of Hungarian borders with the Republic of Serbia, an increase in the number of migrants from Serbia towards the state border with the Republic of Croatia has been registered. The number of illegal entries detected by the Croatian police has also significantly increased.
- ★ **France:** On 16th July 2015 a "Smart borders" [operation](#) was launched in Cherbourg. The town is characterised for its increased migrant influx and thus it has been selected to host a three month test on the use of technological advances in the biometric field (e.g. iris scan, fingerprints and facial recognition).
- ★ **Greece:** As a result of the high migratory pressures on the islands on the Eastern Mediterranean Sea route, Greece and in particular the Hellenic Police, will support the Frontex Joint Operation "POSEIDON Sea 2015", with the internal redeployment of 76 officers with expertise on border surveillance, screening and language skills. In addition, efforts were made to increase the number of Eurodac devices and ensure the availability of containers for registration and screening purposes. In addition, during the reporting period, coast guard activities were intensified for the pre-frontier identification of irregular boats. The Coast Guard Authorities of east Aegean were also reinforced and navy units were maintained to enhance the surveillance at the sea borders. A request was also submitted to Frontex in order to increase its operational assistance.
- ★ **Ireland:** Progress on phase one of the civilianisation of frontline immigration control procedures at Dublin Airport has been positively reviewed by the Irish Department of Justice and Equality.
- ★ **The Netherlands:** In September 2015, the State Secretary of Security and Justice decided to intensify controls within the context of [Mobile Security Monitoring](#) due to the large influx of asylum seekers, for an initial period of four weeks.
- ★ **Poland:** A new [website](#) was launched by the Border Guard together with the Customs Service. The website (available in PL, EN, DE and RU) aims to facilitate crossing of Polish borders by displaying information on current events at the border, including waiting times and disruptions.

6. IRREGULAR MIGRATION AND RETURN

EU DEVELOPMENTS AND UPDATES

- ★ The [Commissions Communication on Managing the refugee crisis](#) also calls for Member States to further support for the Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa. In total 1.8 billion euro from the EU's financial means have been allocated to set up the trust fund. The aim is to improve stability, address root causes of irregular migration flows and support the regions of the Sahel, Lake Chad, the Horn of Africa, and the North of Africa.
- ★ As part of the Commission comprehensive package of proposals launched on 9th September 2015, on the field of return, these included [EU Action Plan on Return](#) –as previously mentioned- and in parallel a [Return Handbook](#) to be used by the national competent authorities when carrying out returns tasks. The handbook is aimed to serve as the main training tool in standards and procedures concerning the application of the Return Directive (2008/115/EC).
- ★ **Frontex** released on 18th August 2015 a technical report, the [Document Challenge II](#), on a testing exercise carried out on human and machine performance in **detecting** and classifying **genuine and false travel documents**. The exercise underlined a variety of weaknesses and vulnerabilities in the process of inspecting travel documents. Consequently, a few recommendations have been put forward in order to **harmonise minimum requirements and functionalities** at an EU-level.
- ★ On 26th of June 2015, the EU naval operation "[EUNAVFOR Med](#)" was [launched by the Council of the European Union](#). The operation against human smugglers and traffickers in the Mediterranean aims to identify, capture and dispose of vessels and enabling assets used or suspected of being used by migrant smugglers or traffickers.

Judgment of the European Court of Justice Case [C-554/13](#).

The Court of Justice ruling of 11 June 2015 pointed out that, in light of article 7(4) of the Return Directive (Directive 2008/115/EC), the refusal to grant a period for voluntary departure to an illegal staying third-country national on the ground that s/he poses a risk to public policy requires a case-by-case assessment, including whether that person's fundamental rights are respected. Such a person cannot be deemed to pose a risk to public policy on the sole ground that s/he is suspected, or has been criminally convicted, of an act punishable as a criminal offence under national law. The national authorities should take into consideration other factors, such as: the nature and seriousness of the act, the time elapsed since it was committed, the reliability of the suspicion that the person concerned committed the alleged criminal offence.

LATEST RELEVANT STATISTICS

- ★ The Frontex [Western Balkans Quarterly](#) report was published on 4th September 2015, covering **Q2 2015** (April-June). The report aims at identifying irregular migration developments, taking into consideration seven variables: detections of illegal border-crossing *between* and *at* border-crossing points (BCPs), refusals of entry, illegal stays, number of asylum applications, detections of facilitators and of fraudulent documents.
- ★ According to the latest report, at least 52,200 **non-regional migrants** have been detected illegally crossing regional borders. This figure indicates an **increase of 219%** when compared to the previous quarter. Non-regional migrants are mostly in transit from **Turkey, Greece and Bulgaria** and are mostly **Syrians and Afghans**. On the other hand, illegal-crossing by **regional migrants** has **decreased by 83%** when compared to the previous quarter and constitutes only **8%** of the total illegal border-crossing of Q2 2015.
- ★ Concerning the **detection of facilitators**, an **increase of 11%** was registered when compared to Q1 2015. Facilitators are mostly citizens of Western Balkans countries (79%), with **Serbians** been the most represented nationality (59%), followed by Macedonians and Albanians. The parallel reading of these figures shows that **Serbia** is still the Western Balkans country mostly affected by the non-regional flow.

NATIONAL DEVELOPMENTS

- ★ **Austria:** Following the enforcement of the legal amendments to the Alien Law, the scope of return counselling and assistance was extended beyond asylum-seekers to include other third-country nationals at all stages of the procedure. Amendments specify an obligation for certain third-country nationals who have been issued a return decision to participate in return counselling.
A government proposal was also presented on the fight of smuggling. The aim is to facilitate the possibility to summon smugglers into investigative custody.
- ★ **Greece:** On 7th September 2015 Law 4332/2015 on the Amendment of Greek Citizenship Code provisions entered into force. The law introduces amendments regarding the competence of the Ministry of Interior, as well as a provision that states that a completed and duly processed residence permit application prevents the issuance of a return decision. In such cases, before issuing a return decision against third- country nationals who have applied for a residence permit under exceptional reasons, the services of the Greek Police now need to contact the Ministry of Interior to confirm the third-country national has fulfilled the formal conditions to examine the residence

application. The Law also includes amendments to no longer impose sanctions on those who provide assistance to irregular migrants at sea and transport to persons in need of international protection. Amendments also include provisions to protect third-country nationals who fall under the subscription terms of the principle of non-refoulement from deportation, by issuing a certificate of non-expulsion of humanitarian reasons.

Furthermore, in order to address the high migratory pressures during the peak summer period, the Hellenic Police in cooperation with Frontex launched a Rabit Exercise (Rapid Border Intervention Team) named "REX 2015". The exercise will run from the 19th of August until the 19th of October 2015. The aim of REX 2015 is to strengthen the border control at the Greek Turkish land borders and to increase the effective prevention of illegal migration and other cross-border related crime.

- ★ **The Netherlands:** As of 15th of August 2015, asylum seekers from Kosovo and Mongolia are [no longer eligible for return funds](#) upon rejection of their asylum request. The decision comes after suspicions that such funds were acting as an incentive for nationals from these countries to apply for asylum in The Netherlands.

On 25th June 2015 the Advisory Committee on Migration Affairs in the Netherlands (ACVZ) presented its report '[The strategic country approach to migration: between ambition and reality](#)'. The Dutch government aims to enhance the effectiveness of return policy by improving the cooperation of countries of origin in the forced return of their nationals. A study on best practices in the strategic approach in Belgium, France, Spain and the United Kingdom is included.

- ★ **Poland:** An [amendment](#) to the Act on Border Guard was signed by the President. The amendment grants the agency new competences, amongst others, the competence to combat crimes related to forgery of new types of documents.
- ★ **United Kingdom:** Illegal migrants will face a jail sentence for working in the UK, under measures to be included in the new Immigration Bill. The Immigration Bill, due to be introduced this autumn, will include a range of new powers to deter people from trying to find work in the UK illegally and measures to deal more effectively with rogue businesses who offer them employment. A new illegal work offence will allow wages to be seized as proceeds of crime. Anyone prosecuted for this new offence will face a sentence of up to six months in prison and an unlimited fine in England and Wales.

7. ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

EU AND INTERNATIONAL DEVELOPMENTS AND UPDATES

- ★ On 22nd July 2015 the [Group of Experts on Action against Trafficking in Human Beings \(GRETA\)](#) published its fourth general report, covering its activities from August 2013 until September 2014. The document provides an overview of GRETA activities, including meetings, evaluations and publications held by GRETA during the above mentioned period. Round-table meetings were also organised in some countries in order to follow the implementation of GRETA's recommendations.
- ★ In addition, GRETA also published some national reports concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings: these concerned the evaluations of [Germany](#), [Hungary](#), [Finland](#) and [Lithuania](#).
- ★ The United Nations Office of Drugs and Crime published in July 2015 a [Paper in relation to its Trafficking in Persons Protocol](#). The study aims at explaining some concepts, in particular the **concept of exploitation** contained in the above mentioned Protocol, in order to make sure that these concepts are clearly understood and for the Protocol to be consistently implemented and applied by the States Parties.

NATIONAL DEVELOPMENTS

- ★ **Germany:** The new Act on the redefinition of the right of residence, as well as the Residence Act, now stipulate that a third-country national who is a victim of a criminal offence, pursuant to Sections 232, 233 or 233a of the Criminal Code, *shall* (previously "may") be granted a residence permit for a temporary stay, even if the victim is required to leave the federal territory (§ 25 sect. 4a s.1 Residence Law). In addition family reunification is offered according to § [29 sect. 3 s. 1 Residence Law](#).
- ★ **The Netherlands:** On 18th June 2015, the Dutch Ministry of Security and Justice launched a [website](#) aimed at informing victims, professionals and citizens about the organisations involved in the detection and repression of human trafficking, as well as on the provision of assistance to the victims of these crimes.
- ★ **Poland:** On 15th June 2015 the Committee of the Parties examined the report submitted by Poland on the undertaken measures to implement the Committee's recommendation on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. GRETA decided to examine this information during the second round of evaluation of the implementation of the Convention.
- ★ **United Kingdom:** As of 31st July 2015 criminals convicted of human trafficking and modern slavery face sentences to life in prison. The first series of measures, focused on criminal justice provisions, to come into force

include: ensuring that those who commit these crimes are subject to the toughest possible asset recovery regime; introducing Slavery and Trafficking Reparation orders, which encourage the courts to use seized assets to compensate victims; and the commencement of regional pilots of the National Referral Mechanism (NRM) – the system used across Government and by various agencies to refer, protect and support victims of modern slavery.

8. EXTERNAL DIMENSION

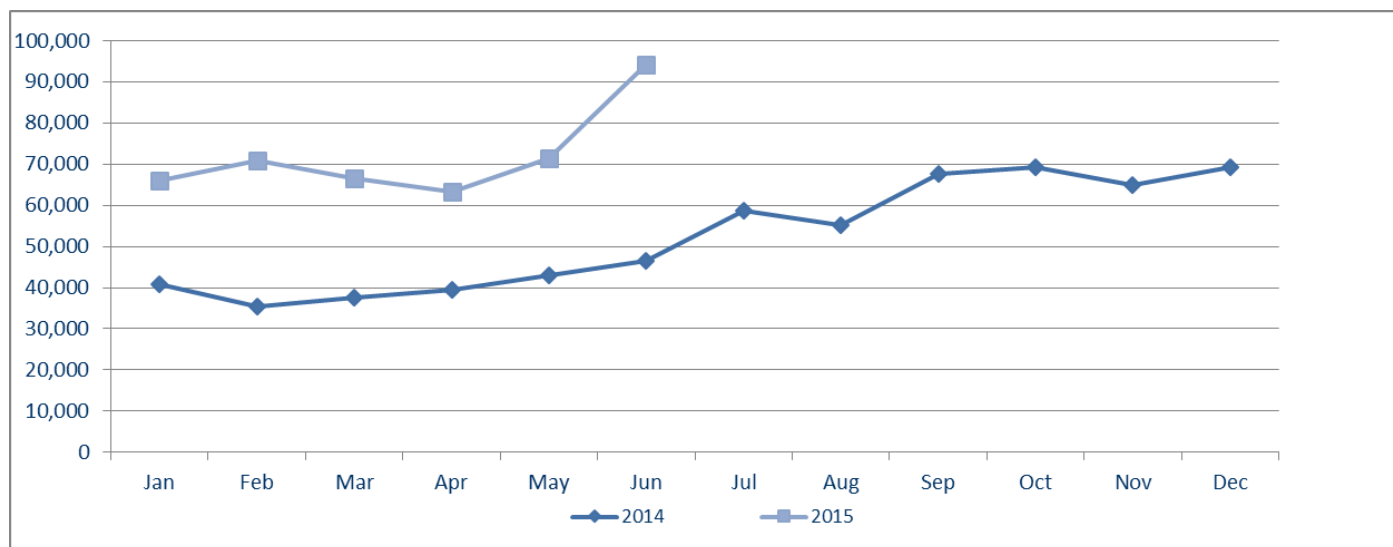
NATIONAL DEVELOPMENTS

No developments were reported on this field during the Bulletin period.

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

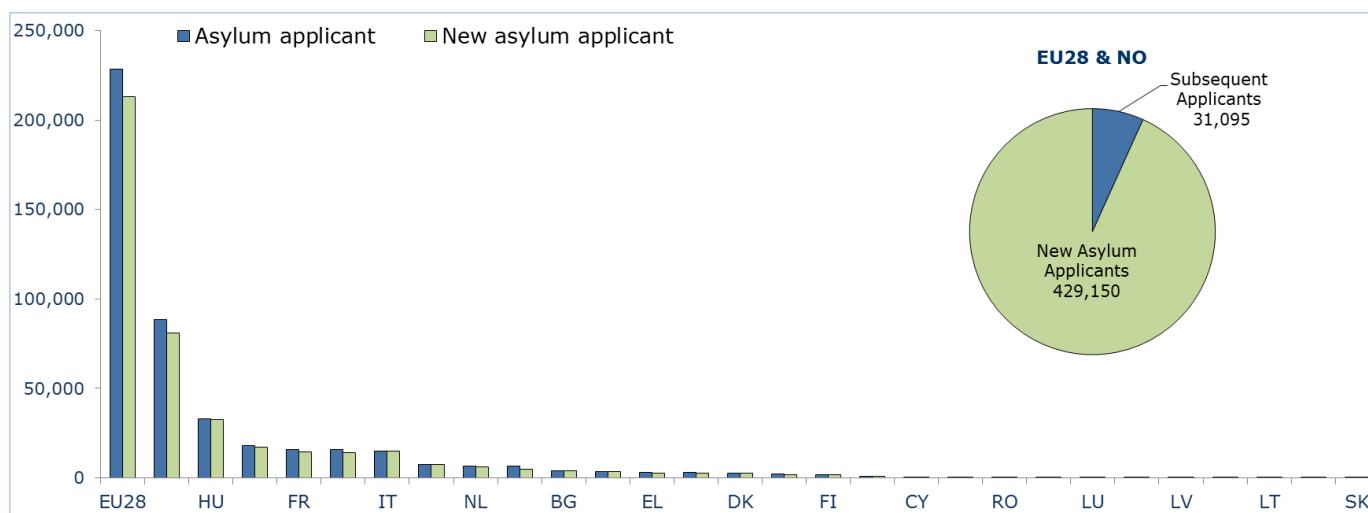
EU Figures

Figure 1a: Asylum applications in EU-28, January 2014 – June 2015



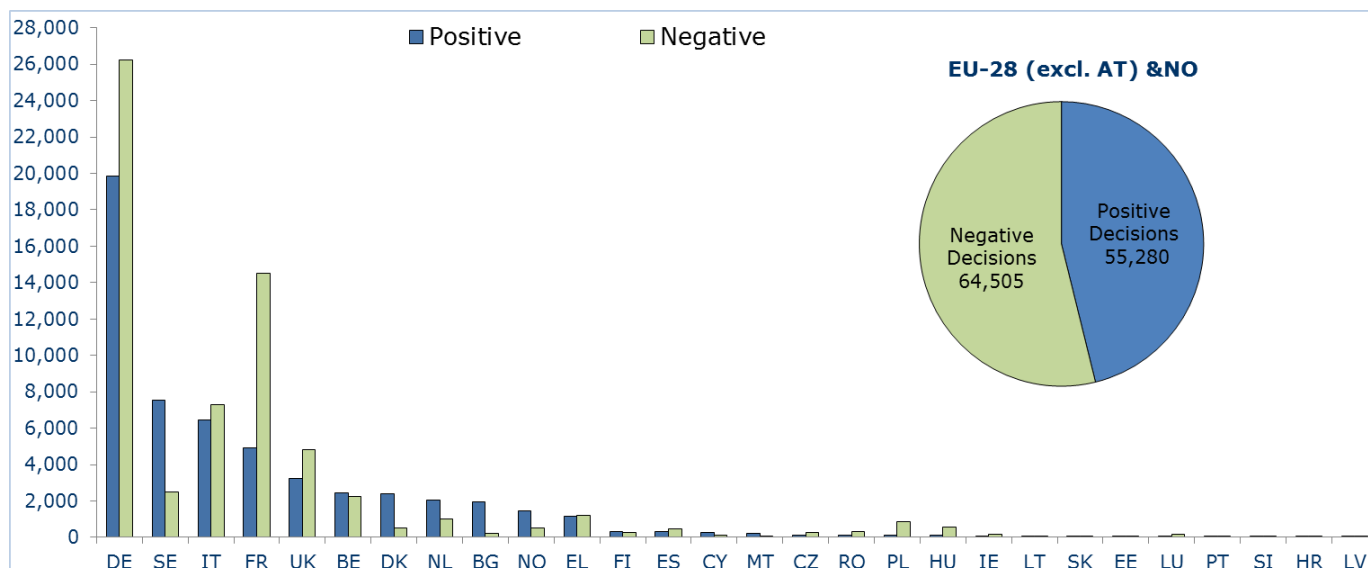
Source: Eurostat [[migr_asyappctzm](#)], accessed on 24th September 2015.

Figure 1b: Asylum and new asylum applicants in EU-28 and Norway, April – June 2015 period



Source: Eurostat [[migr_asyappctzm](#)], accessed on 24th September 2015

Figure 2: First instance asylum decisions in EU-28 and Norway, second quarter 2015 (quarterly data)



Source: Eurostat [[migr_asydcfstq](#)], accessed on 24th September 2015 – Negative decisions include also "Dublin decisions" (according to Art. 4, EC Regulation n. 862/2007) Data were not available for Austria.

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

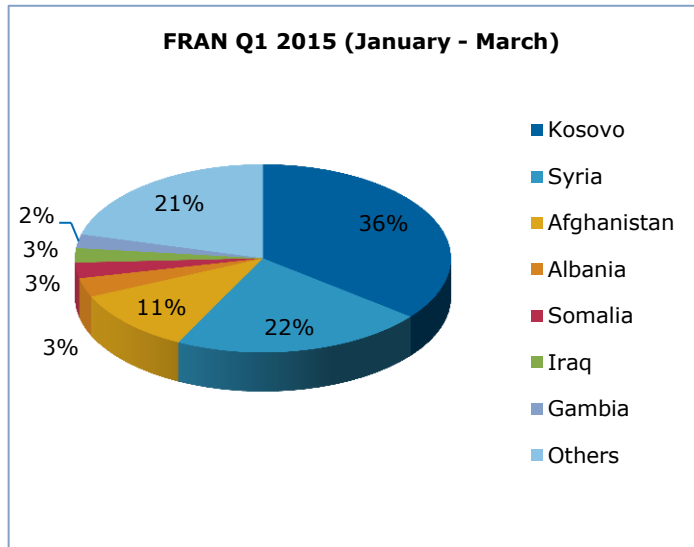


Figure 3b: Refused entry - Top nationalities (in %)

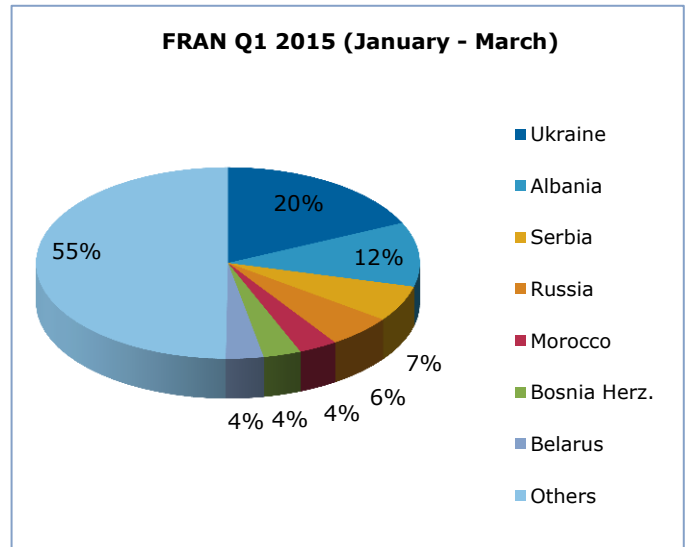


Figure 3c: Illegal stay - Top nationalities (in %)

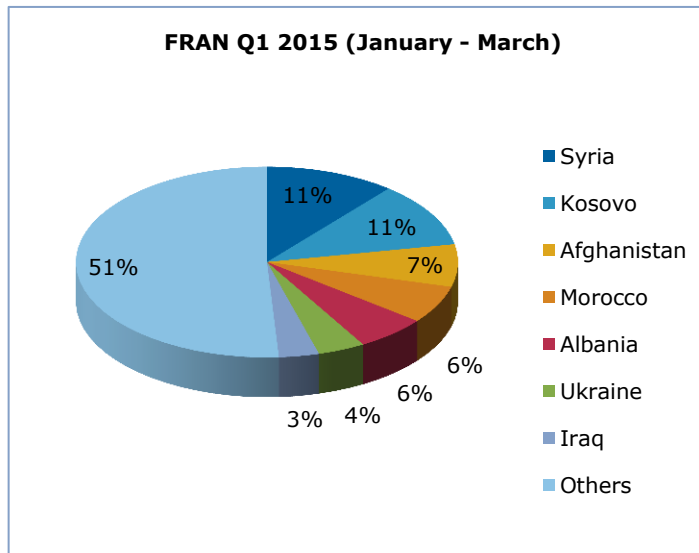
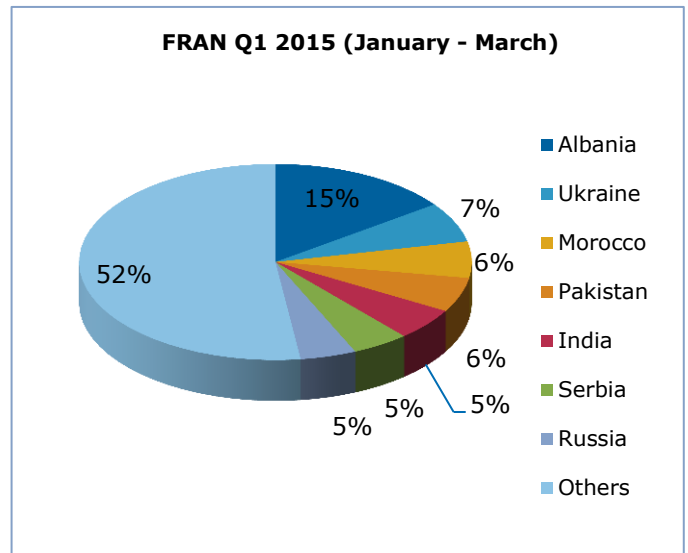


Figure 3d: Effective return - Top nationalities (in %)



Source: FRONTEX FRAN Q1 2015 (January - March)

Latest available national statistics

IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM

- ★ **Croatia:** Up to 24th September 2015, approximately 45,000 migrants have entered Croatia according to public sources of the Ministry of Interior. However, only 11 persons have requested international protection in Croatia.
- ★ **Finland:** By the end of September 2015 a total of 17,851 asylum seekers arrived in Finland during 2015. 69% of them (12,329 applicants) came from Iraq and 10% (1,773 applicants) from Somalia. The total number of asylum seekers in 2014 was 3,651.
- ★ **United Kingdom:** The Office for National Statistics' published its report [Migration Statistics Quarterly](#) (produced with Home Office, Department for Work and Pensions and National Records of Scotland) on 27th August 2015 providing the latest national figures on UK migration flows.

IRREGULAR MIGRATION AND RETURN

- ★ **United Kingdom:** The Home Office's [Immigration Statistics for the period April to June 2015](#) were published on 21st May 2015 providing the latest national figures on those subject to immigration control.

ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

- ★ **Finland:** In early 2015, [31 persons were placed in the assistance system for victims of human trafficking](#). Most of the third-country national victims were Nigerians. The number of victims registered is larger when compared to same period in 2014, when the number of registered victims was 21.

Updates on EU legislation transposition

IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM

- ★ **Cyprus:** A new law on the establishment of an Administrative Court was published in the Official Gazette of the Republic of Cyprus on July 21st of 2015. The new Administrative Court will provide full examination of the asylum cases as provided by the recast Asylum Procedures Directive.
- ★ **The Netherlands:** The Member State reported that the recasts Asylum Procedures (2013/32/EU) and Reception Directives (2013/33/EU) have been [transposed](#) on July 20th 2015.
- ★ **Poland:** [Amendments](#) to the Act providing foreigners' protection in Poland were adopted and submitted by both chambers of the Parliament for the President's signature. The amendments aim to implement the provisions introduced by the EU re-cast Asylum package (including free of charge legal support for asylum seekers) as well as to introduce more flexible approach vis-à-vis relocation and resettlement.

LEGAL MIGRATION

- ★ **Finland:** The Ministry of the Interior has established a [legislative project to review the family reunification](#) criteria to comply with the EU Family Reunification Directive.

UNACCOMPANIED MINORS AND VULNERABLE GROUPS

- ★ **Germany:** Concerning to the transposition of the re-casts Asylum Procedures Directive (2013/32/EU) and Reception Conditions Directive (2013/33/EU) a concept for identification of applicants in need of special procedural guarantees (Art. 24 of Directive 2013/32/EU) was introduced into national procedures.

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

- ★ **Austria:** On 21st September 2015 the Austrian EMN National Contact Point organised its national conference on "Irregular Migration and Return in the EU and Austria". The conference brought together researchers, government officials, Commission representatives and general public. Presentations on the latest research findings on migration routes to the EU and factors influencing individual migrant destination choices were provided. Furthermore, the EU's role and its available options regarding the successful management of current challenges in the field of migration and asylum were examined, while European countries experiences were shared. The latest EMN study about the dissemination of information on voluntary return among persons who are not in contact with the authorities was also presented. The conference report and presentations are available at this [link](#). Also, on 25th and 26th June 2015, the 12th annual conference of General Directors' Immigration Service Conference (GDISC) took place in Vienna. The conference aimed to exchange practical experiences in regard to procedural related issues and included a debate about development in the area of asylum and migration.
- ★ **Slovak Republic:** On 25th -27th August 2015 the Slovak EMN National Contact Point organised in Bratislava the 4th edition of the EMN Educational Seminar entitled Irregular Migration – Borders and Human Rights. The following topics were presented and discussed: irregular migration and its current challenges in the world, EU and Slovakia; smuggling and other forms of irregular migration; fight against irregular migration; dealing with the situation of irregular migrants and protection of their rights and intermingling of forced and irregular migration. The presentations from the seminar are available on the following [link](#).